



Injuries in Roadside Hit-and-Run Yield \$3.25 Million Settlement in Middlesex



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A motorist, who was in the process of changing a flat tire, was struck by a box truck, that allegedly left the scene, was paid a \$3.25 million settlement in late October in *Torres Pena v. Gonzalez*.

In August 2011, Reynaldo

Torres Pena was driving south on the New Jersey Turnpike in South Brunswick, N.J., when a flat tire forced him to pull to the shoulder. He was standing on the shoulder when a box truck struck and threw him, according to his lawyer, **Brian Goldenfarb** of East Brunswick, N.J.

The truck stopped briefly, left and was later identified based on witness accounts and New Jersey State Police testing of the truck's paint, along with paint found on Torres Pena's belt. The driver was identified as Omar Gonzalez, currently 39, of Philadelphia, though he was not criminally charged, Goldenfarb said.

Torres Pena sustained five vertebrae fractures, a compound leg fracture, and other injuries. Following the accident, he was airlifted to Robert Wood Johnson

University Hospital, and was hospitalized there and later at University of Pennsylvania Hospital for most of the next three months. He underwent at least 12 surgeries, sustained a lung injury due to blood clots, was put on a ventilator, contracted infections, became septic and also developed MRSA. He now is permanently scarred and disfigured, Goldenfarb said.

Following mediation in March, two insurers covering Gonzalez agreed to pay a total of \$3.25 million, according to Goldenfarb, though he declined to identify them. The primary carrier paid \$1 million; the excess carrier, \$2.25 million, he said.

Gonzalez's attorney, **Linton Turner of Mayfield, Turner, O'Mara & Donnelly** in Cherry Hill, N.J., didn't return a call.

—By **David Gialanella**