

testimony of the defendant, that if the plaintiff had not stopped, he would not have been struck in the rear.

4. A new trial is warranted only if the jury's verdict is "clearly the result of passion, prejudice, partiality, or corruption," or the evidence "preponderates so heavily against the jury verdict that a reasonable jury could not have reached the result."¹

5. The fact finder had evidence from which it could conclude that the responsibility for the accident was 70% attributable to the conduct of Ballard, and 30% attributable to the conduct of the red car, the conduct of which was described differently by each party.

WHEREFORE, the motion for a new trial is denied.

IT IS SO ORDERED.

Judge Susan C. Del Pesco

Original to Prothonotary
xc: Vincent A. Bifferato, Jr., Esquire
James J. Haley, Jr., Esquire
Robert C. McDonald, Esquire

¹ *Storey v. Camper*, 401 A.2d 458, 465 (Del. 1979).