

CASE INFORMATION SHEET  
FLORIDA LEGAL PERIODICALS, INC.  
P.O. Box 3370, Tallahassee, FL 32315-3730  
(904) 224-6649/(800) 446-2998 \* FAX (850) 222-6266

**COUNTY AND COURT:**

Orange County, Circuit Civil

**NAME OF CASE:**

JACQUELINE ATHEARN SKAHEN,

Plaintiff,

v.

MAZIE WHITT WISE,

Defendant.

**CASE DOCKET NO.:** 2014-CA-008896-0      **JUDGE:** Margaret Schreiber

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

George H. Anderson III  
Todd A. Curtin  
Dan Newlin & Partners  
7335 W. Sand Lake Road  
Orlando, FL 32819

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

Vance R. Dawson  
Jeremy T. Palma  
Rissman, Barrett, Hurt,  
Donahue, McLain & Mangan, P.A.  
201 E. Pine Street, 15th Floor  
Orlando, FL 32801

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

62-year old female/Retired

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

N/A

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

July 8, 2013 at approximately 5:00 p.m. on Woodbury Road at its intersection with S.R. 50 in Orlando, Orange County, Florida.

**CAUSE OF INJURY:**

Plaintiff was stopped for traffic in the outside lane on northbound Woodbury Road, approaching its intersection with S.R. 50. At a complete stop immediately behind Ms. Skahen was a Honda Accord driven by Lauren Barber. At a complete stop immediately behind Ms. Barber was a Volkswagen Jetta driven by Davendra Persaud.

Ms. Wise was driving a Cadillac CTS. Ms. Wise failed to bring her vehicle to a complete stop behind Mr. Persaud's vehicle. Ms. Wise rear-ended Mr. Persaud's vehicle. That impact forced Mr. Persaud's vehicle into the rear of Ms. Barber's vehicle. That impact forced Ms. Barber's vehicle into the rear of Ms. Skahen's vehicle.

**NATURE OF INJURY:**

Plaintiff sustained herniations at C5-6 and C6-7. Surgery was performed by Dr. Robert Masson at C5-6 and C6-7 on October 7, 2014.

**PLAINTIFF'S EXPERT WITNESSES:**

Sean Mahan, M.D.  
Radiologist  
EliteRAD Radiology Services, Inc.  
5840 Red Bug Lake Rd.  
Winter Springs, FL 32708

Plaintiff presented the testimony of her retained radiology expert, Sean Mahan, M.D. Dr. Mahan testified that the herniations at C5-6 and C6-7 were causally related to the July 8, 2013 accident.

Robert Masson, M.D.  
Neurosurgeon  
Neurospine Institute  
2760 Rew Cir. #100  
Ocoee, FL 34761

Plaintiff presented the testimony of her treating surgeon, Robert Masson, M.D. Dr. Masson testified that the herniations at C5-6 and C6-7 were causally related to the July 8, 2013 accident. Dr. Masson testified that the surgery he performed on October 7, 2014 was causally related to the July 8, 2013 accident.

**DEFENDANT'S EXPERT WITNESSES:**

Michael J. Foley, M.D.  
Radiologist  
Radiographic Consultants, LLC  
101 East Kennedy Boulevard, Suite 3900  
Tampa, FL 33602

The defense presented the testimony of Dr. Foley, a triple board-certified radiologist, as a witness at trial. Dr. Foley testified that plaintiff did not sustain herniated discs at C5-6 and C6-7 that were causally related to the accident. Dr. Foley testified that plaintiff had pre-existing degenerative changes at C5-6 and C6-7 which predated the July 8, 2013 accident.

Michael J. Broom, M.D.  
Orthopaedic Surgeon  
Florida Spine Care Center  
Orlando Orthopaedic Center  
25 West Crystal Lake Street, Suite 200  
Orlando, FL 32806

The defense presented the testimony of Dr. Broom, a board-certified orthopaedic surgeon, as a witness at trial. Dr. Broom testified that plaintiff did not sustain herniated discs at C5-6 and C6-7 that were causally related to the accident. Dr. Broom testified that plaintiff had pre-existing degenerative changes at C5-6 and C6-7 which predated the July 8, 2013 accident. Dr. Broom testified that plaintiff's spinal surgery was causally related to the natural progression of pre-existing degenerative changes and not from any trauma related to the accident.

**CHECK APPROPRIATE SPACE:**      √   Defense Verdict

**DATE OF VERDICT:**

March 18, 2016

**VERDICT:**

For Defendant, Mazie Whitt Wise

**COMPARATIVE NEGLIGENCE:**

N/A

**JUDGMENT:**

For Defendant

**DATE OF JUDGMENT:**

July 28, 2016

**DEFENDANT'S OFFER:**

On September 15, 2015, a proposal for settlement was sent to plaintiff in the amount of \$150,000.

**PLAINTIFF'S DEMAND:**

In closing, plaintiff's attorney requested \$517,000.

**ATTORNEY'S COMMENTS:**

Defendant admitted negligence prior to trial. Causation and damages were the only issues submitted to the jury. The jury deliberated 31 minutes before returning a defense verdict.

Submitted by: Vance R. Dawson  
Jeremy T. Palma

Date: August 9, 2016

Firm: Rissman, Barrett, Hurt,  
Donahue, McLain & Mangan, P.A.

Address: 201 E. Pine Street  
Suite 1500  
P.O. Box 4940  
Orlando, FL 32802-4940

**Telephone:** (407) 839-0120

**Fax:** (407) 841-9726

VRD/JTP/ccp