

University student suffers brain injury from car-pedestrian accident

Concussion caused seizures and coma, requiring long-term, intense therapy

SDSBS attorneys **Chris Searcy** and **Matt Schwencke** recently obtained a \$1.6 million settlement on behalf of a college student seriously injured in a vehicle-pedestrian accident that occurred at Clemson University in South Carolina. Purdue University graduate student, Carla Peters (not her real name) and her crew teammates had traveled to Clemson for a spring training crew meet. One morning, Carla and two of her teammates were walking to crew practice. As they approached an intersection and then proceeded to cross the street, a car driven by a Clemson student suddenly struck the group. All three of the women were injured, but Carla was injured the worst. She sustained direct trauma to her head and was promptly transported to a hospital by ambulance. She required staples to close a laceration to her head. After treatment, Carla was placed on a concussion protocol by her coaches and the team returned to Purdue a few days later. Upon return, Carla began to feel lethargic and sleepy, and suffered headaches and nausea. She visited a clinic at Purdue to seek treatment and was later transferred to a local hospital. There, she was diagnosed with post-concussion syndrome and given instructions to follow up with a neurologist.

Carla's husband, George (not his real name), also a Purdue graduate student, took her home from the hospital and watched over her for about an hour. He then left to turn in a homework assignment. When George returned home, he found Carla lying on the floor at the foot of their bed. She was gesturing wildly and unable to control her body. She mumbled incoherently. There was vomit and blood on the



carpet and on her face. Her nose was bleeding and her lip was very swollen. George tried to wake her up but she did not respond. He called 911. Paramedics arrived and took Carla back to the hospital. At the hospital, lab tests revealed that Carla had significant hyponatremia (a sodium deficiency in her blood) resulting from the concussion she had



suffered. Respiratory failure followed, and she had to be intubated. She went into a coma and the doctors moved her to the intensive care unit. CT scans of her brain showed cerebral edema with loss of details in the sulci.

Carla remained in a coma for a week as her sodium levels were gradually raised. She developed seizures caused by the severe diffuse encephalopathy. Due to the brain injury, and corresponding mental and physical impairments, Carla required extensive and long-term physical, occupational, speech, and psychiatric therapy. She will require such therapy for many years.

A pre-suit demand was made on behalf of the Peters family. It was rejected by the defense, which contested liability as well as causation. The defense claimed that a concussion could not cause hyponatremia. SDSBS filed suit and the case was vigorously litigated for three years. Over 60 depositions were taken at locations in ten different states. A week before trial, the case was settled. ♦

Below, left: Carla and George on their wedding day.



No case is too big or too small for SDSBS attorney Matt Schwencke.

Over the course of a recent six-month period, SDSBS attorney **Matt Schwencke** obtained over \$2 million in settlements by resolving nine automobile cases (settlements ranged from \$20,000 to \$675,000, for a combined total of \$1.6 million), and two cases involving nursing homes for a combined total of \$500,000. ♦