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ESSENTIAL CALIFORNIA LEGAL CONTENT

APRIL 29, 2013

CALIFORNIA'S MILLION DOLLAR VERDICTS



California's Million-Dollar Verdicts

Welcome to *The Recorder's* annual report on California's Top Verdicts—those verdicts in 2012 that were \$1M or more. The data comes from VerdictSearch, the leading provider of verdict information, and is based on cases reported as issued after trial. Summaries and listings do not include whether post-trial motions or appeals have been decided or pending. The content includes awards involving injuries only to one party in each case and the claims that derive from those injuries.

The detailed verdict information in VerdictSearch provides a full summary of the case, a directory of the experts involved on both sides of the case as well as the judge, juror composition, and jury vote. Learn more at verdictsearch.com. We hope that the listings and summaries included here provide you with useful information about the types of cases that generated the largest verdicts last year — including those that you may not have seen previously.


Molly Miller,
Publisher

1. PRODUCTS LIABILITY, DESIGN DEFECT, MANUFACTURING DEFECT, FAILURE TO WARN

Plaintiff Robert Kammerer, 39, a construction hoist operator, was transporting a co-employee to the roof of a San Mateo Library job when the hoist malfunctioned and climbed upwards out of control. Kammerer attempted to exit onto the roof of the library but fell roughly 50 feet to the concrete below. Kammerer sustained a right elbow dislocation with transection of all arteries and veins, all muscle attachments distal to the elbow, the brachial artery as well as the median, ulnar and radial nerves. He also sustained open fractures of the right tibia and fibula and a head laceration. Kammerer was subsequently airlifted to Stanford Hospital, where his right dominant arm was amputated in a mid-humeral, above-the-elbow amputation. He also underwent open reduction and internal fixation with intramedullary nailing of the right tibia and fibula on the day of the accident. Kammerer was transported to the acute rehabilitation unit of Santa Rosa Memorial Hospital in Fulton for 10 days. As a result of the amputation, Kammerer started overusing his left hand, resulting in carpal tunnel syndrome in his left hand. He subsequently underwent a left hand endoscopic carpal tunnel release in 2012 with placement of Arthrex Mini Tight Rope implant. He was also fitted with a bioelectric pros-

thetic right arm. However, Kammerer claimed that he did not end up using the prosthetic very much because of its weight and because, combined with his medications, it caused too much sweating in his right arm stump, causing the prosthetic to become uncomfortable and slip off. Kammerer acknowledged that he does not require 24/7 care and lives by himself in a condominium, but his life care plan contemplated future assistance with household chores, meal preparation and work around the home. Kammerer sought recovery of damages, including a past wage loss of \$116,526; a future wage loss of \$0 to \$1,304,890, depending on his work life expectancy; and future medical costs of \$1,926,411. He also requested \$2.4 million in economic damages, over \$5 million in past non-economic damages and \$6 million in future non-economic damages. The parties stipulated to past medical damages of \$377,256. The jury found that Alimak was liable for the defect design of the hoist and for failing to warn of the defect. However, it also found that Kammerer was comparatively at fault. As such, the jury found Alimak Hek AB 57 percent liable, Sheedy Inc. 33 percent liable and Kammerer 10 percent liable. The jury awarded Kammerer \$8,328,591. Kammerer would recover \$4,747,296.80, based on the percentage of fault found against Alimak Hek.

