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Georgia State Court.

ANDREA SPRADLEY v. LAURA M. WEAVER

10EV010757

DATE OF VERDICT/SETTLEMENT: February 22, 2012

TOPIC: MOTOR VEHICLE AUTO ACCIDENT - REAR-END - **LIABILITY ADMITTED** - LIABILITY ADMITTED

SUMMARY:

Amount demanded from jury: \$750,000

Result: Verdict: \$56,552

ATTORNEY:

Plaintiff's: [H. Durance Lowendick](#), Lawrenceville

Defendant's: [Pamela S. Webb](#), Des Moines

JUDGE: [John R. Mather](#)

STATE: Georgia

COUNTY: Fulton

ALLEGED INJURY: Plaintiff initially claimed lower back pain following this accident. Two weeks later, she complained of shoulder pain and was diagnosed with a torn labrum in her right shoulder. She underwent surgical repair of same. Plaintiff claimed ongoing shoulder complaints and, within nine months of the accident, underwent two surgeries for rotator cuff tears to the same shoulder. One and a half years after this accident, plaintiff underwent surgery on her lumbar spine for aggravation of spinal stenosis. She sought over \$200,000 in medicals, and asked the jury for \$750,000 in economic and non-economic damages.

SUMMARY:

Plaintiff Information:

Age: Mid-40s

Sex: F

Occupation: Homemaker

Marital Status: Married

Insurance Carrier: GuideOne

Jury Deliberations: 3 hours

FACTS:

A motorist rear-ended on an interstate exit ramp claimed a number of significant injuries, some of which were not diagnosed or treated for some time after the accident. Due to the gap in diagnoses and treatment, the defendant disputed any injuries beyond the initial shoulder injury claim. The case was argued before a Fulton County State Court jury. The jury returned a \$56,552 verdict for the plaintiff, which reflected her medical care, treatment, and pain and suffering with regard to the initial shoulder injury only.

Plaintiff Angela Spradley was driving her vehicle on I-275. She was on her way to Six Flags amusement park and was exiting onto I-20 at the time of this accident. As plaintiff slowed for traffic backed up on the ramp, she was rear-ended by a vehicle driven by Defendant Laura Weaver. Defendant admitted liability for causing the accident, which resulted in \$2,000 to \$3,000 in property damage to both vehicles.

Plaintiff initially complained of lower back pain, but later described shoulder pain and underwent surgery for a torn labrum. Later still, plaintiff underwent two surgeries on the same shoulder for [tears in her rotator cuff](#). Another 1.5 years passed and plaintiff underwent lumbar spinal surgery. Plaintiff and her treaters related all complaints and surgeries to this accident. Plaintiff claimed permanent pain and suffering. She sought economic and non-economic damages.

Defendant's expert acknowledged the initial shoulder complaint may have been related to this accident and necessitated plaintiff's first surgery. However, defendant argued that plaintiff's rotator cuff injuries and subsequent surgeries were unrelated and unnecessary. Moreover, defendant contended that the lumbar surgery was due to pre-existing conditions or other unrelated causes.