

**CASE INFORMATION SHEET**  
**FLORIDA LEGAL PERIODICALS, INC.**  
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**COUNTY AND COURT:**

Orange Circuit Court in and for Orange County, Florida

**NAME OF CASE:**

JONATHAN B. BENJAMIN and  
ABBY BENJAMIN, his wife,

Plaintiffs,

v.

Liza J. Moraski, as Personal Representative of the Estate of  
JASON W. BOUCHER, deceased, and LIZA J. MORASKI, individually

Defendants.

**CASE DOCKET NO.:** 2009-CA-039069-0      **JUDGE:** Robert J. Egan

**PLAINTIFF(S) ATTORNEY(S)/TRIAL COUNSEL:**

David Ayers  
1680 Lee Road  
Winter Park, Florida 32789-2208

**DEFENDANT(S) ATTORNEY(S)/TRIAL COUNSEL:**

Vance R. Dawson  
Juan A. Ruiz  
201 East Pine Street  
Suite 1500  
Orlando, Florida 32801

**AGE/SEX/OCCUPATION OF PLAINTIFF OR DECEDENT:**

Age: 55 years old, Male, Owner of Advanced Door Systems, Custom  
Garage Door Builder.

**FOR WRONGFUL DEATH CASES, PLEASE GIVE AGE AND RELATIONSHIP OF SURVIVORS:**

**DATE, TIME AND PLACE OF ACCIDENT OR OCCURRENCE:**

3:47 p.m. on June 16, 2008

The accident occurred on south Orange Avenue, approaching Crystal Lake Drive in Orlando, Orange County, Florida

**CAUSE OF INJURY:**

Plaintiff claimed that as a result of a rear-end collision, he suffered headaches, neck pain, left shoulder pain, left knee pain, upper back pain and lower back pain.

**NATURE OF INJURY:**

Permanent low back pain, lumbar disc herniation, surgical recommendation to treat the lumbar disc herniation.

**PLAINTIFF'S EXPERT WITNESSES:**

Dr. Wayne Wolfson  
Chiropractor  
205 East Colonial Drive  
Orlando, Florida 32801

Dr. Wolfson opined that Mr. Benjamin's injuries were causally related to the automobile accident. Dr. Wolfson endorsed the surgical recommendation of Dr. Robert Masson.

Robert Martinez, M.D.  
Radiologist  
Stand UP MRI Orlando  
2010 South Orange Avenue  
Orlando, Florida 32806

Dr. Martinez testified that the findings on Mr. Benjamin's imaging studies were acute and causally related to the automobile accident.

**DEFENDANT'S EXPERT WITNESSES:**

Dr. Michael Foley  
Radiologist  
101 East Kennedy Boulevard  
Suite 3900  
Tampa, Florida 33602

Dr. Foley pointed out several areas of degenerative change on Mr. Benjamin's cervical and lumbar spine seen on the imaging studies. Dr. Foley opined that these findings were more closely related to pre-existing degenerative changes and not causally related to the automobile accident.

Dr. Robert Murrah  
Orthopedic Surgeon  
1222 South Orange Avenue  
5th Floor  
Orlando, Florida 32806

Dr. Murrah performed a Compulsory Medical Exam on Mr. Benjamin. Dr. Murrah opined that Mr. Benjamin's physical complaints were pre-existing in nature and did not appear to be causally related to the automobile accident. Dr. Murrah did not agree with the surgical recommendation.

**CHECK APPROPRIATE SPACE:**      X   Verdict

**DATE OF VERDICT:**

June 6, 2014

**VERDICT:**

Defense Verdict

**COMPARATIVE NEGLIGENCE:**

None.

**JUDGMENT:**

For the Defense

**DATE OF JUDGMENT:**

July 16, 2014

