

# **\$1.25 Million Settlement Secured for Motorized Scooter Accident Victim**

## **Our Massachusetts car accident lawyers fight for the best outcome**

Thanks to years of hard work, extensive legal experience, and exceptional negotiating skills, the [Law Offices of Mark E. Salomone](#) secured a \$1.25 million settlement for a Massachusetts [car accident](#) injury victim shortly before the case was scheduled to go to trial.

That settlement offer came about three years after the accident – and after the at-fault driver’s insurance company initially made a significantly lower settlement offer. What was the secret to our success? Learn more about what made the difference in this important legal case – and why it’s important to have a skilled Massachusetts car accident attorney on your side.

## **A life-changing motorized scooter accident in Massachusetts**

On July 10, 2020, the operator of a registered motorized scooter was struck by a driver on Center Street in Chicopee. The scooter operator had the right of way when he was hit by a driver who unexpectedly turned left into the scooter operator’s path of travel.

Upon impact, the scooter operator was ejected and thrown to the ground, resulting in serious bodily injuries that required immediate medical attention. As a result, the injured scooter operator was transported by ambulance to Baystate Medical Center in Springfield for emergency trauma evaluation.

At that time, doctors diagnosed multiple injuries, including:

- Left-sided atelectasis (collapsed lung) with volume loss due to possible pneumothorax
- Nondisplaced fractures (broken bones remain in correct alignment) of left-sided ribs 2-4
- Displaced fractures (broken bones shifted during injury) of left-sided ribs 3-5
- Nondisplaced fracture of left-sided rib 6
- Nondisplaced fractures of left-sided ribs 9-11
- Left midshaft femur deformity with significant displacement

After a chest tube was implanted and an open reduction/internal fixation was performed, the injured scooter operator was admitted to Baystate Medical Center for eight nights of observation, assessment, and preliminary rehabilitation, including occupational therapy, physical therapy, and respiratory therapy.

## **Serious injuries that required ongoing medical care**

On July 18, 2020, the injured scooter operator was transferred by ambulance to Mercy Medical Center in Springfield to begin acute inpatient rehabilitation. He remained there (for pain management, physical therapy, and occupational therapy) until being discharged on July 31, 2020, despite “extensive edema” of the left leg and “pain with movement” in his left-sided ribs.

On July 31, 2020, the injured scooter operator was transferred by ambulance to East Longmeadow Skilled Nursing to continue his rehabilitation. He remained there until August 11, 2020, when he was discharged home.

Over the next 43 weeks, the injured scooter operator underwent extensive diagnostic imaging testing, nearly two months of home healthcare, multiple primary care consultations, multiple orthopedic consultations, multiple pain management consultations (with several painful and invasive injections), an ENT (ear, nose, and throat) consultation, and two courses of physical therapy.

### **The long-term impact of a severe scooter accident**

On June 11, 2021, the injured scooter operator underwent a second surgical operation at Baystate Medical Center on his “left femur subtrochanteric fracture nonunion.” Afterwards, he remained in the hospital for four days of observation before being transferred on June 15 to Mont Marie Rehabilitation and Healthcare Center in Holyoke for acute inpatient rehabilitation (for pain management, physical therapy, and occupational therapy) until June 21, 2021.

After undergoing care at Mont Marie Rehabilitation and Healthcare Center in Holyoke, the injured scooter operator continued to receive extensive medical care for the next 80 weeks, including multiple orthopedic consultations, three courses of physical therapy (one of which is still ongoing), and extensive diagnostic imaging.

Despite ongoing medical care, the injured scooter operator continues to suffer from pain, discomfort, weakness, stiffness, tightness, and range of motion limitations in his left-sided ribcage/lung, left leg, and right foot.

### **Our Springfield law firm became involved in the case**

On February 28, 2022, at the request of the Law Offices of Mark E. Salomone, the injured scooter operator underwent an independent medical examination by an expert medical doctor retained by our office. Based on his evaluation of the injury victim and a review of his medical records, the examining physician determined the victim suffered from a permanent 3% whole person impairment rating of his ribcage as a direct result of the July 10, 2020, car accident.

In addition, the examining physician stated that the injured scooter operator would suffer from a permanent whole person impairment rating of his left hip and femur, but that number could not be definitively ascertained until one year post-surgery. Most importantly, the examining physician stated that, “I do feel that (the injured scooter operator) is permanently partially disabled as I do feel it is very unlikely that he would be able to return to walking normally (and) will likely always have chronic pain with regard to the left leg.”

On October 3, 2022, the injured scooter operator underwent a second independent medical examination by the expert medical doctor retained by our office as requested by the Law Offices of Mark E. Salomone. At that time, the examining physician concluded that the injury victim

suffered from a permanent 4% whole person impairment rating of his left lower extremity as a direct result of the accident. The examining physician also stated that, “If in the future he goes on to require hip replacement surgery due to the trauma from this motor vehicle collision, his permanency rating... could go anywhere from 25% to 83% (depending on the results).”

### **Financial negotiations begin with the at-fault driver’s insurance company**

To date, the injury victim’s medical expenses have exceeded \$215,000 while his medical treatment remains ongoing. Because the injury victim was operating a motorized scooter at the time of the accident, he was not entitled to any no-fault PIP benefits. As a result, his out-of-pocket medical bills exceeded \$215,000, and that number was expected to continue to grow.

On June 22, 2022, the at-fault driver’s insurance company made its first settlement offer – \$250,000 in general damages and a promise to pay the health insurance lien. In response, the Law Offices of Mark E. Salomone pursued the defendant’s full available insurance coverage, which totaled \$5 million.

On July 15, 2022, the at-fault driver’s insurance company made a second settlement offer – \$350,000 in general damages and \$125,000 to pay the health insurance lien. This offer didn’t even come close to covering the financial, physical, and emotional impact of the accident. That’s why our law firm continued to apply pressure in pursuit of the compensation the injured scooter operator deserved.

### **Mediation & litigation followed**

Soon after, both sides entered into mediation in an attempt to resolve the case. In January 2023, the at-fault driver’s insurance company made a best offer of \$550,000. Several days later, they quickly increased their best offer to \$600,000.

In February 2023, the Law Offices of Mark E. Salomone filed a lawsuit on behalf of the injured scooter operator seeking damages. The case was then aggressively litigated by both sides for the next 27 months.

No settlement offers were made by the at-fault driver’s insurance company or its New York City defense law firm during this time. Then, one week before the trial was set to start, the at-fault driver’s insurance company made a \$1 million settlement offer. Soon after, the jury was selected for the case. But shortly before the case went to trial, the at-fault driver’s insurance company increased its settlement offer to \$1.25 million, resulting in the case being resolved.

### **Why hiring an experienced Massachusetts car accident lawyer matters**

As this case clearly illustrates, having a skilled attorney on your side can often make a dramatic difference in the outcome of your legal case. An initial \$250,000 settlement offer eventually turned into \$1.25 million for the injured party. That’s a difference of \$1 million. And when it

comes to serious car accident injury claims, a million dollars can make sure you get the medical care and support you need and deserve.

Our Massachusetts car accident lawyers at the [Law Offices of Mark E. Salomone](#) understand the complex nature of such legal cases. That's because we have successfully represented injury victims and their families for decades, recovering more than \$1 billion in settlements, verdicts, and benefits.

Don't underestimate the complexity or the seriousness of your legal case. Give your injury claim or lawsuit an edge. Give your case [The Salomone Advantage](#). Schedule a [free case evaluation](#) with a lawyer you can count on after your Massachusetts car accident. [Contact us](#) right now. We have offices in 10 locations conveniently located throughout Massachusetts.