

has become almost entirely sedentary. By contrast, Dr. Season testified that plaintiff has no “substantial permanent impairment” and no signs of “significant abnormality,” but that he has a continuing fifteen percent reduction in normal lower back range of motion.

{¶3} While many of plaintiff’s complaints are subjective, the court found his testimony to be credible and persuasive. Balanced against the medical testimony provided by Dr. Season, and upon review of all of the evidence and argument presented, the court finds that plaintiff’s total damages in this case amount to \$10,000 which include, but are not limited to, wage loss, past and future pain and suffering, physical impairment and inability to perform usual activities. Plaintiff’s total damages shall be reduced by \$5,000, which represents his fifty percent contributory negligence.

{¶4} Accordingly, judgment is rendered in favor of plaintiff in the amount of \$5,025 which includes the \$25 filing fee. Court costs are assessed against defendant. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

RUSSELL LEACH

Judge

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