Case: *Kammerer v Alimak Hek*

Venue: San Francisco County

Plaintiff Attorney(s): Richard

See **VERDICTS** page 6

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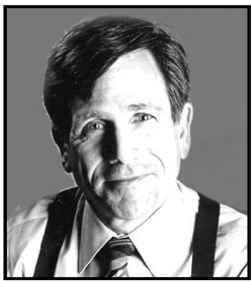
1	Apple Inc. v. Samsung Electronics Co. Ltd.	8/24/12	United States District Court, Northern District, San Jose	Intellectual Property: Infringement	Apple claimed several design and utility patents were infringed	Harold J. McElhinny (co-lead), San Francisco, CA of Morrison & Foerster LLP; William F. Lee (co-lead), Boston, MA of Wilmer Cutler Pickering Hale & Dorr LLP; Michael A. Jacobs, San Francisco, CA of Morrison & Foerster LLP; Rachel Krevans, San Francisco, CA of Morrison & Foerster LLP; Mark D. Selwyn, Palo Alto, CA of Wilmer Cutler Pickering Hale & Dorr LLP	\$1,049,393,540
2	In Re: TFT-LCD (Flat Panel) Antitrust Litigation, MDL No. 1827	7/3/12	United States District Court, Northern District, San Francisco	Antitrust: Price Fixing	Class: Manufacturers of TFT-LCDs involved in price-fixing	Richard M. Heimann (co-lead), San Francisco, CA of Loeff Cabraser Heimann & Bernstein, LLP; Bruce L. Simon (co-lead), San Francisco, CA of Pearson, Simon, Warshaw & Penny, LLP	\$261,000,000
3	Federal Deposit Insurance Corp. v. Van Dellen	12/7/12	United States District Court, Central District, Los Angeles	Corporations: Breach of Fiduciary Duty	FDIC alleged bank officials engaged in risky lending	David Graeler, Los Angeles, CA of Nossaman LLP; Thomas D. Long, Los Angeles, CA of Nossaman LLP; Patrick J. Richard, San Francisco, CA of Nossaman LLP	\$168,813,475
4	Chopourian v. Catholic Healthcare West	2/29/12	United States District Court, Eastern District, Sacramento	Employment: Sexual Harassment	Plaintiff: Hospital damaged her professional reputation	Lawrance A. Bohm, Sacramento, CA of Bohm Law Group; Gregory R. Davenport, Stockton, CA of Law Offices of Gregory R. Davenport	\$167,730,488
5	Mformation Technologies Inc. v. Research In Motion Limited	7/13/12	United States District Court, Northern District, San Francisco	Intellectual Property: Patents	Plaintiff claimed infringement on patent for smartphone software	Amardeep (Amar) L. Thakur (lead), San Diego, CA of Foley & Lardner LLP; Allen A. Arntsen, Madison, WI of Foley & Lardner LLP; Justin E. Gray, San Diego, CA of Foley & Lardner LLP; Shawn E. McDonald, San Diego, CA of Foley & Lardner LLP; Lisa M. Noller, Chicago, IL of Foley & Lardner LLP	\$147,200,000
6	Grail Semiconductor Inc. v. Mitsubishi Electric Corp.	5/10/12	Superior Court of Santa Clara County, San Jose	Contracts: Breach of Contract	Plaintiff: Company breached nondisclosure agreement	Christopher J. Lee (co-lead), Chicago, IL of Niro, Haller & Niro; Raymond P. Niro (co-lead), Chicago, IL of Niro, Haller & Niro; Samuel N. Dawood, San Francisco, CA of Davis, Wright & Tremaine, LLP; Martin L. Fineman, San Francisco, CA of Davis, Wright & Tremaine, LLP; Joseph A. Culig, Chicago, IL of Niro, Haller & Niro; Kara L. Szpondowski, Chicago, IL of Niro, Haller & Niro	\$123,898,889
7	Brocade Communications Systems Inc. v. A10 Networks Inc.	8/6/12	United States District Court, Northern District, San Jose	Intellectual Property: Patents	Plaintiffs alleged competing co. used trade secrets for products	Nitin Gambhir, Palo Alto, CA of McDermott, Will & Emery, LLP; Fabio E. Marino, Palo Alto, CA of McDermott, Will & Emery, LLP; Bas de Blank, Menlo Park, CA of Orrick, Herrington & Sutcliffe LLP; Annette L. Hurst, San Francisco, CA of Orrick, Herrington & Sutcliffe LLP; Elizabeth C. McBride, Menlo Park, CA of Orrick, Herrington & Sutcliffe LLP; Denise M. Mingrone, Menlo Park, CA of Orrick, Herrington & Sutcliffe LLP; Sid Venkatesan, Menlo Park, CA of Orrick, Herrington & Sutcliffe LLP; Allen J. Ruby, Palo Alto, CA of Skadden Arps, Slate, Meagher & Flom, LLP & Affiliates	\$112,373,822
8	Blunt v. Sierra Vista Regional Medical Center	4/20/12	Superior Court of San Luis Obispo County, San Luis Obispo	Medical Malpractice: Childbirth	Doctor was oblivious to signs of fetal distress, family alleged	Nicholas C. Rowley (lead), Beverly Hills, CA of Carpenter, Zuckerman & Rowley, LLP; Robert J. Ounjian, Beverly Hills, CA of Carpenter, Zuckerman & Rowley, LLP; Rodney G. Ritner, Beverly Hills, CA of Carpenter, Zuckerman & Rowley, LLP	\$74,525,000
9	Reiser v. Reiser	7/17/12	Superior Court of Alameda County, Alameda	Wrongful Death: Survival Damages	Kids claimed emotional distress from father's murder of mother	Arturo J. Gonzalez, San Francisco, CA of Morrison & Foerster LLP; Irene E. Pertsovsky, San Francisco, CA of Morrison & Foerster LLP	\$60,000,000
10	Bergstein v. Tregub	8/22/12	Superior Court of Los Angeles County, Los Angeles	Legal Profession: Malpractice	Plaintiffs: Former counsel breached duties by 'switching sides'	Lucia E. Coyoca (lead), Los Angeles, CA of Mitchell Silberberg & Knupp LLP; Andrew C. Spitzer, Los Angeles, CA of Mitchell Silberberg & Knupp LLP	\$50,073,000
11	Izell v. Asbestos Companies	6/19/12	Superior Court of Los Angeles County	Products Liability: Asbestos	Plaintiff: Asbestos-containing products caused mesothelioma	John Langdoc, Dallas, TX of Baron & Budd, P.C.; Christine Tamer, Dallas, TX of Baron & Budd, P.C.	\$48,000,000
12	Wynn v. Francis	9/12/12	Superior Court of Los Angeles County, Los Angeles	Intentional Torts: Slander	Suit: Gambler made slanderous statement about casino CEO	Barry B. Langberg (lead), Los Angeles, CA of Brownstein Hyatt Farber Schreck, LLP; Leticia M. Kimble, Los Angeles, CA of Brownstein Hyatt Farber Schreck, LLP	\$40,000,000
13	Von Normann v. Newport Channel Inn	7/18/12	Superior Court of Orange County, Orange	Premises Liability: Negligent Repair and/or Maintenance	Plaintiff allegedly fell off hotel balcony with short railing	Nicholas C. Rowley (lead), Beverly Hills, CA of Carpenter, Zuckerman & Rowley, LLP; John C. Carpenter, Beverly Hills, CA of Carpenter, Zuckerman & Rowley, LLP; Tiffany T. Chung, Beverly Hills, CA of Carpenter, Zuckerman & Rowley, LLP; Richard P. Poormon, Denver, CO of Riggs, Abney, Neal, Turpen, Orbison & Lewis, P.C.; Alejandro D. Blanco, Glendale, CA of The Blanco Law Firm	\$38,628,127
14	Sheth v. Schneider National Carriers Inc.	6/29/12	Superior Court of Riverside County, Riverside	Motor Vehicle: Lane Change	Plaintiffs: Truck driver improperly attempted lane change	Brian J. Panish (co-lead), Los Angeles, CA of Panish Shea & Boyle LLP; Thomas A. Schultz (co-lead), Los Angeles, CA of Panish Shea & Boyle LLP; William R. Van Order, Hemet, CA of Law Offices of William R. Van Order; Ryan A. Casey, Los Angeles, CA of Panish Shea & Boyle LLP	\$37,845,882
15	Sabadia v. Holland & Knight LLP	4/19/12	Superior Court of Los Angeles County, Los Angeles	Legal Profession: Malpractice	Plaintiffs: Misrepresentation during real estate transactions	David Z. Ribakoff (lead), Santa Monica, CA of Enenstein & Ribakoff, APC; Michelle J. Correll, Los Angeles, CA of The Law Offices of Michelle J. Correll	\$34,496,780



