



PRESS RELEASE

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FOR IMMEDIATE RELEASE

Attorney J.P. Gonzalez-Sirgo Resolves Motorcycle Accident Case for \$900,000.00

Our clients, best friends, were out riding on one of their motorcycles. As they approached the intersection of Columbus Boulevard traveling east on Coral Way in Coral Gables, they noticed a car inching westward from the stop sign at the intersection. The driver of the motorcycle blinked the high beams and started to downshift. The driver of the car, nonetheless, attempted a left turn. The driver of the motorcycle was not able to avoid the accident and a collision occurred. Both the driver of the motorcycle and the passenger were thrown from the motorcycle and later airlifted to JMH Ryder Trauma Center with multiple injuries resulting from the accident. Among his injuries, the driver of the motorcycle suffered a fracture of the left hip. The driver of the motorcycle incurred approximately \$60,000.00 in medical bills. The passenger of the motorcycle, too, suffered multiple injuries. Among his injuries, he sustained a closed head injury with a facial fracture and a right ankle fracture. The passenger of the motorcycle incurred approximately \$66,000.00 in medical bills.

During the prosecution of the case, we argued that the driver of the automobile failed to yield the right of way when he entered the intersection of Coral Way and Columbus Boulevard. The defendant driver defended the case on a number of grounds: that the driver of the motorcycle was speeding, based on statements made by an independent witness that the motorcycle was traveling at approximately 85 miles per hour at the time of the collision; that both the driver of the motorcycle and the passenger were intoxicated at the time of the accident based on the results present in the toxicology report contained in the hospital records; that the layout of the subject intersection was negligently designed, raising the Florida Department of Transportation as a possible Fabre defendant; and that the driver of the motorcycle could have avoided the accident.

During discovery the observations made by the independent witness to police at the scene evaporated. We were also able to demonstrate that although the toxicology report showed alcohol in the systems of both the driver of the motorcycle and the passenger, that the driver had an alcohol level well below the legal limit. The deposition testimony of defendant's expert accident reconstructionist proved key to defendant's position that the layout of the intersection was part of the problem and that the driver of the motorcycle could have avoided the accident. Through the American Association for Justice's (AAJ) deposition bank we obtained previous deposition testimony of defendant's accident reconstruction expert. With this in hand, we set out to take an adversarial video-deposition of the expert. At his deposition, we were able to establish the following:



- 1) that the motorcycle was traveling at approximately 35 miles per hour at the time of impact not much over the 30 mile per hour posted limit and clearly much less than the alleged eyewitness estimate.
- 2) that the expert had previously stated a different opinion in another case as to what the average reaction time for a driver is, in reacting to a peril, which was in direct contradiction to his opinion in our case.
- 3) that the type of intersection problems identified by defendant were design in nature and therefore fell within the zone of immunity granted to the government.

The case settled after this deposition and just before trial. Our clients' were very happy with the significant recovery.

Attorney J.P. Gonzalez-Sirgo has built his entire career on protecting the rights of insurance policyholders, personal injury and wrongful death victims and fighting for the rights of Florida consumers and small businesses. The firm has recovered millions of dollars for victims of denied or underpaid insurance claims, victims of catastrophic personal injuries and wrongful death and on behalf of those that have been taken advantage of by Big Business and Big Insurance. J.P. has been certified as a life member of the [Million Dollar Advocates Forum](#) and the [Multi-Million Dollar Advocates Forum](#). The Million Dollar Advocates Forum is recognized as one of the most prestigious groups of trial lawyers in the United States. Membership is limited to attorneys who have won million and multi-million dollar verdicts, awards, and settlements. Fewer than 1% of U.S. lawyers are members. In Miami-Dade County call us at 305-461-1095 or call us toll free at 1-866-71-CLAIM or fill out the short online contact form at www.YourAttorneys.com.