



\$1 Million in Ocean Auto Case

Sclavunos v. Gillikin: A Toms River woman on Jan. 27 entered a \$1 million settlement in her Ocean County case after her car was struck by a tow truck.

On Dec. 22, 2015, plaintiff Kristyn Sclavunos, then 42, was driving a tan 2001 Mazda 626 on Route 37 in Toms River, near the intersection of Garfield Avenue, when a tow truck operated by the defendant, Stephen P. Gillikin, attempted to make a right turn onto Garfield Avenue from the center lane, according to the police report. While making the turn, Gillikin, then 51 of Barnegat, struck Sclavunos' car as it was traveling in the right lane, the report said. Sclavunos's daughter, Ilisia Ortiz, who was 14 at the time, was a passenger in Sclavunos's Mazda at the time of the collision.

As a result of the accident, Sclavunos' doctors claimed that she sustained a disc herniation at L5-S1, with disc desiccation and annular tear, requiring surgery, and an injury to her left knee, later treated with a cortisone injection,

the suit claimed. Ortiz suffered sprains and strains of her back but received no significant treatment, according to the plaintiffs' counsel, **Michael Heck** of **Epstein Ostrove** in Edison.

Ooida Risk Rentention Group Inc. of Grain Valley, Missouri, paid out the \$1 million settlement, Heck said: \$2,296 for property damage to the Mazda, and the remainder for the injury. **Daniel N. Epstein** of the same firm was designated trial counsel, although the case settled prior to trial.

Gillikin and Jersey Shore Lowboy Service, the tow truck company that Gillikin owned and operated, were represented by George T. McCool Jr. of Wright & O'Donnell in Iselin.

McCool confirmed that Ooida was the insurance carrier paying the \$1 million sum, but declined to comment further.

Settlement was reached on Jan. 10, before the case was set to go to trial on Jan. 27, according to Heck.

Heck said a defense expert acknowledged that Sclavunos,



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now 46, had a minor sprain of her lower back, but challenged causation and permanency, and another expert for Gilliken disputed that Gilliken was not at fault for accident.

"We obviously disagreed with that," Heck said in a phone interview. "We fought hard for Ms. Sclavunos. We believed in her. This injury is really affecting her life with the soreness in her lower back. Because of the pain from the accident, everything is a little more difficult for her in her life."

— **Suzette Parmley**