

## *Sample Small Claims Court Fact Sheet*

Patient (plaintiff): Lisa Smith

Third Party (defendant): John Jones (Insured by Mercury Ins.)

Reason for Lawsuit: 3<sup>rd</sup> party auto insurance carrier refused to pay due to the fact that there was relatively minor visible car damage from the impact.

Response to Refusal: Contacted 3<sup>rd</sup> party and his insurer by mail several times with demands for payment. Also provided medical research on minimal damage auto collisions (have copies for the Small Claims Court Judge).

Date of Injury: 4/4/16

Dates of Chiropractic Services: 4/7/16 to 6/5/16 (just under 2 months)

Impact Type and Car Damage: Rear-end impact causing \$695 auto damage

Presenting Complaints: Headache, neck pain, upper back pain, stiffness, and insomnia. Pain level ranging from 6-7/10 on presentation.

Adverse Factors: Female, slender neck, rear-end collision, did not anticipate the impact, head forward of head restraint, head rotated at impact, poor conditioning, and poor posture.

Diagnoses: Post-traumatic headache, cervical strain/sprain, thoracic strain/sprain, muscle spasms, sleep disturbances, cervical and thoracic intersegmental dysfunction.

Improvement Documentation:  
(by patient report) **Re-Exam on 5/8/16:** head 80%; neck 60%; upper back 80% better  
**Re-Exam on 6/5/16:** head 100%; neck 95%; upper back 100% better

Services Included: 1 Initial Exam, 2 re-exams, cervical x-rays, hot/cold pack, physical therapy modalities, exercise rehab and spinal manipulation

Number of Tx: 20 total visits

Total Chiropractic Bills: \$2325.00

Average Cost/Visit: (Removing exams, re-exams and x-rays) = approx. \$95.00/visit

Care and Charges Costs: Well within the usual and customary charges for this region.

1.	Chiropractic charges of:	<b>\$2350.00</b>
2.	Small Claims Court filing fee:	<b>\$50.00</b>
3.	Process service fee:	<b>\$55.00</b>
	<b>TOTAL:</b>	<b>\$2455.00</b>
4.	Simple interest at (10%):	(see below)

Interest to be Paid: Plaintiff signed an Agreement to Pay Doctor, obligating 10% interest from date of settlement.

Lost Income: Loss 3 full days of work due to MVA. (24 hours at \$14.00/hr. = **\$336.00**)

Car repair: **\$695.00**

**Total monetary losses: \$3486.00 (\$2455 + \$336 + \$695) (without interest added to chiropractic bill)**

Non-Economic Losses: *In connection with the MVA, Plaintiff has invested the following:*  
22 hours going to, from, and at the chiropractic office  
4 hours in the process of getting my car repaired  
2 hours in the process of writing defendant/insurer multiple times. Equals a total of **28 hours**  
**Had headache daily for approximately 3 weeks. Avoided repeated neck bending for 4 weeks. Asking for \$XXXX for pain and suffering.**