

DOCKET NO. CV-04-4001756-S : SUPERIOR COURT
JOSEPH T. PASSALACQUA : JD OF HARTFORD
VS. : AT HARTFORD
JENNIFER L. WARREN, ET AL : SEPTEMBER 7, 2007

ARBITRAL AWARD

After hearing the parties on Friday, September 7, 2007,
I find the following facts:

1. On August 13, 2002 at approximately 5:32 p.m. the Plaintiff Joseph T. Passalacqua was the operator of a 2002 Chevy Trailblazer, which was traveling north on the exit 48 off ramp to Interstate 91 in Enfield, Connecticut.
2. Immediately before the accident, Plaintiff Joseph T. Passalacqua was stopped at a red light at the bottom of the exit No. 48 ramp.
3. A 1991 Honda Accord (collectively "Defendants' vehicle") owned by Defendant Jennifer L. Warren and operated by Defendant Jason Fortier was traveling behind Plaintiff's vehicle.

4. Defendant's vehicle failed to slow down, striking Plaintiff's vehicle from the rear.

5. Defendant Jason Fortier was driving with a suspended license.

6. Plaintiff Joseph T. Passalacqua incurred the following loses which were covered by Worker's Compensation Insurance not covered by insurance:

Description	Amount
Enfield Ambulatory	\$100.00
Medical Imaging	\$1,121.00
Carbone Chiropractic	\$5,285.00
Total	\$6,505.00

7. Intervening Plaintiff Verizon Wireless/Wireless-Northeast-CT0013 intervened to claim a lien on Plaintiff's proceeds to reimburse them for the following Worker's Compensation benefits paid to Plaintiff:

Description	Amount
Medical bills	\$4,597.30
Partial disability	12,678.60
Total	\$17,275.90

8. Plaintiff Joseph T. Passalacqua suffered a five percent (5%) permanent partial disability to his lower back.

9. Intervening Plaintiff Verizon Wireless/Wireless-Northeast-CT0013 is granted a lien of \$17,275.90 on Plaintiff Joseph T. Passalacqua's recovery.

10. Plaintiff Joseph T. Passalacqua has incurred total damages of \$45,000.00 due to Defendants' actions.

Judgment shall enter in favor of Plaintiff Joseph T. Passalacqua and against Defendants for \$45,000.00 plus costs to be taxed.

Dated at Meriden, Connecticut on this 7th day of September, 2007.

Houston Putnam Lowry
Arbitrator

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed on this 7th day of September, 2007 to:

Paul W. Smith
36 Main Street
P.O. Box 338
Windsor Locks, CT 06096

Raymond E. Epps
Law Offices of Mark S. Gilcreast
10 Columbus boulevard - 3rd Flr.
Hartford, CT 06106

Ellen M. Aspell, Esq.
Pomeranz, Drayton & Stabnick
95 Glastonbury Boulevard
Glastonbury, CT 06033-4412

Houston Putnam Lowry