

Head-on Parking Lot Crash Defense Verdict – October 6, 2008

Case: Coate v. Luong, 04AS04639

Court: Sacramento County Superior Court

Counsel for Defense: Peter J. Hirsig of the McNamara Law Firm

On November 7, 2002, in a parking lot in Rocklin, California, Plaintiff, Robert Coate, collided head-on with a vehicle driven by Sinh Luong. Coate sued Luong for negligence, asserting that Luong turned into his lane of the parking lot and hit him.

Defense counsel, Peter Hirsig, disputed the accident site based on the cars' damage. Mr. Hirsig claimed that the collision could not have occurred the way plaintiff described it, unless one of the cars had jumped a cement barrier in the parking lot in the process.

Plaintiff was diagnosed with injuries to his cervical and lumbar spine and an annular tear at L5-S1. Plaintiff claimed \$148,648.32 in special damages.

Defense medical experts disputed plaintiff's injuries. Defense counsel also pointed out that the plaintiff had undergone a laminectomy at L4-5 in 1987. The plaintiff's own orthopedist admitted at trial that scar tissue was impinging on the nerve at L5-S1.

The jury rendered a verdict for the defense, finding that Mr. Luong was not negligent.