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XVIII/35-41 MOTOR VEHICLE — PEDESTRIAN ON SIDEWALK — COMPANION KILLED — LEG INJURY WITH INFECTION — PSYCHOLOGICAL INJURIES CAUSE RETURN OF STUTTER

SETTLEMENT: Hovakim Kiledjian v. Andrew Albino; Rental Car Finance Corp., d/b/a Dollar Rent-A-Car; Harvey Allen; and Chase Automotive Finance Corp. 108862/99 Date of Settlement 11/6/00 New York Supreme

Pltf. Atty: Gerard N. Misk of Kapson, Ginsburg & Misk, Queens Village

Def't. Atty: David W. Brand of Brand & Brand, Garden City, for Albino and Rental Car Finance
Joseph T. Jednak of Kors & Jednak, Bronx, for Allen and Chase Automotive

This action settled before trial for \$115,000. At 3:20 PM on 3/21/99, Pltf., a 33-year-old bishop in the Armenian Church of America, was standing with a friend at the corner of E. 35th St. and the Midtown Tunnel exit waiting for a light. Pltf. claimed that Def't. Albino's vehicle struck Allen's car, which in turn mounted the sidewalk, striking the two pedestrians. Pltf.'s friend was killed.

Injuries: contusion and laceration of the right foot, with subsequent infection requiring 2 days of IV antibiotics; psychological injuries, which caused the return of a pre-existing, but dormant, stutter. Demonstrative evidence: Pltf. would have introduced a videotape of his therapy session at the American Stuttering Institute. Settlement apportionment: \$100,000 paid by Albino and Rental Car; \$15,000 paid by Allen and Chase. ¶