



## **The Personal Injury Practice Area at Fox Rothschild LLP**

### **Case Studies**

#### **Situation:**

Our elderly clients, a husband and wife, were rear ended in a car crash at the intersection of Rte. 206, North and Atsion Road in Atsion, New Jersey on 10/9/03. Their car was pushed into oncoming traffic and struck head on, resulting in multiple trauma including head injuries and multiple fractures. Their medical condition required them to be transported by helicopter to Cooper Medical Center in Camden, where they were both hospitalized for seven days. They pursued treatment which healed facial, spinal and iliac fractures so that both regained the ability to walk independently. The husband pursued cognitive therapy due to loss of memory and alteration of mood. Although their recoveries were remarkably good considering the extent of the trauma, the resulting injuries limited their ability to care for an adult handicapped son, forcing them to hire helpers within the home.

#### **What we did:**

We sued the driver who struck them in the Superior Court of New Jersey, Burlington County and documented the severity of the son's handicap on video tape and the necessary help, he needs, daily. Our challenge was to document the impact upon the quality of life of a retired couple in their late seventies, as well as the economic impact. We obtained neuropsychological evaluation that documented a loss of the ability to manage the care of their son, which required dedicated daily effort. We illustrated that challenge by commissioning the production of a day in the life video of the handicapped son and his replacement caretakers and we documented the economic loss with an economist who calculated the related expenses through to the end of their anticipated lifespans.

#### **Result:**

The defendant agreed to pay one million dollars in damages.