

The Legal Intelligencer

THE OLDEST LAW JOURNAL IN THE UNITED STATES 1843 - 2019

How Plaintiffs Counsel Negotiated a \$6.5M Settlement Over an 89-Year-Old Woman's Wrongful Death

"We felt strongly that her life was as precious to her family as it would have been had she been younger, and that we shouldn't let the formalistic aspects of wage loss or medical expenses control the resolution," Shanin Specter said.

August 23, 2022
Aleeza Furman

What You Need to Know

- Kline & Specter announced that it reached a \$6.5 million settlement for the family of an 89-year-old woman who was struck and killed by a car.
- The settlement is unusually high for the death of an elderly person with no wage or spouse.
- Shanin Specter said, rather than take a formalistic approach to damages, plaintiffs counsel focused on the idea that life is precious.

Kline & Specter announced Wednesday that it secured a \$6.5 million settlement for the family of an 89-year-old woman struck and killed by a car.

The settlement is unusually high for the death of an older adult, **Kline & Specter partner Shanin Specter** said. And that should be a message to lawyers on both sides of the “V” about the appropriate value of a senior citizen’s life, he said.

“We lawyers have looked at it too formalistically in the past, and a jury wouldn’t necessarily look at it that way,” Specter said. “A jury would accord great respect to the passing of a person no matter what their age.”

Specter noted that the facts of the case were not the type that would typically yield a large amount of compensation.

In addition to decedent Susan Simpson being in her late 80s, she was a widow and died nearly instantly from the accident, Specter said. She wasn’t a wage earner, and her pain and suffering was brief, he said.

“What we were left with in the final analysis was the argument that her life was precious,” Specter said. According to Specter, the value of the settlement indicates that the defendants believed the plaintiffs’ argument could persuade a jury.

According to the complaint, Simpson was hit by a car while walking on a sidewalk near Piazza Nissan of Ardmore. The driver who struck her was working for Piazza Nissan and operating one of the dealership’s vehicles, the complaint said.

Simpson’s children alleged their mother died due to Piazza Nissan’s negligence.

In their answer to the complaint, the defendants denied that they were negligent or caused the plaintiffs’ damages. William Schaefer of Hendrzak & Lloyd represented the defendants and did not respond to requests for comment.

Specter, who represented the plaintiffs alongside co-counsel James Waldenberger, said the parties resolved the case earlier in August and the money changed hands Tuesday. He said liability was clear, so the amount was the main issue during settlement negotiations.

“We felt strongly that her life was as precious to her family as it would have been had she been younger, and that we shouldn’t let the formalistic aspects of wage loss or medical expenses control the resolution,” Specter said.

He said the multimillion-dollar resolution indicates that it can be appropriate for a defendant to pay a substantial amount of money for the death of an older adult across a broad sweep of injury case types.

“The settlement amount speaks volumes about what can be achieved in this area,” he said.