

SOLLER WINS JURY TRIAL IN ULSTER COUNTY SUPREME COURT

The 34-year-old plaintiff alleged permanently disabling back injuries requiring a lumbar discectomy following a motor vehicle accident with a tractor trailer leased and operated by client Ginsberg's Foods, a self-insured, 100+-year-old, family-owned food distribution business based in Hudson, New York.

Plaintiff claimed that the tractor trailer signaled left but then turned right, occupying two lanes of travel and sideswiping plaintiff. On Ginsberg's behalf, Christian countered that the tractor trailer driver signaled right, and conceded occupying two lanes, since the circumstances rendered it "practicable" pursuant to Vehicle & Traffic Law Section 1128. Christian pointed to plaintiff's own negligence as the exclusive cause of the accident, for impatiently trying to pass the truck on the right. He also argued that plaintiff's back injuries preexisted the accident.

Following a 5-day jury trial involving 8 witnesses (3 experts), the jury unanimously concluded that the Ginsberg's driver was not negligent.

Plaintiff's counsel had asked the jury during closing arguments to award his client in excess of \$1 million.

Attorneys

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Business Litigation

Product Liability & Complex Tort