



Defense Lawyers  
Association

## October 2015 Verdict

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**Submitted By**

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**Court** State Court**County** Bernalillo County**Judge** Honorable Clay Campbell**Defense Counsel** Rip Harwood**Plaintiff Counsel** Tyler Atkins**Trier** 12 Person Jury**Style** *Justin Dietrick v Catalina Bustillos*; Second Judicial District Court Cause No. D-202-CV-2013-07269

**Statement of Facts** Personal injury lawsuit for damages for soft-tissue complaints to back, neck, shoulders, and left foot arising from a 12/20/12 MVA. Plaintiff was a belted front seat passenger in a vehicle t-boned on the driver's side at a surface street intersection, and tipped up on the passenger side as a result of the collision. Plaintiff claimed the accident "changed his life" and resulted in soft tissue injuries and plantar fasciitis to his left foot. Defendant Bustillos disappeared from sight months before trial and could never be located. The court ruled she was solely at fault for the accident and the case went to trial on medical causation and damages issues, only. After less than three hours, the jury concluded that the accident did not cause the plaintiff's complaints. Plaintiff asked for about \$63,000 in damages.

**Verdict** Defense**Comments** Plaintiff rejected a \$25,000 (policy limits offer) two days before trial.**Experts** Robert D.C. Jones, D.C. (plaintiff)  
G. Theodore Davis, M.D. (defendant)