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16	Evans v. State of California	7/19/12	Superior Court of San Bernardino County, San Bernardino	Motor Vehicle: Left Turn	Plaintiff: Dangerous condition of intersection not repaired	Gregory L. Bentley (lead), Claremont, CA of Shernoff Bidart Echeverria Bentley, LLP; Robert A. Parris, Lancaster, CA of R. Rex Parris Law Firm; Danica L. Dougherty, Claremont, CA of Shernoff Bidart Echeverria Bentley, LLP	\$31,580,339
17	Doe v. Watchtower Bible and Tract Society of New York Inc.	6/14/12	Superior Court of Alameda County, Hayward	Intentional Torts: Sexual Assault	Church responsible for pedophile parishioner: victim	Rick Simons (lead), Hayward, CA of Furtado, Jaspovice & Simons; Kelly Kraetsch, Hayward, CA of Furtado, Jaspovice & Simons	\$28,000,001
18	TechForward Inc. v. Best Buy Co. Inc.	11/16/12	United States District Court, Central District, Los Angeles	Intellectual Property: Misappropriation of Trade Secrets	Startup claimed major retailer stole program, trade secrets	Eric Leon (co-lead), New York, NY of Kirkland & Ellis LLP; Joseph Serino, Jr. (co-lead), New York, NY of Kirkland & Ellis LLP; Robert Cohen, New York, NY of Kirkland & Ellis LLP; Derek Milosavljevic, Los Angeles, CA of Kirkland & Ellis LLP; Mark Rasmussen, New York, NY of Kirkland & Ellis LLP; Claudia Ray, New York, NY of Kirkland & Ellis LLP	\$27,000,000
19	Eriza v. Abarca	12/14/12	Superior Court of Los Angeles County, Los Angeles	Government: Excessive Force	Officer shot teen in park playing with toy handgun	Arnoldo Casillas, Montebello, CA of Gregory W. Moreno & Associates; Christopher Moreno, Montebello, CA of Gregory W. Moreno & Associates	\$24,000,000
20	Doe v. Los Angeles Unified School District	12/21/12	Superior Court of Los Angeles County, Los Angeles	School: Negligent Supervision	School district failed to prevent student's sexual assault: suit	Stephen J. Estey (lead), San Diego, CA of Estey & Bomberger; Michael Bomberger, San Diego, CA of Estey & Bomberger; Donald Joseph Beck, San Diego, CA of Law Office of Donald Joseph Beck	\$23,000,000
21	Frankel v. Palo Alto Foundation Medical Group Inc.	3/19/12	Superior Court of Santa Clara County, San Jose	Medical Malpractice: Negligent Treatment	Unnecessary angiogram caused quadriplegia: patient	Jeffrey S. Mitchell (lead), San Francisco, CA of Emison Hullverson Mitchell LLP; David A. Bovino, Aspen, CO of Law Offices of Bovino & Associates	\$22,014,384
22	Rivas v. Gaines	8/2/12	Superior Court of Los Angeles County, Los Angeles	Motor Vehicle: Red Light	Plaintiff: Company negligently entrusted tractor-trailer to driver	Brian J. Panish (lead), Los Angeles, CA of Panish, Shea & Boyle, L.L.P.; Spencer R. Lucas, Los Angeles, CA of Panish, Shea & Boyle, L.L.P.	\$20,011,788
23	Marlo v. United Parcel Service Inc.	8/24/12	United States District Court, Central District, Los Angeles	Employment: Retaliation	Firing retaliation for class action suit, UPS worker alleged	John A. Furutani (lead), Pasadena, CA of Furutani & Peters, LLP; Mark C. Peters (co-lead), San Francisco, CA of Duckworth Peters Lebowitz Olivier LLP	\$18,098,478
24	Cohen v. Sterling	12/18/12	Superior Court of Los Angeles County, Los Angeles	Contracts: Breach of Contract	Complex owner failed to have functioning fire alarms: tenant	Brian Henri, Irvine, CA of Katz Henri & Yoon LLP; Melissa Yoon, Irvine, CA of Katz Henri & Yoon LLP	\$17,300,000

Continued on page 7

Haynes and Boone, LLP congratulates Kenneth Parker and his trial team for obtaining an \$8.1 million jury verdict on trademark and trade dress against a NYSE-traded defendant, placing the decision among *The Recorder's* 2012 Top California Verdicts.

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VERDICTS

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Schoenberger, Michael A. Kelly, Andrew P McDevitt; Walkup Melodia, Kelly & Schoenberger, San Francisco, CA for Robert Kammerer

Defense Attorney(s): Frank E. Schimaneck; Dryden, Margoles, Schimaneck & Wertz; San Francisco, CA, for Alimak AB, Sheedy, Inc., Alimak Hek, Inc., Charles Pankow Builders Inc., Charles Pankow Builders, LTD, California Erectors, Bay Area, Inc., Sheedy Dryage Company, sued as dba Sheedy Hoist Susan E. Foe; Dryden, Margoles, Schimaneck & Wertz; San Francisco, CA, for Alimak AB, Sheedy, Inc., Alimak Hek, Inc., Charles Pankow Builders Inc., Charles Pankow Builders, LTD, California Erectors, Bay Area, Inc., Sheedy Dryage Company, sued as dba Sheedy Hoist R. Randy Wertz; Dryden, Margoles, Schimaneck & Wertz; San Francisco, CA, for Alimak AB, Sheedy, Inc., Alimak Hek, Inc., Charles Pankow Builders Inc., Charles Pankow Builders, LTD, California Erectors, Bay Area, Inc., Sheedy Dryage Company, sued as dba Sheedy Hoist None reported; ; for Alimak AB, Sheedy, Inc., Alimak Hek, Inc., Charles Pankow Builders Inc., Charles Pankow Builders, LTD, California Erectors, Bay Area, Inc., Sheedy Dryage Company, sued as dba Sheedy Hoist

