

Verdicts & Settlements

\$10M Recovery in case where Plaintiff claims dementia stems from car crash



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The plaintiff was returning from dropping his son at school when a commercial van pulled in front of his vehicle's path. He suffered a closed head injury in the resulting collision.

After the accident, he continued running his businesses, managed his various investments, and drove himself around regularly. Over the next two years, however, he developed memory and cognitive issues.

The plaintiff's behavior grew increasingly erratic, and he began to become forgetful, eventually becoming unable to work or manage his affairs. He grew more distant from his family and had frequent violent outbursts.

The plaintiff alleged that the collision caused a traumatic brain injury that resulted in the

development of traumatically induced fronto-temporal dementia.

The defendants insisted that the plaintiff suffered from early onset dementia prior to the collision. Medical records confirmed that he had complained to his primary care provider about memory problems before the accident and had been taking Aricept, a medication prescribed to Alzheimer's sufferers.

Films confirmed that there were "areas of concern" on his brain that pre-dated the accident. At least one of the plaintiff's treating physicians openly speculated in the records that he might be exaggerating his symptoms.

Both parties retained experts who were prepared to support their assertions at trial.

Plaintiff's counsel sought out

and interviewed each of the treating doctors and obtained sworn statements from these doctors, who had long since relocated to various locations across the country. Since the physicians had treated the plaintiff only for discrete periods of time, it was difficult for any one of them to provide a complete causation analysis.

Each physician signed sworn statements regarding the plaintiff's symptoms and damages resulting from the head trauma suffered in the accident. The statements tended to rule out pre-existing conditions. Even the physician who had questioned whether the plaintiff might be exaggerating his symptoms concluded that his initial impression was incorrect, and that he was convinced

of the validity of the plaintiff's symptoms and the causal relationship to the accident.

Action: Motor vehicle negligence

Injuries alleged: Traumatic brain injury leading to fronto-temporal dementia

Case name: Withheld

Court/case no.: Withheld

Jury and/or judge: N/A (mediated)

Amount: \$10 million

Date: March 2017

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