

MICHIGAN LAWYERS WEEKLY

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From the February 09, 1998 Michigan Lawyers Weekly.

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Verdicts & Settlements

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Motor Vehicles

No- Fault Benefits

Injuries alleged:

Aggravation of shoulder pain resulting in acromionectomy surgery

Name of case:

Janse v. Warner

Court/case no.:

Montcalm County Circuit Court, #95-N-898-NO

Name of judge:

Charles Miel

Damages awarded:

\$0 (no cause of action)

Date:

Oct. 8, 1997

Attorney for the plaintiff:

Withheld

Attorney for the defendant:

Robert B. Aardema

Name/city of most helpful experts:

Wallace Duffin, M.D., Grand Rapids

Insurance carrier:

Allstate Ins. Co.

Highest offer:

\$12,000

Other useful information:

The plaintiff was a passenger in a car rear-ended by the defendant. The plaintiff was taken to the emergency room immediately after the accident and treated for shoulder pain. Following 10 months of conservative treatment, the plaintiff had an acromionectomy surgery, but thereafter continued to complain of pain. The plaintiff acknowledged a 16-year history of prior shoulder problems but medical records showed little, if any, treatment prior to the accident. The court granted a directed verdict for the plaintiff on negligence. The jury found for the defendant on the basis that the plaintiff was not injured in the accident.

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