2. CONSTRUCTION-SCAFFOLDS AND

**LADDERS,
EMPLOYMENT-
CALIFORNIA LABOR
CODE, WORKER/
WORKPLACE
NEGLIGENCE-
NEGLIGENT
SUPERVISION,
WORKPLACE-
WORKPLACE SAFETY,
PREMISES LIABILITY-
DANGEROUS
CONDITION**

On Nov. 19, 2010, plaintiff Sergio Cedillo, 45, a day laborer, was painting and performing repairs to a roof-like structure at an apartment complex in West Hollywood when he fell from an extension ladder, landing 10 to 15 feet down to the concrete below. Cedillo claimed he fractured his back in the fall. Cedillo sued Sonia Sobol, who was acting as trustee and as successor trustee of the Efim Sobol Trust, owner of the apartment complex. He sued for general negligence, premises liability and statute violations under the Labor Code. Cedillo claimed that he had been working full-time at the Efim apartment complex for over three months when the accident occurred. He contended that the Efim Sobol Trust created a dangerous condition by failing to properly secure the extension ladder he was working on. He also contended that access to the balcony upon which he was working was restricted. In addition, Cedillo claimed that the Efim

Sobol Trust created an unsafe work environment by poorly supervising and instructing the workers. Sobol, on behalf of the Efim Sobol Trust, denied any negligence whatsoever. She disputed knowing Cedillo or having hired him for work on the subject apartment complex. She also disputed that Cedillo was injured while on the property. The jury found the Efim Sobol Trust 100 percent at fault, and awarded Cedillo \$9,320,891.80 in total damages.

Venue: Los Angeles County

Case: *Cedillo v. Sobol, Trustee and Successor Trustee of the Efim Sobol Trust*

Plaintiff Attorney(s): Brian J Panish; Panish Shea & Boyle LLP; Los Angeles, CA, for Sergio Jacob Casillo Robert T. Simon; The Simon Law Group, LLP; Los Angeles, CA, for Sergio Jacob Casillo Spencer R. Lucas; Panish Shea & Boyle LLP; Los Angeles, CA, for Sergio Jacob Casillo Brad M. Simon; The Simon Law Group, LLP; Santa Ana, CA, for Sergio Jacob Casillo

Defense Attorney(s): Philip E. Black; Soltman, Levitt, Flaherty & Wattles LLP; Westlake Village, CA, for Sonia Sobol

**3. INTELLECTUAL
PROPERTY-
TRADEMARKS,
INTELLECTUAL
PROPERTY-
INFRINGEMENT**

Plaintiff Mixed Chicks LLC, maker of high-quality hair care products for individuals of mixed race or with naturally curly hair, claimed that Sally

Beauty Supply LLC and related entities infringed upon the distinctive MIXED CHICKS® trademark and Mixed Chicks product trade dress when Sally sold the Mixed Silk product line after Mixed Chicks LLC declined Sally's offer to retail its products. Thus, Mixed Chicks LLC sued Sally Beauty Supply LLC, Sally Holdings LLC and Silk Elements Inc. However, it dismissed the related defendant entities before trial and proceeded to trial against Sally Beauty Supply LLC only. Plaintiff's counsel presented evidence at trial that the overall appearance of the Mixed Silk products was confusingly similar to that of Mixed Chicks' Leave-In Conditioner, Shampoo and Deep Conditioner, and that it had suffered damages of over \$1.2 million in lost sales. Sally Beauty Supply LLC contended that its use of the MIXED SILK trademark and Mixed Silk product trade dress did not create a likelihood of confusion as to source, sponsorship or affiliation between the Mixed Chicks and Mixed Silk products. Sally Beauty further contended it did not act willfully, and contended that some design elements between the two products were coincidental.

The jury found that Sally Beauty Supply LLC had willfully infringed the MIXED CHICKS® trademark and Mixed Chicks product trade dress. It further found that Sally Beauty Supply LLC had acted with malice, oppression or fraud, justifying the award of punitive damages under California law. Thus, the jury returned a plaintiff's verdict for actual

See **VERDICTS** page 10

FIRST, A GARBAGE TRUCK'S WHEEL FLEW OFF. THEN THE WHEELS OF JUSTICE GOT ROLLING.

Our client at Boxer & Gerson LLP, a longtime Teamster and garbage truck driver, couldn't have known that the front hub of his truck was defective before that fateful day in 2007. The resultant accident would land him in the hospital for extended stays, enduring multiple surgeries and the prospect of lifetime disability. Veteran Boxer & Gerson attorneys Gary Roth and John Anton discovered that the truck and parts manufacturer knew of the hub's troubled history. Over the course of a three-week trial in federal court last year they made sure the jury learned everything possible about it, too.

The result was an \$11.4 million verdict, ranked among the Top 30 in the state. The case proved once again that in Personal Injury law, you want the thorough and tenacious professionals of Boxer & Gerson riding securely with you.



