

PARKER V. DAVIDSON

INFORMATION FOR MEDIATOR

You have been selected, as the mediator in a court-ordered mediation. You understand that this is a personal injury matter, involving a car accident. The defendant admits liability. However, the parties have been unable to reach an agreement regarding damages.

The plaintiff, B.J. Parker, suffered a cracked sternum and multiple rib fractures. Medical expenses, including Emergency Room treatment and subsequent examinations by an orthopedic specialist, cost Parker \$6,800. Parker was out of work for two weeks. Parker is a self-employed electrician, and these two weeks of missed work cost him/her \$4,000. Parker continued to experience some pain for an eight-week period, but was able to perform the usual job duties after the second week. It appears that Parker is totally recovered.

Parker's Honda Accord was totally wrecked, at a loss of approximately \$12,400. Parker's complaint requests \$500,000. Defendant Davidson carries liability insurance providing \$750,000 coverage per accident.

Although you do not practice law in this area, you have done some homework regarding the value of this sort of case, which appears fairly straightforward. You understand that a reasonable settlement generally Would range from \$30,000 to \$40,000.¹

¹ Adapted from "Parker v. Davidson" by Charles Craver