

CV632D “Objective Findings” Defined.

To be considered objective, a finding that [plaintiff] is permanently disabled or permanently impaired must be based on externally verifiable evidence; that is, the finding must be based on something other than [plaintiff’s] own subjective testimony.

References

Pinney v. Carrera, 2019 UT App 12, ¶¶ 26-27, 438 P.3d 902, aff’d, *Pinney v. Carrera*, 2020 UT 43, ¶¶ 21-29, 469 P.3d 970.

Committee Notes

Testimony from an expert or treating physician could satisfy the “objective findings” requirement.