



Run It By My Lawyer, with Joe Samo



You Had Medical Problems Before the Car Accident. Can You Still Recover Money?

California recognizes a legal principle known as the eggshell plaintiff rule. Essentially, a negligent driver must take the injured person as they find them.

Some people are more vulnerable to injury because of their age, medical history, or physical condition. That does not excuse a negligent driver from responsibility for the injuries they cause.

However, the driver is generally responsible for the aggravation the accident caused—not for medical problems that would have existed regardless of the collision.

The Insurance Company May Try to Blame Your Medical History

One common insurance company argument is that the injured person's symptoms existed before the accident.

For example, an insurance adjuster might point to an MRI showing degenerative disc disease and argue that the person's back pain is unrelated to the collision.

But a pre-existing condition doesn't necessarily mean the accident caused no additional injury. A person may have lived with a manageable condition for years before an accident significantly increased their pain or limitations.

Your Medical Records Can Help Tell the Story

Medical records from before and after the accident can be particularly important in these cases.

The records may demonstrate that a person previously had only occasional symptoms but developed substantially greater pain, new physical limitations, or the need for additional treatment after the collision.

Evidence showing how the accident changed the person's everyday life can also help establish the extent of the aggravation.

You Don't Have to Be Perfectly Healthy to Have a Personal Injury Case

Many people involved in car accidents have some history of back pain, neck problems, arthritis, or other medical conditions. Having a medical history does not automatically prevent someone from recovering damages.

The key is proving the accident caused a new injury or worsened an existing condition.

If you were injured in a car accident and the insurance company is attempting to blame your symptoms on a pre-existing medical condition, Samo Law Group can evaluate your potential claim.

Contact Joe Samo at 619-672-1741 or joe@samolaw.com

On the Lighter Side

[Comedy Show](#) Saturday, October 24, 7 pm

Join us for a live comedy show on Saturday night, October 24, 2026, at 7 pm. Our very own Joe Samo will be performing! The show will be at Mic Drop Comedy Club in San Diego. Get tickets [Here](#). Use code ROYAL for \$5 off the ticket price.

We would love to see you!



Samo Law Group | 17190 Bernardo Center Dr #200 | San Diego, CA 92128 US

[Unsubscribe](#) | [Update Profile](#) | [Constant Contact Data Notice](#)



Try email marketing for free today!