

\$19.5K Settlement in Crash Involving 2 Pickups

Circuit Court of Illinois, Sixteenth Judicial Circuit, Kane County.

Plazola v. Forness

Type of Case:

Vehicle Negligence • Motor Vehicle v. Motor Vehicle
Vehicle Negligence • **Truck**
Vehicle Negligence • Excessive Speed
Vehicle Negligence • Inattention
Vehicle Negligence • Rear-End

Specific Liability: Inattentive motorist followed too closely and failed to slow down in time to avoid causing a rear-end collision and damages to another motorist

General Injury: Unspecified personal injuries

Jurisdiction: State: Illinois County: Kane

Related Court Documents:

[Plaintiff's complaint: 2007 WL 4792235](#)

Defendant's answer: [2007 WL 4792234](#)

Case Name: Nathaniel Plazola v. Gerald L. Forness

Docket/File Number: 07 L 82

Settlement: Plaintiff, \$19,500.00

Settlement Range: \$1 - 49,999

Settlement Date: Jan. 4, 2008

Judge: [Donald J. Fabian](#)

Attorneys:

Plaintiff: [Russell R. McLaughlin](#) and [James P. McLane](#), McNally Law Offices, Rockford, Ill.

Defendant: [Mark Huske](#) and [John W. Gilligan III](#), Stellato & Schwartz, Oakbrook Terrace, Illinois

Trial Type: Settlement

Breakdown of Settlement: \$19,500.00 to plaintiff in settlement proceeds

Summary of Facts: Nathaniel Plazola drove a 2000 Chevrolet S10 pickup in the 204 block of South Street in Elgin, Ill., on a February afternoon in 2005. Gerald Forness, driving a 1987 Ford F150 pickup reportedly owned by Andy Pritine, was traveling southbound behind Plazola and allegedly rear-ended the Chevy pickup. Plazola claimed he sustained injuries in the collision and sued Forness in Kane County Circuit Court.

The plaintiff alleged Forness failed to keep a proper lookout, failed to reduce his speed in violation of [625 Ill. Comp. Stat. 5/11-601](#) and followed too closely in violation of [625 Ill. Comp. Stat. 5/11-710](#). Plazola sought damages in excess of \$50,000 for past and future medical attention, disability and lost earnings.

Forness denied negligence or proximately causing the plaintiff's claimed losses, but then eventually agreed to settle with Plazola for \$19,500. Judge Donald J. Fabian signed the order approving the settlement January 4, 2008, with the court retaining jurisdiction for 30 days to adjudicate any liens.

Court: Circuit Court of Illinois, Sixteenth Judicial Circuit, Kane County.

2008 WL 248824 (Ill.Cir.)

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