

PENNSYLVANIA EARLY SETTLEMENT



Hirtzel settles at mediation clear liability below the knee amputation lawsuit of 33-year-old female for \$3,000,000 in Adam's County. Plaintiff was the passenger on her boyfriend's motorcycle which had the right of way when the Defendant inadvertently pulled out from a stop sign and struck the motorcycle. Plaintiff's experts maintained there were future economic loss damages in excess of \$4,000,000. Hirtzel leveraged strong expert opinions on the future economic loss claims, the absence of viable corporate negligence claims and the conservative venue to obtain a satisfactory and early settlement for his clients.

Hirtzel settles at mediation Dauphin County dram shop suit involving catastrophic traumatic injuries to 17-year-old pedestrian for \$300,000 where the toxicology report purports to indicate the at-fault driver's b.a.c. drawn 3.5 hours after the accident was .114% and the driver failed a field sobriety test at the scene. The evidence

showed the driver was at the defendant establishment for several hours prior to the accident. The Department of Human Services had a lien of \$497,000 and the plaintiff sustained traumatic brain injuries that likely will necessitate lifelong inpatient rehabilitation and care. The establishment had 2.5 hours of video from within the bar, showing the driver to be served only a few drinks all while behaving in an unimpaired manner. Video from the exterior of the premises after the driver departed the bar appears to show the driver ingesting drugs by his car minutes before the accident. The accident happened .5 miles from the establishment and video at that accident locations show Plaintiff running in front of the oncoming vehicle while her companion stayed out of harm's way. The defense effectively utilized the video, bar receipts and other evidence to effectively argue the driver was not served by the establishment while visibly intoxicated.



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