

Judge awards \$900k to teen injured by drunk driver

WAYNE – Retired Superior Court Judge Burrell Ives Humphreys, former Assignment Judge in Hudson and Essex Counties as well as former Appellate Division Judge, awarded \$900,000 in the case of Giardina vs. Van Peenen after a binding arbitration hearing on June 15, to the female passenger who suffered devastating injuries in a car accident in Wayne as a result of a drunk driver. John J. Scura III of Scura, Mealey, Wigfield & Heyer, LLP, represented the severely injured teenager.

In December 2006, Alyssa Giardina, 19 at the time of the accident, was a passenger in a Hummer SUV driven by Bobby Van Peenen, who totaled the SUV by driving into a tree on Osborne Terrace in Wayne. Van Peenen pled guilty to DWI and careless driving as a result of the incident. As a result of the accident, Giardina suffered a lacerated liver and a fractured femur, which required multiple surgical procedures to repair, including insertion of a steel rod and screws to fixate the severe fracture and then subsequent removal of the hardware.

The insurance coverage limit on the vehicle driven by Van Peenen

was \$300,000. Scura demanded the full \$300,000 be paid to the injured passenger, and Family Farm Insurance refused to pay the full policy because they felt the injuries did not warrant payment of that amount. Scura and Family Farm Insurance reached an agreement to submit the case to binding arbitration, where both parties would agree to the ruling by the judge. As part of the binding arbitration agreement, Judge Humphreys was not privy to the specifics of the high-low arbitration agreement.

After the hearing and the arguments, Judge Humphreys awarded \$900,000 to the injured woman, finding her injuries to be permanent and rejecting the defense arguments as to any comparative negligence on her part.

"This was a well-considered decision by Judge Humphreys, who is a famous and greatly respected judge in our state," comments John Scura III. "We are pleased with the outstanding award for our client."

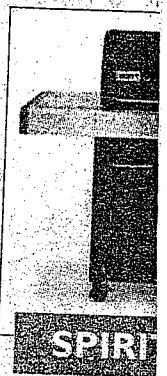
Scura, Mealey, Wigfield & Heyer, LLP, has offices in Wayne and Hoboken.

For home delivery, call 1-888-473-2673.

BR

Fu

FR



Water Ga

20% OFF

ALL WATER PLANTS

Cannot Be Combined With Any Other Offer

GIFT