

**AMERICAN ARBITRATION ASSOCIATION  
NO-FAULT/ACCIDENT CLAIMS**

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In the Matter of the Arbitration between

(Claimant)

v.  
Liberty Mutual Insurance  
(Respondent)

**AAA CASE NO.: 18 Z 600 03840-01**  
**INS. CO. CLAIMS NO.: 35477303**  
**DRP NAME: E. Gregory M. Cannarozzi**  
**NATURE OF DISPUTE: Medical**  
**Expense Benefits**

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**AWARD OF DISPUTE RESOLUTION PROFESSIONAL**

**I, THE UNDERSIGNED DISPUTE RESOLUTION PROFESSIONAL (DRP)**, designated by the American Arbitration Association under the Rules for the Arbitration of No-Fault Disputes in the State of New Jersey, adopted pursuant to the 1998 New Jersey “Automobile Insurance Cost Reduction Act” as governed by *N.J.S.A. 39:6A-5, et. seq.*, and, I have been duly sworn and have considered such proofs and allegations as were submitted by the Parties. The Award is **DETERMINED** as follows:

Injured Person(s) hereinafter referred to as: patient.

1. ORAL HEARING held on 8/09/01.
2. ALL PARTIES APPEARED at the oral hearing(s) .

Respondent appeared telephonically.

3. Claims in the Demand for Arbitration were NOT AMENDED at the oral hearing (Amendments, if any, set forth below). STIPULATIONS were made by the parties regarding the issues to be determined (Stipulations, if any, set forth below).

The parties stipulated that AICRA applies. The Respondent stipulated that all bills had been paid in accordance with the fee schedule post-petition.

4. FINDINGS OF FACTS AND CONCLUSIONS OF LAW:

This is a claim for medical expense benefits arising out of an accident which occurred on 9/29/99. The parties stipulated that AICRA applies.

At the oral hearing, the Respondent stipulated that all bills had been paid in accordance with the fee schedule post-petition. Therefore, the only issue to be determined is attorney's fees.

I have reviewed the following documents on behalf of the Claimant: the Demand for Arbitration with numerous exhibits, arbitration submission dated 8/2/01 and attorney's Certification of Services.

Based on all the foregoing, having heard the arguments of counsel, having reviewed all the documents submitted, having given weight to same and having considered the equitable factors, I make the following determination:

I am compelled to find that the Claimant makes a *prima facie* showing with respect to its claim for medical expense benefits. I am also compelled to find that the services rendered were reasonable, necessary and causally related.

With respect to attorney's fees in this matter, I have carefully reviewed the certification of services submitted by Claimant's counsel. Under R.P.C. Rule 1.5, I have evaluated all the factors therein including, but not limited to, the novelty and difficulty of the questions involved, the skill requisite to perform the legal services properly, the fees customarily charged in a locality of similar legal services, the amount involved and the results obtained, as well as the experience, reputation and ability of the lawyer performing the service. Accordingly, I have awarded attorney's fees commensurate with the results obtained in accordance with AAA Rule 21.

5. MEDICAL EXPENSE BENEFITS:

Not In Issue

Provider	Amount Claimed	Amount Awarded	Payable to
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Explanations of the application of the medical fee schedule, deductibles, co-payments, or other particular calculations of Amounts Awarded, are set forth below.

6. INCOME CONTINUATION BENEFITS: Not In Issue

7. ESSENTIAL SERVICES BENEFITS: Not In Issue

8. DEATH BENEFITS: Not In Issue

9. FUNERAL EXPENSE BENEFITS: Not In Issue

10. I find that the CLAIMANT did prevail, and I award the following COSTS/ATTORNEYS FEES under N.J.S.A. 39:6A-5.2 and INTEREST under N.J.S.A. 39:6A-5h.

(A) Other COSTS as follows: (payable to counsel of record for CLAIMANT unless otherwise indicated): \$325.00 AAA Filing Fees

(B) ATTORNEYS FEES as follows: (payable to counsel of record for CLAIMANT unless otherwise indicated): \$1,250.00

(C) INTEREST is as follows: Not In Issue .

This Award is in **FULL SATISFACTION** of all Claims submitted to this arbitration.

8/16/01  
Date

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E. Gregory M. Cannarozzi, Esq.