

# Missouri Lawyers WEEKLY

## \$1MILLION SETTLEMENT

### Injured man recovers for neck injury on way to work

#### MOTOR VEHICLE COLLISION

■ **Venue:** Clay County

■ **Case Number/Date:**

Not filed/Sept. 8, 2023

■ **Special Damages:**

\$144,236 gross medical expenses

■ **Insurer:** 1st Auto and Casualty

■ **Caption:**

M. Stutzman v. JMT Services

■ **Plaintiff's Attorney:**

Kevin J. Roach, Law Offices of Kevin J. Roach, St. Louis

**By SCOTT LAUCK**

A man injured in a seemingly work-related accident kept his case out of the workers' compensation system and reached a \$1 million settlement, according to his attorney.

Kevin J. Roach of the Law Offices of Kevin J. Roach in St. Louis represented M. Stutzman, who was on his way to work as a passen-



*Kevin J. Roach*

ger in a company van. The co-worker who was driving the van was distracted and drove off the road, colliding with a guardrail and rolling the vehicle. Stutzman was



*Plaintiff's van*

transported to a hospital in Liberty with fractures in his neck requiring emergency C4-C6 fusion.

Roach said there were questions as to whether the accident should be considered a work injury. He proved that Stutzman was not clocked in or paid for his commute time to and from the job site, demonstrating that the workers' compensation was the exclusive remedy or that the co-employee was immune from suit.

Stutzman was able to recover the policy limits from his employer's insurer without filing suit.

"This was a tremendous result for our client given that any settlement from [workers' compensation] would have been significantly less," Roach said.