Gary Roth



John Anton

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RANK	CASE	DATE	COURT	TYPE OF ACTION	HEADLINES	ATTORNEYS	AWARD
25	Alegre v. LA Fitness International, LLC	6/15/12	Superior Court of Riverside County, Corona	Worker/Workplace Negligence: Negligent Training	Wife: Improper CPR caused husband's brain damage	Bruce A. Broillet, Santa Monica, CA of Greene Broillet & Wheeler, LLP; Alan Van Gelder, Santa Monica, CA of Greene Broillet & Wheeler, LLP; Marsha E. Barr-Fernandez, Los Angeles, CA of Heimberg Law Group, LLP; Steven A. Heimberg, M.D., Los Angeles, CA of Heimberg Law Group, LLP	\$14,640,784
26	Desin v. Asbestos Corporation Limited	11/2/12	Superior Court of San Francisco County, San Francisco	Products Liability: Asbestos	Plaintiff: Asbestos-containing joint compounds caused cancer	Christopher Hersom, Novato, CA of Brayton Purcell, L.L.P.; Gilbert L. Purcell, Novato, CA of Brayton Purcell, L.L.P.	\$13,227,939
27	Engler v. Breg Inc.	7/31/12	Superior Court of San Diego County, San Diego	Professional Negligence: Breach of Fiduciary Duty	Patient: Cold therapy device was inherently dangerous	Marc O. Stern, La Jolla, CA of Law Office of Marc O. Stern	\$12,696,220
28	Choy v. Hatsushi	12/10/12	Superior Court of Contra Costa County, Martinez	Motor Vehicle: Intersection	Motorcyclist claimed multiple injuries from intersection crash	Steven C. Kirby (lead), Redondo Beach, CA of Kirby, Kirby and Kirby; Aimee E. Kirby, Redondo Beach, CA of Kirby, Kirby and Kirby	\$11,900,672
29	Reyes v. Lion Raisins Inc.	3/22/12	Superior Court of Fresno County, Fresno	Motor Vehicle: Tractor-Trailer	Truck's loose corner iron caused other driver's brain injury	Richard C. Watters, Fresno, CA of Miles, Sears & Eanni	\$11,876,656
30	Mariolle v. Volvo Truck North America Inc.	5/18/12	United States District Court, Northern District, San Francisco	Products Liability: Design Defect	Driver claimed defective tire hub caused injury-related crash	Gary B. Roth (lead), Oakland, CA of Boxer & Gerson, LLP; John M. Anton, Oakland, CA of Boxer & Gerson, LLP	\$11,397,854
31	Nixon v. Snoke	9/13/12	Superior Court of Stanislaus County, Modesto	Motor Vehicle: Motorcycle	Dirt bike rider: Pickup driver cut inside of turn and caused crash	Kirk J. Wolden (lead), Sacramento, CA of Arnold Law Firm; Lance J. Curtis, Sacramento, CA of Arnold Law Firm	\$10,247,041
32	Cisler v. Capistrano Unified School District	12/7/12	Superior Court of Orange County, Orange	School: Negligent Supervision	Parents: Failure to monitor child on bus resulted in asphyxia	Brian J. Panish (lead), Los Angeles, CA of Panish, Shea & Boyle, LLP; Keith P. More, Santa Ana, CA of Berman More Gonzalez; Erika Contreras, Los Angeles, CA of Panish, Shea & Boyle, LLP; Thomas A. Schultz, Los Angeles, CA of Panish, Shea & Boyle, LLP	\$10,000,000
33	Cedillo v. Sobol	4/4/12	Superior Court of Los Angeles County, Central	Construction: Scaffolds and Ladders	Fall from extension ladder caused back fractures: laborer	Spencer R. Lucas, Los Angeles, CA of Panish Shea & Boyle LLP; Brian J Panish, Los Angeles, CA of Panish Shea & Boyle LLP; Robert T. Simon, Los Angeles, CA of The Simon Law Group, LLP; Brad M. Simon, Santa Ana, CA of The Simon Law Group, LLP	\$9,320,892

