

# VERDICT SEARCH

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## **Submitting Party/Plaintiff's Attorneys:**

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## **Case Information:**

*Plaintiff vs. Barnes & Barnes, James Hayes, A/T Road Service*  
Solano County Superior Court Action No. FCS033644  
Case Type: Settlement  
Apx. Date of Settlement: June 2010  
Amount: \$1,000,000  
Topic: Auto vs. Bicyclist  
Trial Length: N/A  
Deliberation: N/A

## **Defendants' Attorneys**

Joe Nykodym, Esq.  
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## **Plaintiff's Experts:**

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Thomas Sampson, M.D. *Orthopedist*  
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## **Defendant's Experts:**

None

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**Case Facts:**

Plaintiff is a 41-year old male, BART employee. On September 15, 2008 Plaintiff was riding his bike next to the curb on North Texas street when Defendant Barnes, who was distracted by both the noise of his vehicle and his telephone conversation with his boss, made an illegal right hand turn in violation of California Vehicle Code Section 22107, and ran over the Plaintiff with his ten thousand pound truck.

Plaintiff suffered serious injuries; his pelvis was crushed from the impact, and his injuries were so serious that the ambulance drivers were fearful for his life, and called in a helicopter ambulance to evacuate Plaintiff to John Muir Medical Center where he remained for six days suffering from a complex right pelvic fracture, right retroperitoneal hematoma and right groin laceration.

A week later Plaintiff was transferred to Kaiser Hospital in Oakland where he underwent surgery and was fitted with an external stabilizer to assist in the healing of his injuries. He remained hospitalized at both Kaiser and a long term care facility for an additional 30 days after transfer from John Muir. The matter settled for defendant's insurance policy limits of \$1,000,000.