

Spinal Injury Case Studies

Background – Case 1

The client sustained severe injuries when they were struck by an HGV vehicle in the yard at their place of work. The client became **trapped** beneath the vehicle and was carried some distance with their head between the wheel and body of the vehicle. They sustained multiple **fractures** of the **spine and pelvis** and fractures of the left tibia and fibula. The client also sustained a minor head injury.

How we helped

Our client underwent numerous **operations** and we were able to arrange extensive **rehabilitation** under the Rehabilitation Code from a physio, respiratory physio, speech physio and a **psychologist**.

The claim proceeded against the two defendants who both denied liability. Expert **evidence** was gathered from specialists in the field of Orthopaedic Surgery, Psychiatry, Respiratory medicine and Neurology.

Site inspections were also carried out at the yard and disclosure sought from the Health and Safety Executive and the Chesterfield Magistrates Court.

Just before trial a very favourable split of liability was **negotiated** on the client's behalf and the client received **£145,000**.

“
THE CLIENT
SUSTAINED
MULTIPLE
FRACTURES
OF THE **SPINE**
AND **PELVIS**
”

Background - Case 2.

Our client sustained severe injuries as a **cyclist** involved in a collision with a car. They suffered multiple injuries including a left sided **hemothorax** with plural effusion and lung collapse, a left hemidiaphragmatic rupture with **splenic flexure**, multiple left sided rib fractures, an unstable burst fracture of the L5 vertebra of the spine and multiple spinous process **fractures**. The client suffered a head injury, shock and psychological injury.

Although liability has been admitted, there has been significant **dispute** with regard to the cause of the accident and how much the claim should be worth. In particular, the Defendants are seeking to argue that the client has sustained no significant loss of future earnings. Our client however, works in a highly paid niche sector which relies fundamentally upon their physical fitness and therefore the client is pursuing a significant claim for past **loss of earnings**, future lost earnings with an additional claim for handicap on the open labour market.

How we helped

Given the extent of the dispute with regard to claim value, Simon has used his expertise to gather significant expert **accounting** evidence and witness evidence to support the claim for future lost earnings.

Reports were also obtained from a Consultant Psychiatrist, Consultant Neuroradiologist, Consultant Neurologist, Consultant Neuropsychologist and Consultant Spinal Surgeon, Consultant Orthopaedic Surgeon.

Through extensive **investigation** and the obtaining of carefully selected expert and other evidence, it is believed that the client is now in a strong position to put forward and succeed in a claim for significant loss of earnings. This should be around **£1million**.

Background – Case 3.

The client sustained a significant head injury in a car accident which has left them with a change of **personality**. In addition they also sustained a fracture of the fourth cervical vertebra of the spine and also a fracture to the 5th left rib and left **pneumothorax**. The client suffered extremely serious comminuted fractures to both legs. The client underwent a long period of inpatient stay and has undergone a number of operations to their legs. There are risks that further operative intervention will be required including one or more total knee replacements. Expert reports were required from a Consultant **Orthopaedic** Surgeon, a Consultant Neurosurgeon and a Consultant Physician, a Consultant Neuropsychologist and a Consultant Neuroradiologist in order to support the claim.

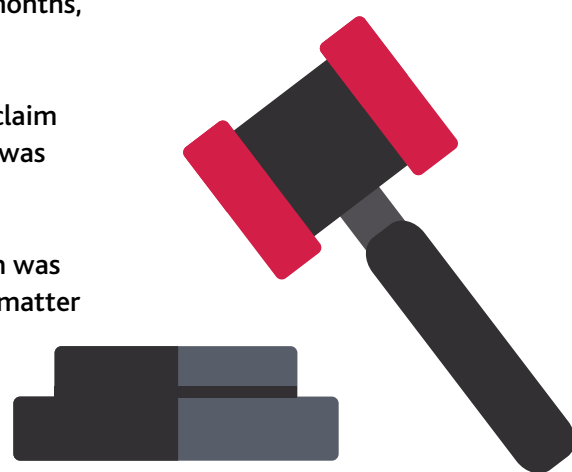
How we helped

Simon Wright's experience and expertise in complex cases allowed him to quickly understand the extent of the client's injuries and select the appropriate medical experts to carry out the **investigations**. He was able to put in place a course of rehabilitation treatment to assist with their recovery under the **rehabilitation** code. Simon visited the client at home in the early stages and was able to obtain an interim payment to ensure that the client was able to meet their daily living needs, in a situation where they were, for many months, unable to work.

Simon was able to collate supporting witness evidence in respect of the claim for future lost earnings, to support a claim where on the face of it, there was little if any loss of earnings being sustained.

Overall Simon's conduct of the case led to a **£300,000** settlement which was probably in excess of the sum which may have been anticipated had the matter proceeded to trial.

“
OVERALL
SIMON'S
CONDUCT
OF THE CASE
LEAD TO A
£300,000
SETTLEMENT
”



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