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RANK	CASE	DATE	COURT	TYPE OF ACTION	HEADLINES	ATTORNEYS	AWARD
34	Montalvo v. County of Los Angeles	11/20/12	Superior Court of Los Angeles County, Compton	Government: Excessive Force	Deputies fired 61 rounds when decedent reversed vehicle	John C. Taylor (lead), Los Angeles, CA of Taylor & Ring; Louanne Masry, Los Angeles, CA of Taylor & Ring	\$8,756,600
35	Spin Master LTD v. Zobmondo!! Entertainment LLC	11/5/12	United States District Court, Central District, Los Angeles	Intellectual Property: Infringement	Board game makers disputed right to use alleged trademark	Ben M. Davidson, Los Angeles, CA of Davidson Law Group; Kelly W. Craven, Los Angeles, CA of Pillsbury Winthrop Shaw Pittman LLP; Bobby A. Ghajar, Los Angeles, CA of Pillsbury Winthrop Shaw Pittman LLP	\$8,609,040
36	Cochran v. CBS Corp.	11/21/12	Superior Court of Los Angeles County, Los Angeles	Civil Rights: Pregnancy Discrimination	Model: Game show terminated position due to pregnancy	James Urbanic, Santa Monica, CA of Shegarian & Associates; Carney R. Shegarian, Santa Monica, CA of Shegarian & Associates	\$8,546,384
37	Kammerer v. Alimak Hek	8/23/12	Superior Court of San Francisco County, San Francisco	Products Liability: Design Defect	Operator claimed defective hoist resulted in fall from height	Michael A. Kelly (co-lead), San Francisco, CA of Walkup, Melodia, Kelly & Schoenberger; Richard H. Schoenberger (co-lead), San Francisco, CA of Walkup, Melodia, Kelly & Schoenberger; Andrew P. McDevitt, San Francisco, CA of Walkup, Melodia, Kelly & Schoenberger	\$8,328,591
38	Mixed Chicks LLC v. Sally Beauty Supply LLC	11/2/12	United States District Court, Central District, Santa Ana	Intellectual Property: Trademarks	Plaintiff: Product line carried confusingly similar trademark	Kenneth G. Parker (lead), Irvine, CA of Haynes & Boone, LLP; Casey H. Kemper, Irvine, CA of Haynes & Boone, LLP; Alan R. Wechsler, Irvine, CA of Haynes & Boone, LLP	\$8,114,535
39	Christopher v. Residence Mutual Insurance Co.	3/16/12	Superior Court of Los Angeles County, Central	Contracts: Breach of Contract	Insured claimed carrier delayed receipt of underlying award	Mark J. Geragos, Los Angeles, CA of Geragos & Geragos; Eugene Patterson Harris, Los Angeles, CA of Geragos & Geragos; Joshua Haffner, Los Angeles, CA of Kabateck Brown Kellner, LLP; Brian S. Kabateck, Los Angeles, CA of Kabateck Brown Kellner, LLP	\$8,064,820
40	Burke v. City of San Diego	12/21/12	Superior Court of San Diego County, San Diego	Premises Liability: Negligent Repair and/or Maintenance	Failure to maintain tree resulted in paralysis, plaintiff claimed	Daniel K. Balaban (co-lead), Los Angeles, CA of Balaban & Spielberger, LLP; Browne Greene (co-lead), Santa Monica, CA of Greene Broillet & Wheeler, LLP; Andrew J. Spielberger, Beverly Hills, CA of Balaban & Spielberger, LLP; Ivan Puchalt, Santa Monica, CA of Greene Broillet & Wheeler, LLP	\$7,675,589
41	Wong v. Tom	8/16/12	Superior Court of San Mateo County, San Mateo	Motor Vehicle: Broad-side	Intoxicated driver caused crash that killed daughter: family	Khalidoun A. Baghdadi, San Francisco, CA of Walkup, Melodia, Kelly & Schoenberger; Valerie N. Rose, San Francisco, CA of Walkup, Melodia, Kelly & Schoenberger; Emily C. Wecht, San Francisco, CA of Walkup, Melodia, Kelly & Schoenberger	\$7,363,761
42	Scott v. Allied Packing & Supply Inc.	11/19/12	Superior Court of Alameda County, Hayward	Products Liability: Failure to Warn	Asbestos-containing auto parts caused mesothelioma: plaintiff	Justin Bosl, Oakland, CA of Kazan, McClain, Lyons, Greenwood & Harley; Joseph D. Satterley, Louisville, KY of Sales & Satterley	\$6,825,000
43	Will v. Caterpillar Inc.	10/1/12	Superior Court of Monterey County, Monterey	Products Liability: Design Defect	Family: Bulldozer's restraint system defectively designed	Craig M. Peters (lead), San Francisco, CA of The Veen Firm, P.C.; Jessica N. Biernier, San Francisco, CA of The Veen Firm, P.C.; S. Anoush Lancaster, San Francisco, CA of The Veen Firm, P.C.	\$6,702,334
44	Webb v. Ramos Oil Co.	7/12/12	Superior Court of Yolo County, Yolo	Employment: Wrongful Termination	Truck driver terminated after refusing to return to work	Lawrence A. Bohm (lead), Sacramento, CA of Bohm Law Group; Erika M. Gaspar, Sacramento, CA of Law Office Of Erika M. Gaspar; Gregory R. Davenport, Stockton, CA of Law Offices of Gregory R. Davenport	\$6,241,655
45	Great Divide Insurance Co. v. MJC America Ltd.	3/12/12	Superior Court of Los Angeles County, Van Nuys	Products Liability: Breach of Warranty	Production company claimed defective fan caused fire	Jeffrey M. Cohon, Los Angeles, CA of Cohon & Pollak, L.L.P.; Henry P. Nicholls, Los Angeles, CA of Cohon & Pollak, L.L.P.	\$6,222,974
46	Berg & Berg Enterprises, LLC v. City of San José	5/31/12	Superior Court of Santa Clara County, Santa Clara	Contracts: Breach of Contract	Developer claimed rezoning not approved in breach	Michael J. Betz, San Francisco, CA of Allen, Matkins, Leck, Gamble, Mallory & Natsis L.L.P.; David H. Blackwell, Walnut Creek, CA of Allen, Matkins, Leck, Gamble, Mallory & Natsis L.L.P.; Robert R. Moore, San Francisco, CA of Allen, Matkins, Leck, Gamble, Mallory & Natsis L.L.P.	\$6,083,173
47	Koopen v. Aberle	1/23/12	Superior Court of Alameda County, Hayward	Admiralty/Maritime: Boating Accidents	Boat passenger: Operator failed to keep proper lookout	Christopher A. Appleton, San Jose, CA of Boskovich & Appleton	\$5,991,387
48	Gerard v. BHC Alhambra Hospital Inc.	11/13/12	Superior Court of Los Angeles County, Los Angeles	Medical Malpractice: Failure to Diagnose	Hospital negligence led to schizophrenic's assault: patient	Stephen Bernard, Los Angeles, CA of Bernard & Bernard; Alena Klimianok, Los Angeles, CA of Bernard & Bernard	\$5,990,769
49	Contreras v. City of Los Angeles	9/21/12	United States District Court, Central District, Los Angeles	Government: Excessive Force	Allegedly unarmed man shot by officers	Dale K. Galipo, Woodland Hills, CA of Law Offices of Dale K. Galipo; William L. Schmidt, Fresno, CA of Law Offices of William L. Schmidt	\$5,725,000
50	Brim v. International Union of Operating Engineers Local No. 501	3/19/12	Superior Court of Los Angeles County, Los Angeles	Employment: Retaliation	Plaintiff: Firing due to affiliation with another suing party	Gina Browne, Century City, CA of The Feldman Law Firm, APC; Lee R. Feldman, Century City, CA of The Feldman Law Firm, APC	\$5,500,000
51	Total Access Payments v. Maximum Business Innovations	11/21/12	Superior Court of Orange County, Santa Ana	Contracts: Fraud	Upstart business caught in alleged scam, claimed pltf.	Philip J. Layfield (lead), Santa Monica, CA of The Layfield Law Firm, APC; William A. Percy, Santa Monica, CA of The Layfield Law Firm, APC	\$5,225,000

