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■ \$1.25 MILLION SETTLEMENT

Umbrella policy pays out after woman's head-on collision with teen driver

MOTOR-VEHICLE COLLISION

- **Venue:** Osage County
- **Case Number/Date:** Not filed/Aug. 14, 2020
- **Insurer:** American Family
- **Caption:** Terri Daniels v. Andrew Eisterhold
- **Plaintiff's Attorney:** Kevin J. Roach, Law Offices of Kevin J. Roach, Chesterfield

BY SCOTT LAUCK
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A driver who struck the rear of a tractor-trailer truck on a Saline County highway reached an \$850,000 settlement with the defendant, according to his attorney.

Kevin Roach, an attorney in Chesterfield, said the truck was stopped in the far right lane of U.S. Highway 65 while attempting to make an illegal left turn from the right side of the highway. Roach said the defendant was cited for improper signal, improper turn and improper lane usage.

Roach's client, Joseph Givens of Waverly, suffered a compression fracture of the cervical and lumbar spine, as well as a fractured right femur that required surgery and seven days



Kevin J. Roach

in the hospital. The leg injury was complicated by several pre-existing surgeries, and hardware in his leg was damaged in the collision and had to be removed and replaced.

Roach said having another injury to an already damaged leg increased the likelihood that his client would have significant arthritis later in life and possibly need a total knee replacement.

Settlement negotiations were delayed for several weeks due to the COVID-19 shutdown, Roach said. The plaintiff agreed to give the defendant two extensions on his \$1 million policy-limit demand. The initial settlement offer was \$500,000, but the case settled three weeks later for \$850,000 — \$350,000 above the initial offer, Roach said. The agreement was reached prior to the filing of any litigation.