

MICHAEL HALVORSON OBTAINS DEFENSE VERDICT

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Jankowski v. Hurtado – Jones, Skelton & Hochuli, PLC attorney [Michael Halvorson](#) obtained a defense verdict for

personal injury case.

On May 23, 2011, Plaintiff, a grade school teacher and former college athlete, began to brake for slowing traffic when she was rear-ended by Defendant. Plaintiff claimed the impact speed was greater than 20 mph, and she suffered injuries to her shoulder, neck and back. Plaintiff further claimed she treated with various medical doctors and specialists for over four years with little relief. Thus, she made claims for permanent impairment, pain and suffering, loss of enjoyment of life, and loss of consortium, as well as for lost wages and unspecified future care costs.

Defendant admitted that she was solely responsible for causing an impact to the rear of Plaintiff's vehicle, but she denied the forces from the impact were sufficient to cause the injuries claimed. Defendant further argued that four years of treatment was excessive and unnecessary. In the alternative, Defendant suggested that if Plaintiff did, in fact, suffer injury, it was limited to soft-tissue injuries which should have resolved in 6 to 8 weeks of treatment.

Plaintiff called numerous fact witnesses to support her damages, including her employer, husband, friend and father. Plaintiff also called two medical experts, Justin Dunaway, a physical therapist, and Chad Campbell, a physician's assistant. Both experts testified that Plaintiff sustained injuries to her neck, back and shoulder as result of the accident, which necessitated various forms of treatment and medication over the next four years. Dunaway further opined that Plaintiff's current ongoing complaints were caused by the subject accident, and that all of the treatment she had received was causally related to the accident.

Defendant testified that the impact was minor, and she called a biomechanical engineer, Robert Anderson, to testify that the forces involved in the accident were unlikely to have caused injuries to Plaintiff as they were less than those typically involved in daily life. Defendant also retained an orthopedic surgeon, Dr. Michael Domer, to testify as a rebuttal expert. He was expected to testify that it was medically possible that Plaintiff sustained a cervical strain from the collision for which it would have been reasonable to allow six weeks of non-operative management for her injury. However, Defendant decided not to call him as a witness following the close of Plaintiff's case.

Four day Trial. Jury out 1 hour. Found for Defendant unanimously.

[Michael Halvorson](#), an AV Preeminent rated attorney on Martindale-Hubbell, has been with JSH for over 19 years. As part of his practice, Mr. Halvorson has mediated, arbitrated and tried a wide variety of cases largely focused on trucking and transportation, product liability, dram shop, motor vehicle and premises liability defense. In addition, Mike Co-Chairs the firm's Transportation, Auto, Products and General Liability Trial Group, and he is a frequent presenter at industry seminars and conferences.