

Missouri



FOLAND, WICKENS, ROPER, HOFER & CRAWFORD, P.C.

FOLAND AND MIRAKIAN'S DEFENSE STRATEGY SIGNIFICANTLY REDUCES CLIENT'S DAMAGES



Jim Foland

Jim Foland and Chris Mirakian defended a case for two-weeks in Oskaloosa, Kansas at the end of October and the beginning of November 2018. The Plaintiff was claiming that Defendant's loaded cement truck t-boned her at 65 mph causing her vehicle to be knocked off the highway and land in a ditch. There was no dispute that she had a traumatic brain injury. However, there was a significant question about her claimed damages and whether her injury prevented her from continuing to practice law and operate her mortgage business. Plaintiff claimed damages in the following amounts: (1) \$146,079.97 in medical expenses; (2) \$1,000,000 in future medical expenses; (3) \$7,627,720 in lost income; (4) \$650,000 in miscellaneous economic damages; (5) \$250,000 in pain and suffering; and (6) punitive damages.



Chris Mirakian

After a two-week trial, the jury returned a verdict in favor of the Plaintiff but found her to be 25% at fault for the accident. The resulting reduced judgment for damages was approximately half of the settlement offer made to her over a year before the jury trial. It was over 10 Million Dollars less than her settlement demand of Eleven Million Dollars.

Our firm is regularly involved in the defense of insureds against whom catastrophic claims are made. We believe our attention to detail in investigation of these claims, utilization of highly qualified experts and our trial preparation and strategy allow us to obtain valuable results for our clients.