

New York Injury Cases Blog

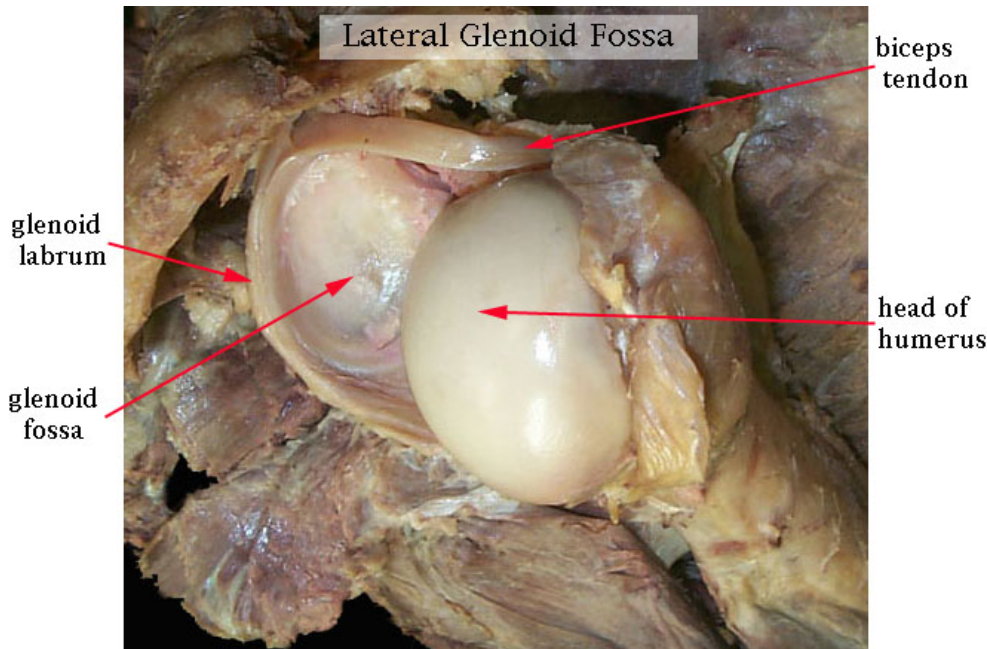
Posted at 6:25 AM on January 16, 2009 by John Hochfelder

New Shoulder Injury Pain & Suffering Settlements - \$300,000 and \$200,000

Update: Following our [recent post](#) on **shoulder injuries**, now comes a new report on two claims that settled after trial - one for **\$300,000** and the other for **\$200,000**.

In **Crisostomo v. The Salvation Army** (Supreme Court, Bronx County; Index # 13825/05 and 17276/05), a 40 year old man was driving his car with his 37 year old wife as a passenger when they were rear-ended by another vehicle.

Mr. Crisostomo sustained tears of his anterior glenoid labrum, rotator cuff and supraspinatus tendon of his right shoulder.



He underwent arthroscopic surgery and six months of physical therapy. The jury awarded him \$600,000 for his pain and suffering, evenly split between past and future. While post-trial motions were pending in which the defense asserted that the jury award was excessive, the parties compromised and **settled for**

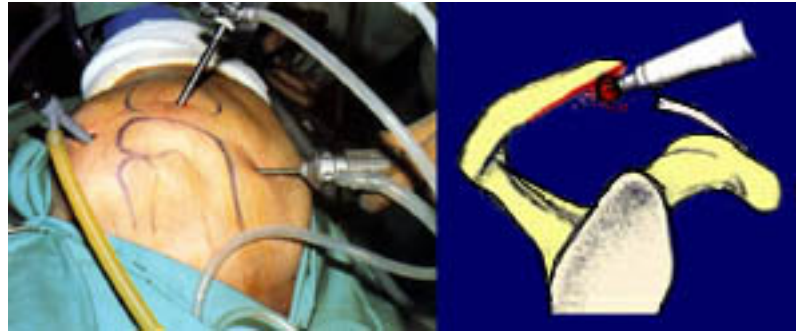
\$300,000.

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Mrs. Crisostomo sustained a partial thickness rotator cuff tear, underwent arthroscopic surgery for a subacromial decompression and bursectomy and then six months of physical therapy.

Subacromial Decompression Surgery:



The jury awarded \$350,000 for her pain and suffering (\$200,000 past; \$150,000 future) and then, while post-trial motions were pending, like her husband, she compromised, and she **settled for \$200,000.**

While each case is different and each injury is unique resulting in pain and suffering that is also unique, **we believe these awards for shoulder injuries in New York reflect average, reasonable pain and suffering amounts and can be used as a guide** in evaluating damages where the parties and injuries bear significant similarities.

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