

Won a \$20 million personal injury case in the Colorado Court of Appeals involving catastrophic claims related to complex regional pain syndrome (CRPS). The result affirms WTO's prior motion to dismiss victory.

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WTO won in the Colorado Court of Appeals in a catastrophic personal injury case. The plaintiff had demanded a \$20 million life care plan following an accident that allegedly left him permanently disabled. The result follows WTO's prior win on motion to dismiss.

The plaintiff alleged that in 2013, a tow truck employee ran over his leg while unloading cars at a salvage yard, causing him to develop complex regional pain syndrome (CRPS), a medical condition that he claimed prevented him from ever working again. In 2016, he sued the driver's employer and demanded a \$20 million life care plan.

WTO joined the case as trial counsel—four months before trial and after discovery closed—and immediately set out to mitigate damages.

In developing the case for trial, WTO requested an updated plaintiff deposition, as the original one was more than two years old. During that deposition, the plaintiff unintentionally

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admitted that he had gone to an ER for a car crash approximately 14 months after the 2013 incident. That accident and the related medical records had never been disclosed to the defendant, the experts who evaluated the plaintiff, or his treating doctors.

Two weeks before trial, WTO moved for sanctions and asked the court to dismiss the case as a result of the plaintiff's intentional withholding of critical evidence. After oral arguments, the judge dismissed the case.

The plaintiff appealed that dismissal. Following briefing and oral arguments, the appellate court ruled unanimously in favor of WTO's client, adopting all of our arguments. The result concludes over five years of litigation, saving the client from needlessly paying millions of dollars in damages.