

AGREEMENT GREATLY EXCEEDS POLICY LIMITS

Major insurer settles leg amputation case

Ellsley uses physical evidence to disprove damaging allegations against his client

An aggressive review of the physical evidence by lawyers Rick Ellsley and Joe Slama transformed a tough case into a significant victory for their client, a college student who lost half of his left leg as the result of a motorcycle crash.

The terms of the substantial settlement are confidential, but the funds give 22-year-old Francisco Almanzar the financial resources he will need for the rest of his life.

Ellsley and Slama are Board-Certified Civil Trial Lawyers and partners at Krupnick Campbell Malone Buser Slama Hancock Liberman & McKee, P.A. in Fort Lauderdale.

On the night of the accident, Almanzar was riding his motorcycle in Pembroke Pines. He was in a right-turn lane. The defendant, Adolphe Felix, was ahead of him, driving a car in the adjoining lane. Felix was doing 10-15 mph; Almanzar was overtaking him at 35-40 mph.

As Almanzar approached, Felix suddenly changed lanes and hit Almanzar's motorcycle. Almanzar flew into the air, slid across a shopping center entryway and wound up in the swale. He suffered complex fractures to both legs and required multiple surger-

ies. His left leg was eventually amputated at the knee.

Ellsley and Slama filed suit on his behalf, and had just nine months to prepare for trial. They visited the accident scene, examined the motorcycle, interviewed many people and deposed witnesses. Their investigation produced significant results:

1. At the accident scene, a witness told police that Almanzar was speeding, weaving through traffic and had tried to improperly pass Felix on the right. A year later the witness was placed under oath and subjected to tough, detailed questioning by Ellsley. She retracted all of her harmful statements.

2. Based largely on that witness' statement, police blamed Almanzar for the crash and cited him for careless driving.

After the witness changed her story, Ellsley focused on the physical evidence. He showed that it was inconsistent with the police officer's report and used it to discredit the officer's investigation.

3. Driver Felix admitted under oath that he illegally crossed a solid white line when he moved into Almanzar's lane. He also admitted making the lane change less



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Rick Ellsley, Board-Certified Civil Trial Lawyer

than 95 feet from the point of impact, when Almanzar would have been overtaking him.

4. Ellsley and Slama produced an animated reconstruction of the accident based on an analysis by an engineer. They also worked with an economist and a vocational rehabilitation specialist to detail the financial and the physical impact of the crash on Almanzar's life.

Their efforts were persuasive. One of the state's largest insurance companies covered both the driver and the car's owner with separate, minimal policies. Early in the process, the insurer offered to pay one policy's small limit, and that was it. After Ellsley and Slama made their case, the insurer greatly increased its offer to an amount that significantly exceeded the minimal amounts of the policies.