

BLAKE DELONG OBTAINS FAVORABLE JURY VERDICT IN TWO-VEHICLE PERSONAL INJURY CASE

January 7, 2022 | Case Summaries



Young v. DeWolf

Maricopa County Superior Courts

October 25, 2021

JSH Attorney: [Blake DeLong](#)

The case arose from a 2018 auto accident in which the plaintiff broad-sided our insured driver. The insured passed away due to unrelated reasons, and his estate was the named defendant in the case. The defense admitted its driver was solely at fault, but disputed the accident caused the extent of injuries and damages claimed by the plaintiff.

The plaintiff, a woman in her 70s, claimed the accident aggravated pre-existing low back injury and necessitated more than \$350,000 in treatment, including low back laminectomy-fusion surgery. At trial, the plaintiff called her treating orthopedic surgeon to argue that the accident caused new low back injury that necessitated back surgery.

In contrast, the defendant, through its orthopedic surgeon expert, argued that extent of injury was temporary aggravation of the plaintiff's long-standing lumbar spine disease. The defendant also argued that the weight of the evidence demonstrated that the key symptom that the post-accident surgery was intended to address – right-sided radiating leg pain – did not onset until approximately seven months after the accident and that therefore there was no causative link between the accident and the new symptom.

Before trial, the plaintiff issued a \$275,000 offer of judgment and the defendant countered with an \$80,000 offer of judgment.

After a four-day trial, the plaintiff asked the jury to award \$727,000 in full damages. The defendant argued that \$20,000 of the plaintiff's claimed medical expenses were reasonably related to the accident and suggested that reasonable full case value should be \$80,000. In the end, the jury's verdict was \$80,000.

Blake DeLong has represented clients both in private practice and as in-house counsel for a major insurance company. He practices in the areas of automobile liability, premises liability and general insurance defense litigation. Blake is experienced representing clients in trial, arbitration, mediation and settlement conferences.

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