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**FOR IMMEDIATE RELEASE**

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**New Jersey couple awarded \$825,000 for disabilities resulting from auto accident.**

This automobile negligence action was initiated by plaintiffs, David and Joyce Soowal against defendants, Stephen M. Umbrell and Commerce Bank as a result of an automobile accident which occurred on May 28, 1999 at the intersection of Greentree Road and Route 70 West in Cherry Hill, New Jersey. The defendants' vehicle which was being driven defendant, Stephen Umbrell and was owned by his employer Commerce bank, rear ended the plaintiff's car, being driven by Dr. David Soowal, in the height of the evening rush hour traffic. There was minimal property damage to both vehicles.

Dr. David Soowal was 57 years-old general surgeon at the time of the accident. Immediately following the impact he was experiencing pain to his upper back, neck and left shoulder, but did not seek any medical attention for four days. The neck and back pain resolved several months following the accident, but the left shoulder pain persisted. On August 28, 1998 a full thickness rotator cuff tear was diagnosed in the left shoulder. This rotator cuff was surgically repaired on April 21, 1999.

At the time that the rotator cuff was repaired, plaintiff sustained an injury to his brachial plexus nerves. The injury to the brachial plexus resulted in permanent marked weakness in the plaintiff's left hand, which his dominant hand, a lack of coordinate, as well as constant burning pain in the hand and arm. Plaintiff has been unable to work as surgeon since the time of the rotator cuff surgery. The brachial plexus injury has further resulted in the improper functioning of the muscles in his left arm, leading to a second rotator cuff tear and surgery. The doctor's inability to continue his work as a surgeon resulted in significant psychiatric injury.

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As the plaintiff was receiving disability insurance payments equal to his pre-accident earning, no claim for past or future lost earning was made.

Defendants contested liability asserting that the plaintiff stopped short, therefore causing and/or contributing to the accident. They also disputed that the rotator cuff tear resulted from the minimal impact collision and that the doctor had not sustained a brachial plexus injury. The defendants also argued that the doctor was motivated not to work because of his disability payments. The highest settlement offer made was \$150,000.00. The jury awarded \$750,000 to plaintiff David Soowal and \$75,000 to Joyce Soowal on her loss of consortium claim.

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