

### PERSONAL INJURY

## Podhurst Orseck Attorneys Secure \$10M Settlement for Incapacitated Bike Rider

**Ricardo M. Martinez-Cid and  
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Podhurst Orseck**

Three months before the holidays, Ricardo Martinez-Cid and Lea Bucciero promised the wife of an incapacitated Venezuelan scientist and financial adviser that they would do all they could to resolve their case by Christmas last year.

The promise was made knowing the typical personal injury case can easily last three years.

The adviser was riding his bike with his wife when a 16-year-old new driver crossed into the bike lane and knocked him unconscious. He was the family's breadwinner and was set to rejoin an investment firm as a consultant.

With the victim unconscious, the team needed a panel of physicians to declare him legally incapacitated to allow the probate court to appoint his wife as guardian.

This cleared the way for the release of his medical records to research his damage claim. Multiple health insur-



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ers were involved, and the attorneys needed to coordinate payments and minimize any liens or insurers' subrogation rights against proceeds of the lawsuit.

The Podhurst Orseck team decided to skip expert witnesses in favor of interviews between the victim's physicians and insurance attorneys about his medical condition and prognosis.

They also arranged interviews with the man's future employer to demonstrate his future earning potential. At the time of the accident, he was finalizing talks to join the firm he was consulting with at a much higher salary base than he had before the accident.

Three days before Christmas, the attorneys obtained a nearly \$10.6 million presuit settlement with the driver's family and insurers. The settlement included \$10.3 million from the driver's insurance policies, and the victim's insurer tendered \$275,000 in underinsured motorist coverage on its own policy.

With ongoing treatment, the victim has recovered enough to have his rights restored to full capacity.