# Veilleux Notches Win

John Veilleux scored a defense victory in a one-ton truck vs. pedestrian paraplegia claim arising out of a November 2018 accident in Portland. Plaintiff stepped from a place of safety on St. John Street at night in misty conditions outside of a crosswalk directly into the path of Defendant's commercial pickup truck from the Defendant's right side. Plaintiff eventually had spinal surgery and was left without the use of his legs after surgery. Incurred medical bills were more than $1 million, and Plaintiff had a significant life care plan exceeding $3 million.

John was retained early on to spearhead the investigation and retain necessary experts to evaluate the significant liability questions. The Crash Lab and Rick McAlister were hired to be the lead reconstruction expert. Given the nighttime visibility ("conspicuity") questions, Rick recommended that we retain Jeff Muttart, Ph.D of Crash Safety Research Center, LLC to assist with those aspects of the case. Plaintiff retained reconstruction and "human factors" experts as well.

The case went to suit at the beginning of the COVID pandemic with the demand being nearly 3 times the available coverage limits ($6 million in coverage). After extensive discovery, including the depositions of all retained liability experts, and given the lack of civil jury trials due to COVID, the parties agreed to binding arbitration.

The case was tried to the arbitrator via Zoom over the course of two days with ten expert witnesses testifying "live" in the late fall of 2021. Key among those experts testifying were Rick McAlister and Jeff Muttart. After taking the matter under advisement, the arbitrator found that the Defendant was not liable for the Plaintiff's injuries.

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