



JAS MA Ref. No. 211962WL  
2004 WL 2216614 (Mass.Super.), JAS MA Ref. No. 211962WL  
**(Publication page references are not available for this document.)**

Page 1

Copyright (c) 2006 JAS Publications, Inc.

Superior Court of Massachusetts  
MARITZA ANTUNA v. HARRY BERGOLLO AND 338 ELM STREET CORPORATION  
WOCV199900675

DATE OF VERDICT/SETTLEMENT: June 3, 2004

TOPIC: MOTOR VEHICLE AUTO ACCIDENT - INTERSECTION - RIGHT-OF-WAY - DEFENSE VERDICT

SUMMARY:

Result: Verdict: Defense verdict

ATTORNEY:

Plaintiff's: Alan E. Wilcox, Worcester  
Defendant's: **John B. Stewart**, Springfield

JUDGE: Peter W. Agnes Jr.

RANGE AMOUNT: \$0  
STATE: Massachusetts

COUNTY: Worcester County, MA

ALLEGED INJURY: Soft tissue back and neck injuries which resolved after a period of time. Plaintiff sought \$4,300 in medicals and claimed \$660 in property damage to her vehicle.

SUMMARY:

Plaintiff Information:

Age: 45  
Sex: F  
Occupation: Unemployed  
Marital Status: Single  
Insurance Carrier: Utica National  
Jury Deliberations: 15 minutes

FACTS:

A disputed red light/green light intersection accident spawned claims of injury by plaintiff driver. Defendants disputed liability and damages and the jury returned a verdict in favor of defendants. A Worcester County jury deliberated for just 15 minutes before returning the verdict.

Plaintiff Maritza Antuna was driving a vehicle owned by her mother. Defendant Harry Bergollo was operating a vehicle on an intersecting street. At an intersection controlled by a traffic light, Defendant Bergollo made a right turn in front of plaintiff's oncoming vehicle, resulting in a collision. Defendant Bergollo was operating a vehicle owned by his employer, Defendant 338 Elm Street Corporation.

Plaintiff alleged that defendant driver had a red light and failed to yield the right-of-way to through traffic. She claimed soft tissue neck and back injuries, as well as property damage to her vehicle, as a direct result of this accident.

Defendants contended that Bergollo had the green light and made a proper right turn from the right lane of a two lane roadway. Defendants argued that plaintiff

**(Publication page references are not available for this document.)**

attempted to change lanes as she drove through the intersection and struck defendants' vehicle on the left side. This was a minor impact for which defendants denied negligence and argued that plaintiff was not injured.

JAS Publications, Inc.

Superior Court

PUBLISHED IN: Vol. 15, No. 12

2004 WL 2216614 (Mass.Super.), JAS MA Ref. No. 211962WL

END OF DOCUMENT