

COURT REMITS JURY VERDICT FROM \$700,000 TO \$250,000 IN SOTO V. SACCO

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Soto v. Sacco – Judge Michael Gordon recently remitted a jury verdict entered against Defendants Anthony Sacco, Total

Transit d/b/a Discount Cab and Discount Enterprises, represented by [Edward G. Hochuli](#). Plaintiff Michael Soto was a passenger in a taxicab that was owned by Discount Enterprises, and driven by Anthony Sacco. Plaintiff was injured after Mr. Sacco ran a red light and collided with another vehicle.

Plaintiff Michael Soto sustained a broken humeral fracture, which required surgery. He was released from treatment, approximately six months after the accident, without any restrictions or limitations. Mr. Soto claimed past medical expenses, in the amount of \$40,538.14. He did not seek future medical expenses or lost wages. Additionally, Mr. Soto admitted that he did not suffer any functional disabilities, and further admitted that he did not undergo a permanent impairment assessment. Prior to trial, Defendants admitted fault for the accident. The extent of Mr. Soto's damages was nevertheless contested.

During closing arguments, before Judge Michael Gordon, Plaintiff asked the jury to award him total compensatory damages (inclusive of pain and suffering damages), in the amount of \$725,000. The defense argued that Plaintiff should be awarded between \$90,000 and \$120,000. Ultimately, the jury returned a verdict, for Mr. Soto, in the amount of \$700,000.

Defendants filed a Motion for New Trial, arguing that the jury's award was the result of passion or prejudice. Alternatively, Defendants requested that the Court find that the verdict was otherwise excessive, and remit Mr. Soto's verdict to not more than \$350,000.

Judge Gordon, finding that the verdict was excessive and not supported by the evidence, remitted Mr. Soto's verdict from \$700,000 to \$250,000. When Mr. Soto refused to accept the remittitur, the Court issued an order, granting Defendants' Motion for New Trial. A date, for trial, has yet to be established.

[Ed Hochuli](#) is a founding partner of Jones, Skelton & Hochuli and now serves as Of Counsel. Throughout his 30+ year legal career, Ed was a dedicated trial attorney, trying more than 150 civil jury trials to verdict.