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RANK	CASE	DATE	COURT	TYPE OF ACTION	HEADLINES	ATTORNEYS	AWARD
52	Gallucci v. Boiron Inc.	10/31/12	United States District Court, Southern District, San Diego	Consumer Protection: Consumer Legal Remedies Act	Class: Homeopathic product had no effect on flu symptoms	Ronald A. Marron, San Diego, CA of Law Offices of Ronald A. Marron, APLC; Beatrice Skye Resendes, San Diego, CA of Law Offices of Ronald A. Marron, APLC; Jack Fitzgerald, San Diego, CA of The Weston Firm; Gregory S. Weston, San Diego, CA of The Weston Firm	\$5,000,000
53	Chevalier v. Kaiser Permanente Hospital	9/4/12	Superior Court of Fresno County, Fresno	Medical Malpractice: Failure to Communicate	Patient: Hospital's failure to contact him led to paralysis	Stuart R. Chandler (lead), Fresno, CA of Law Offices of Stuart R. Chandler; Daniel L. Harralson, Fresno, CA of The Daniel Harralson Law Firm APC	\$5,000,000
54	Tonetti v. Diversified Transportation LLC	2/17/12	Superior Court of Los Angeles County, Van Nuys	Motor Vehicle: Motor Scooter	Scooter rider claimed multiple injuries from intersection crash	C. Michael Alder, Beverly Hills, CA of AlderLaw, P.C.; Stephen K. McElroy, Beverly Hills, CA of AlderLaw, P.C.	\$4,890,000
55	Zuniga v. Carroll Fulmer Logistics Corp.	2/7/12	Superior Court of Alameda County, Oakland	Motor Vehicle: Rear-ender	Rear-ender caused cervical and lumbar injuries, plaintiff claimed	Ven R. Johnson, Southfield, MI of Johnson Law PLLC; Hunter Pyle, Oakland, CA of Sundeen Salinas & Pyle	\$4,681,969
56	Stephens & Stephens, XII, LLC v. Fireman's Fund Insurance Co.	3/28/12	Superior Court of San Francisco County, San Francisco	Insurance: Bad Faith	Insured misrepresented date of loss, carrier alleged	Terry O'Reilly, San Mateo, CA of O'Reilly Collins; Nina G. Shapirshteyn, San Mateo, CA of O'Reilly Collins	\$4,673,125
57	Judicial Council of California, Administration Office of the Courts v. Jacobs Facilities Inc.	5/2/12	Superior Court of San Francisco County, San Francisco	Contracts: Breach of Contract	Defense claimed contractors were always properly licensed	Samuel A. Keesal, Jr., Long Beach, CA of Keesal, Young & Logan; Albert E. Peacock, III, Long Beach, CA of Keesal, Young & Logan; David A. Tong, Long Beach, CA of Keesal, Young & Logan	\$4,669,377
58	Duncan v. Velazquez & Sons Trucking Co. Inc.	8/20/12	Superior Court of Solano County, Solano	Motor Vehicle: Side-swipe	Bus driver claimed spinal injuries from tractor-trailer crash	Craig M. Peters (lead), San Francisco, CA of The Veen Firm, P.C.; S. Anoush Lancaster, San Francisco, CA of The Veen Firm, P.C.	\$4,588,750
59	Lucero v. County of Kern	11/6/12	Superior Court of Kern County, Kern	Government: Police	Deputies' response resulted in son's wrongful death: parents	Michael J. Curls, Los Angeles, CA of Law Office of Michael J. Curls; Nichelle D. Jones, Los Angeles, CA of Law Office of Michael J. Curls	\$4,500,000
60	Jaiden P. v. Carlsbad Unified School District	6/18/12	Superior Court of San Diego County, Vista	School: Negligent Supervision	Minor students: School failed to prevent sexual assault	David M. Ring (lead), Los Angeles, CA of Taylor & Ring; Louanne Masry, Los Angeles, CA of Taylor & Ring	\$4,500,000
61	Doe v. Mehrdadi	3/21/12	Superior Court of Sacramento County, Sacramento	School: Negligent Supervision	Failure to supervise coach, resulted in sexual assault: kids	Gigi M. Knudtson, Roseville, CA of Knudtson & Nutter, L.L.P.; Kenneth L. Powell, Roseville, CA of Knudtson & Nutter, L.L.P.	\$4,025,000

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The Total Access Payments v. Maximum Business Innovations Trial Team



Philip J. Layfield
Trial Attorney



Jamie L. Keeton
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VERDICTS

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and punitive damages of \$8,114,535.

Venue: Federal**Case:** *Mixed Chicks LLC v. Sally Beauty Supply LLC***Plaintiff Attorney(s):** Kenneth G. Parker; Haynes & Boone, LLP; Irvine, CA, for Mixed Chicks LLC Alan R. Wechsler; Haynes & Boone, LLP; Irvine, CA, for Mixed Chicks LLC Casey H. Kemper; Haynes & Boone, LLP; Irvine, CA, for Mixed Chicks LLC**Defense Attorney(s):** David J. Stewart; Alston & Bird, LLP; Atlanta, GA, for Sally Holdings LLC, Silk Elements Inc., Sally Beauty Supply LLC Jonathan M. Gordon; Alston & Bird, LLP; Los Angeles, CA, for Sally Holdings LLC, Silk Elements Inc., Sally Beauty Supply LLC Kathryn W. Bina; Alston & Bird, LLP; Los Angeles, CA, for Sally Holdings LLC, Silk Elements Inc., Sally Beauty Supply LLC Robert L. Lee; Alston & Bird, LLP; Atlanta, GA, for Sally Holdings LLC, Silk Elements Inc., Sally Beauty Supply LLC Mitra M. Eskandari-Azari; Alston & Bird, LLP; Los Angeles, CA, for Sally Holdings LLC, Silk Elements Inc., Sally Beauty Supply LLC**4. MOTOR VEHICLE, NEGLIGENCE ENTRUSTMENT**

