

DOCKET NO. CV-03-0830118-S : SUPERIOR COURT  
SEPTIMUS BACOURT, ET AL : JD OF HARTFORD  
VS. : AT HARTFORD  
CELIO THOMAZ : JANUARY 21, 2005

ARBITRAL AWARD

After hearing the parties on Friday, January 21, 2005,  
I find the following facts:

1. Plaintiff Septimus Bacourt was driving a 1986 Toyota Camry westerly on I-84 near the exit 56 on-ramp on January 6, 2002 at approximately 3:52 pm.
2. Plaintiff Septimus Bacourt's two year old daughter (Plaintiff Sharlene Bacourt) was a passenger in the rear seat of the car.
3. The road was wet.
4. While traveling slowly due to heavy traffic congestion, the 1986 Toyota was struck in the rear by a

"bob-tailing" 1999 Freightliner II (there was no trailer attached to it) driven by Defendant Celio Thomaz.

5. This caused the 1986 Toyota to be totaled.

6. This accident was caused by the actions of Defendant Celio Thomaz.

7. The plaintiffs were transported to Hartford Hospital and incurred various expenses as a result of the accident.

8. Plaintiff Septimus Bacourt incurred the following expenses because of Defendant's actions:

Ambulance Service of Manchester	\$266.28
Hartford Hospital	\$698.81
Hospital Radiology	\$68.00
Chiropractic & Rehabilitation	\$2,630.00
<b>Total</b>	<b>\$3,663.09</b>

9. Plaintiff Septimus Bacourt had collateral source payments amounting to \$1,253.79.

10. Plaintiff Septimus Bacourt suffered no loss of wages, no loss of earning potential and no permanent disability.

11. Plaintiff Septimus Bacourt suffered \$12,500 in damages, after taking into account the collateral source rule.

12. Plaintiff Sharlene Bacourt incurred the following expenses because of Defendant's actions:

Ambulance Service of Manchester	\$266.28
Hartford Hospital	\$175.08
<b>Total</b>	<b>\$441.36</b>

13. Plaintiff Sharlene Bacourt had collateral source payments amounting to \$391.36.

14. Plaintiff Sharlene Bacourt suffered no loss of wages, no loss of earning potential and no permanent disability.

15. Plaintiff Sharlene Bacourt suffered \$1,500 in damages, after taking into account the collateral source rule.

16. All other claims not expressly ruled upon are denied.

Judgment shall enter in favor of Plaintiff Septimus Bacourt and against Defendant Celio Thomaz for \$12,500 plus costs to be taxed.

Judgment shall enter in favor of Plaintiff Sharlene Bacourt and against Defendant Celio Thomaz for \$1,500 plus costs to be taxed.

Dated at Meriden, Connecticut on this 21<sup>st</sup> day of January, 2005.

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Houston Putnam Lowry  
Arbitrator

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed on this 21<sup>st</sup> day of January, 2005 to:

Angelo Cicchiello, Esq.  
364 Franklin Avenue  
Hartford, CT 06114

Kelly Bryce, Esq.  
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Houston Putnam Lowry