

Alexandria City, VA
Circuit Court

Auto Accident - Emergency Vehicle - Right-of-Way

Settlement: \$75,000 with contribution of \$50,000 from Defendant City of Alexandria (UIM) and \$25,000 from Defendant Soriano (tortfeasor).

Judge: None

Settlement Date: 2/2004

Plaintiff's Attorney(s): Brandon M. Gladstone, Springfield

Defendant's Attorney(s): Steven C. Bergeron, Fairfax
George McAndrews, Alexandria

Age: 36

Sex: F

Marital Status: Single

Occupation: City of Alexandria Police Officer

Facts: A police officer injured in a motor vehicle accident while responding to an emergency agreed to settle her injury claims for a total of \$75,000. The tortfeasor paid \$25,000 toward the settlement and the underinsured motorist carrier paid the balance of \$50,000. The underinsured carrier also waived its subrogation lien for workers' compensation benefits.

Alexandria City police officer, Plaintiff Venus Roman, was driving her police vehicle on South Glebe Road near the Arlington/Alexandria City line. She was on an emergency run with her siren activated and emergency lights flashing. As she attempted to go through the red light at the intersection of South Glebe Road and Mt. Vernon Avenue, she was "T-boned" by a vehicle driven by Defendant Jose Soriano. Defendant had the green light, but admitted that he failed to yield the right-of-way to an emergency vehicle. Plaintiff sought damages for her shoulder injury from the tortfeasor and from her employer, Defendant City of Alexandria, for underinsured motorist benefits.

Plaintiff claimed she suffered a torn rotator cuff which required surgery and follow-up treatment for more than one year. She claimed medicals and lost wages from a second job as a result of her injuries.

Defendants disputed the nature and extent of plaintiff's injuries, but ultimately settled her claims prior to the lawsuit being served. Defendant City of Alexandria also waived its subrogation lien for workers' compensation benefits as part of the settlement.

Alleged Injury: Shoulder, right knee and chest pain in the emergency room. Plaintiff was eventually diagnosed with a left rotator cuff (shoulder) tear which required surgery 9 months post accident. She required physical therapy off and on for up to one year and worked sporadically for 10 months after the accident because of her injuries. Plaintiff claimed permanent visible surgical scarring to the shoulder, but made a good recovery and returned to work. She sought \$25,176 in medicals and \$30,000 in lost wages for her second job.

Insurance Carrier: City of Alexandria (UIM); Superior (Soriano)

Expert Witnesses:

Plaintiff: Jeffrey L. Lovallo, M.D. - Orthopedist - Arlington, VA

Defendant: None

Case Caption: Venus Roman v. Jose Soriano

Case Number: N/A

Editor's Note: This case settled prior to the serving of the lawsuit.