

IN THE IOWA DISTRICT COURT FOR LINN COUNTY

ALEXANDRIA PAGE ROBINSON,	)	LACV093465
	)	
Plaintiff,	)	
	)	
v.	)	DEFENDANTS'
	)	PRETRIAL STATEMENT
WILLIAM M. HANIGAN and MICHAEL	)	
T. HANIGAN,	)	
	)	
Defendants.	)	

COMES NOW Defendants, William M. Hanigan and Michael T. Hanigan, and, pursuant to the Court's Order Setting Jury Trial, hereby submit their Pretrial Statement as follows:

**a. A brief synopsis of the case.**

This matter arises from a motor vehicle accident on or about June 18, 2019 at or near southbound Interstate 380 at the 1<sup>st</sup> Street East exit in Cedar Rapids, Linn County, Iowa involving vehicles operated by Plaintiff Alexandria Page Robinson and Defendant William Hanigan. Plaintiff Alexandria Page Robinson alleges she sustained personal injury in the accident.

**b. All facts which can be admitted or facts which a party wants another party to stipulate to.**

1. That an accident occurred on or about June 18, 2019 at or near southbound Interstate 380 at the 1<sup>st</sup> Street East exit in Cedar Rapids, Linn County, Iowa involving vehicles operated by Plaintiff Alexandria Page Robinson and Defendant William Hanigan.

2. That Defendant Michael Hanigan was the owner of the vehicle driven by Defendant William Hanigan and that Defendant William Hanigan was operating the vehicle with Defendant Michael Hanigan's consent.

**c. Specific legal theories of recovery or defense, including elements of each cause of action or affirmative defense and specifications of negligence of fault.**

Plaintiff Alexandria Page Robinson alleges that Defendant William Hanigan was negligent in failure to stop in an assured clear distance. The elements of this allegation of negligence are: "No person shall drive any vehicle on a highway at a speed greater than will permit them to stop within the assured clear distance ahead. The words "within the assured clear distance ahead" mean the distance from which noticeable objects, reasonably expected or anticipated to be upon the highway, may be seen." See Iowa Jury Instruction 600.3.

**d. An itemized list of all damages sought.**

Not applicable to Defendants.

**e. A list of all witnesses intended to be called at trial, including experts and those witnesses who will be testifying by deposition only, together with a brief synopsis of their testimony.**

The Defendants intend to, or may, call the following witnesses:

1. Alexandria Page Robinson;

It is anticipated that Alexandria Page Robinson may testify that she was exiting southbound Interstate 380 onto 1st Street East. She slowed because of the traffic in front of her. She was uncertain if she had come to a complete stop. She was struck from behind by the Hanigan vehicle. It is also anticipated that Alexandria Page Robinson may testify that she sustained injury in the accident.

2. William M. Hanigan;

It is anticipated that William Hanigan may testify that was traveling southbound on Interstate 380 in the right lane. There was a long right-side exit lane that he entered at E 1<sup>st</sup> Street. As he began to exit, there was a large gap between his vehicle and the next vehicle in front of him. He did not observe the Robinson vehicle in front of him. He looked down at his GPS to make sure he was taking the correct exit. He looked back up and the vehicles in front of him, including the Robinson vehicle, were suddenly stopping. He applied his brakes but could not stop and struck the rear of the Robinson vehicle.

3. Michael T. Hanigan;

It is anticipated that Michael Hanigan may testify that he was the owner of the vehicle driven by Defendant William Hanigan and that Defendant William Hanigan was operating the vehicle with Defendant Michael Hanigan's consent.

4. Michael Jacoby, M.D. (by deposition only);

It is anticipated that Dr. Michael Jacoby, M.D. may testify that it is reasonable to associate some type of transient generalized musculoskeletal pain to the motor vehicle accident consistent with his written report dated July 9, 2021; a copy of which will be provided to the Court at the time of the pre-trial conference.

5. All witnesses listed by Plaintiff;

6. Records Custodian for any and all medical providers of Plaintiff to the extent necessary to lay a sufficient foundation for the admission of records into evidence;

7. All medical providers of Plaintiff to the extent necessary to lay a sufficient foundation for the admission of records of Plaintiff; and

8. All witnesses necessary to establish foundation to admit any exhibits.

WILLIAM M. HANIGAN and MICHAEL T.  
HANIGAN, Defendants

BY: /s/ David J. Stubstad

David J. Stubstad #AT0007641  
LAW OFFICE OF DAVID J. STUBSTAD  
14301 FNB Parkway, Suite 100  
Omaha, NE 68154  
(402) 507-5192  
[dstubstad@geico.com](mailto:dstubstad@geico.com)

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2022, I electronically filed the foregoing with the Clerk of the Court which sent notification of such filing to the following:

Jordan M. Talsma  
BEECHER, FIELD, WALKER, MORRIS,  
HOFFMAN & JOHNSON, PC  
620 Lafayette St., Ste. 300  
PO Box 178  
Waterloo, IA 50704  
[jtalsma@beecherlaw.com](mailto:jtalsma@beecherlaw.com)  
[mshonrock@beecherlaw.com](mailto:mshonrock@beecherlaw.com)

/s/ David J. Stubstad