

VERDICTS & SETTLEMENTS

Jury finds for plaintiff in Kansas driveway crash

By DAVID BAUGHER



Plaintiff's attorneys Reed Martens (L) and Chip Lee

A 62-year-old Kansas woman whose vehicle was struck by another as she was pulling into her driveway won \$550,000 in a case where liability was admitted but causation was contested.

"We heard a lot of discussion about prior migraines because there was a concussion that was diagnosed and alleged in the case from the crash," said Reed Martens of Monsees & Mayer, who represented plaintiff Lorri Dunkin.

Martens said much of the case focused on his client's pain, suffering and mental anguish.

Defense attorney Michael Norton of Foulston Siefkin

said that evidence of preexisting issues related to both concussion and anxiety were brought into the case, which featured no defense witnesses.

"The primary point was whether the plaintiff had suffered a permanent injury as a result of the accident and then, of course the nature and extent of the damages," said Norton, who represented defendant Sara Banner.

He said he felt Dunkin impressed the jury.

"At the end of the day, I think they found the plaintiff to be likeable and credible and just went with her," Norton said.

Martens credited the award to the effectiveness of family member testimony.

"I certainly think that the anxiety that she was facing every time she got behind the wheel of a car after this crash played a big part in the jury's verdict," he said.

\$550,000 VERDICT (OUT OF STATE) MOTOR VEHICLE COLLISION

Breakdown: \$50,000 past noneconomic damages, \$500,000 future noneconomic damages

Venue: Johnson County, Kansas, District Court

Case Number/Date:
22CV3848/Nov. 8, 2023

Judge: Robert Wonnell

Plaintiffs' Experts:
Michael Rippee, Kansas City (medical); Michael Carroll, Kansas City (medical); Marina Turner, Kansas City (counselor)

Last Pretrial Demand:
\$100,000 (policy limits)

Last Pretrial Offer:
\$17,000