
Defense Verdict for Attorney Adam Maiocco in Hartford Superior Court

On October 5, 2018, after a three-day trial, a Hartford jury returned a defense verdict in favor of John Chiarizio, who was represented by Attorney Adam Maiocco, a Partner at Neubert, Pepe & Monteith, P.C. The plaintiff, a 26-year-old school teacher, claimed that Chiarizio, then 16 years old, ran a red light at an intersection on the Berlin Turnpike, resulting in both vehicles being totaled. Chiarizio only had his driver's license for three months at the time of the crash. The plaintiff's attorney, James Kernan, Esq. of Kernan, Scully & McDonald, LLP, asked the jury to award \$100,000 to compensate his client for injuries that included facial scarring, a fractured tooth, a lip laceration requiring stitches, leg pain, bruising and swelling, emotional distress, medical bills, and lost wages.

“One of the biggest hurdles we had to overcome in this case was the police report,” according to Attorney Maiocco. The intersection at issue has four lanes- left and right turn lanes and left and right travel lanes. Chiarizio was in the left travel lane, and was stopped at a red light. When the light turned green, he proceeded straight into the intersection. Moments later his car was struck by the plaintiff, who was making a left hand turn. However, when Chiarizio initially spoke with the police officer at the scene, he told her that he was in the “left lane” without specifying that he was in the “left *travel* lane.” Based on Chiarizio's initial statement, the officer assumed, incorrectly, that he was in the left *turn* lane, and concluded that he must have cut over from the turn lane into the travel lane and ran a red light. Chiarizio attempted to correct his initial statement later at the scene, and even gave a written statement at the police station several days later in an effort to correct his initial statement.

The plaintiff's attorney called several witnesses at trial, including his client, the police officer, a dental expert, the plaintiff's husband, and her father. The plaintiff and Chiarizio both insisted that they had green lights. “In the end, my client came across as significantly more credible than any of the plaintiff's witnesses, including the plaintiff herself. The jury seemed to really connect with my client and, thankfully, didn't hold his age or lack of driving experience against him.” The jury deliberated for about an hour and a half before reaching their verdict.



Adam V. Maiocco an principal at Neubert, Pepe & Monteith, P.C., is experienced in representing both individual and institutional health care providers in medical malpractice and general liability claims. He also represents attorneys in legal malpractice actions. Attorney Maiocco is admitted to practice in Connecticut, New York, the United States District Court for the District of Connecticut, and the Southern District of New York.

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