

DOCKET NO. CV-05-4005697-S : SUPERIOR COURT
ROBIN CATTANIO : JD OF NEW BRITAIN
VS. : AT NEW BRITAIN
NANCY CATRICALA : JUNE 22, 2006

ARBITRAL AWARD

After hearing the parties on Friday, June 2, 2006, I find the following facts:

1. Plaintiff Robin Cattanio was driving her 1985 Oldsmobile southbound on the I-91 exit 24 ramp on May 5, 2003 at approximately 4:00 pm when it was struck from the rear by Defendant Nancy Catricala driving her 2001 Subaru wagon.
2. For the purposes of this arbitration only (and not the case in chief), Defendant admits liability.
3. There was fairly minor collision damage to both cars. Plaintiff's car suffered \$1,142.50 in property damage. This amounted to more than the value of Plaintiff's car because it was an older car.

4. While the court may consider the amount of property damage in evaluating Plaintiff Robin Cattanio's claim, that issue is not outcome determinative. Compensation is determined based upon the harm Plaintiff Robin Cattanio suffers, not the damage to her car.

5. Plaintiff Robin Cattanio was taken from 2244 Silas Deane Highway (near the scene, but not from the scene) to Harford Hospital by ambulance on May 5, 2006 suffering from neck and back pain.

6. Plaintiff Robin Cattanio incurred various medical expenses amounting to \$5,221.42, which the court finds reasonable and necessary. Despite closing argument which indicated \$7,086.09 in medical expenses, the court found only \$5,221.42 in expenses substantiated.

7. According to Dr. Gerald J. Becker of Orthopedic Associates of Hartford, P.C., Plaintiff Robin Cattanio suffers from a 7% permanent disability of the cervicothoracic spine.

8. Plaintiff Robin Cattanio suffered lost wages amounting to \$976.13.

9. Plaintiff Robin Cattanio must repay her health benefits to her insurance plan, presumably because it is an ERISA qualified plan.

10. Given all of the facts and circumstances in this case, Plaintiff Robin Cattanio has suffered damages amounting to \$25,000.

Judgment shall enter in favor of Plaintiff Robin Cattanio and against Defendant Nancy Catricala in the amount of \$25,000.00, plus costs.

Dated at Meriden, Connecticut on this 22nd day of June, 2006.

Houston Putnam Lowry
Arbitrator

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed on this 22nd day of June, 2006 to:

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