

employment with K.F., was traveling behind Garcia in a Mack truck.

As she slowed for the red light ahead, Baumgardner failed to stop in an assured clear distance, struck Garcia's vehicle, and inflicted serious neck and back injuries that required surgeries. The force of the collision totaled Garcia's large sport utility vehicle.

Garcia was employed by the state of

to do any of these things, and that she has sustained serious impairment of body function affecting her ability to lead a normal life.

She argued that her neck and back pain prevents her from standing or walking for more than a few minutes; she requires medications to combat the pain her injuries cause; she has already undergone multiple

because defendant driver was confronted with a "sudden emergency" based on mechanical problems with his truck.

Also, it was contended, Garcia's low back problems predated the accident; she did not have a loss of consciousness and therefore did not suffer a head injury; and she had basically recovered from three major surgeries.

The case settled for \$675,000.

\$1 million - 6 on defense
offers of less than \$30,000

"When someone I love was hurt in a car accident I wanted the best auto attorney I could find. So I did my research. Not only was my perception of Steve's legal talent right on point, but to that ability he combines good intentions, empathy, people skills and professionalism. He is at the top of his specialty."

John Wilcox, Attorney, Lansing, MI

WRITTEN IN WRITING

Couple asserts majority shareholder lied to them

Plaintiffs sold stake after being told about terminal illness that never existed

\$500,000

In a confidential lawsuit, the plaintiffs, a husband and wife, asserted that they were entitled to compensatory damages for selling their shares in the defendant corporation under fraudulent pretenses.

The plaintiffs were minority shareholders in a closely held corporation, and initially purchased their shares for \$15,000. When the corporation grew and became successful, the majority shareholder and CEO of the corporation attempted to purchase the plaintiffs' shares.

After they refused to sell, plaintiffs claimed that the majority shareholder represented that he was terminally ill and that the future of the company was uncertain, and that these representations induced plaintiffs to sell their shares for \$1 million, when their shares were worth more.

In the stock sale documents, plaintiffs

Type of action: Fraud

Type of injuries: Compensatory damages

Name of case: Confidential

Court/Case no./Date: Confidential; confidential; Sept. 21, 2009

Settlement amount: \$500,000

Most helpful expert: Thomas A. Frazee, Sterling Heights

Attorneys for plaintiff: Gerard V. Mantese, Brendan H. Frey

Attorney(s) for defendant: Withheld



MANTESE



FREY

Keys to winning:

Exhaustive legal research, vigorous motion and appellate practice, attention to detail regarding key facts

signed a release containing a broad integration clause. Thereafter, defendant sold the company for a significant profit.

Plaintiffs filed suit several years later after they determined that defendant was not sick at the time plaintiffs sold their shares.

Defendant moved for summary disposition, contending, among other things, that plaintiffs' claims were barred by the statute of limitations; plaintiffs had released all

claims; and plaintiffs were required to tender back, before filing suit, the \$1 million they received from the sale of their shares.

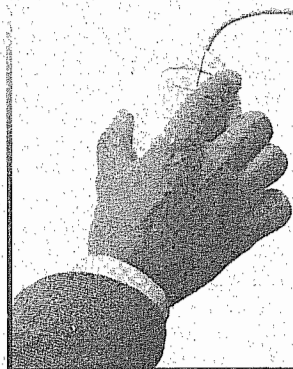
The court denied the motion on all issues, and the Michigan Court of Appeals denied defendant's application for leave to appeal.

After depositions of the parties and key witnesses, negotiations were conducted and plaintiffs obtained a settlement for \$500,000.

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