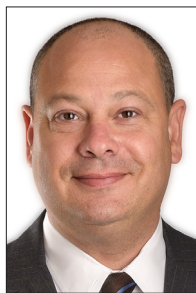


VIRGINIA LAWYERS WEEKLY

VERDICTS & SETTLEMENTS

Mechanic suffered hearing loss and tinnitus

\$1.15 Million Settlement



COOPER



HAJEK

Plaintiff, a heavy equipment mechanic, suffered permanent hearing loss and tinnitus with continuing balance problems and falls. As a result of the injury and subsequent falls, plaintiff developed mild traumatic brain injury symptoms and could not return to his old job. His quality of life has been significantly

diminished, especially his raising two pre-teen children as the sole custodial parent.

The primary disputes were over medical causation and alleged lack of mitigation of damages by not returning to some kind of work. In the months before trial,

Type of action: Industrial Injury

Injuries alleged: Acoustic trauma, permanent hearing loss, mild traumatic brain injury, Meniere's disease

Name of mediator: Hon. Diane M. Strickland (Ret.)

Date resolved: Feb. 14, 2019

Special damages: Loss of a \$57,000.00/year job to a 46 year old

Verdict or settlement: Settlement

Amount: \$1,150,000.00

Attorneys for plaintiff: John M. Cooper, Norfolk; Francis Hajek, Charlottesville

an endolymphatic sac surgery was performed to try to lessen the vestibular problems. Though apparently successful, the operation would not likely alleviate all balance issues, according to the ear, nose and throat surgeon.

[19-T-030]