Plaintiff Marina Rivas, 47, a saleswoman, was driving on her way home from a business trip when she was

struck by an 18,000-pound J.B. Hunt tractor-trailer operated by Jeffrey Gaines. Rivas' vehicle was subsequently pushed through the intersection with such force that it left the roadway and slammed into a pole. Rivas sustained a traumatic brain injury and cervical injury. Gaines, an employee of J.B. Hunt Transport Services, fled the scene of the accident, making no attempt to report the incident or render emergency care to Rivas. He ultimately pleaded 'no contest' to a criminal charge of hit-and-run. Rivas sued Gaines and J.B. Hunt Transport Services Inc. She alleged that Gaines was negligent in the operation of his tractor-trailer and that J.B. Hunt was vicariously liable for his actions. Rivas claimed that Gaines ran a stop light on Paramount Boulevard, resulting in the crash. Her counsel introduced evidence at trial that demonstrated that Gaines had been hired and fired by J.B. Hunt twice in the past, and had held 15 different jobs in the trucking industry since 1999. Plaintiff's counsel also noted that Gaines had a history of safety violations, including failing to report and attempting to cover up traffic accidents. As such, counsel contended that J.B. Hunt negligently entrusted its truck to Gaines. Gaines claimed that he ran the red light because of a chronic kidney problem, which caused him to black out. J.B. Hunt disputed liability for four years leading up to the trial, claiming both that Rivas was at fault for the accident and that Gaines suffered an "emergency medical condition" arising from kidney failure, which led

him to blackout. Gaines was ultimately dismissed from the case during trial for a waiver of costs, and J.B. Hunt admitted liability after the first week of trial. Thus, the matter continued on the issues of injuries and damages. The jury awarded Rivas \$20,011,788.17 against J.B. Hunt, which included stipulated past medical expenses. However, the jury found against any award of punitive damages.

Venue: Los Angeles County**Case:** *Rivas v. Gaines and J.B. Hunt Transport Services, Inc.***Judge:** Rolf M. Treu**Plaintiff Attorney(s):** Brian J. Panish; Panish, Shea & Boyle, L.L.P.; Los Angeles, CA, for Marina Rivas Spencer R. Lucas; Panish, Shea & Boyle, L.L.P.; Los Angeles, CA, for Marina Rivas**Defense Attorney(s):** William T. DelHagen; Murchison & Cumming; Los Angeles, CA, for Jeffrey Gaines, J.B. Hunt Transport Services, Inc. Jeffrey E. Zinder; Zinder & Koch; Glendale, CA, for Jeffrey Gaines, J.B. Hunt Transport Services, Inc. William L. Thorpe; Fennemore Craig; Phoenix, AZ, for Jeffrey Gaines, J.B. Hunt Transport Services, Inc.**5. CONTRACTS-BREACH OF CONTRACT; LAND USE-ZONING**

In 2005, plaintiff Berg & Berg Enterprises, LLC, a development company led by Silicon Valley developer Carl Berg, alleged that the city of San Jose failed to complete a planning process

that would allow him to go before the San Jose City Council to seek permission to amend the general plan allowing him to construct up to 5,200 homes in the Evergreen area of San Jose. Subsequently, the plan was never carried out. As part of their development applications, the owners claimed they expended in excess of \$8.8 million (including money paid directly to the city) in reliance on their contractual agreements with the city to conduct a community planning process. In May 2007, the city council rejected the Evergreen rezoning. Berg & Berg sued the city and the city council for breach of contract. Plaintiff's counsel alleged that the planning process was not timely completed pursuant to an agreement with the city, and that Berg & Berg sought to rescind the contract for planning services and for the return of its money. Defense counsel contended that while processing the development documents did not proceed according to plan, there was no damage to the plaintiff and that rescission should not apply. Berg & Berg sought rescission of the contract with the city and recovery of damages in the amount of \$8.8 million. The jury found for the plaintiff and awarded \$6,083,173.

Venue: Santa Clara County**Case:** *Berg & Berg Enterprises, LLC v City of San Jose***Plaintiff Attorney(s):** Michael J. Betz; Allen, Matkins, Leck, Gamble & Malloy, L.L.P.; San Francisco, CA, for Berg & Berg Enterprises, LLC David H. Black-See **VERDICTS** page 12

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Craig M. Peters



Anoush Lancaster



The Veen Firm is honored to once again have two verdicts included in the Top California Verdicts. We thank our referring attorneys who entrust their valued clients to us.

We congratulate **Craig M. Peters** and **Anoush Lancaster** for their **\$4,588,750** verdict in *Duncan v. Velasquez & Sons* in Solano County. In 2008, Jimmy Duncan was injured when the tour bus he was driving was hit by a big rig loaded with two gondolas filled with grapes. Despite being returned to work after the accident, and having had prior C-spine surgeries in 1991 and 1998, the jury found the defendants liable for 100% of Mr. Duncan's injuries to his neck and back.

One week after receiving the verdict in the Duncan case, Craig and Anoush began trial in Monterey County where they secured a verdict of **\$6,702,334** in the wrongful death case of *Will v. Caterpillar*. Matthew Will was killed while working as a firefighter for CalFire, when his bulldozer rolled down a canyon hill and struck an adjacent canyon wall. Mr. Will died when his head hit one of the fixed metal posts inside the bulldozer cab. Our team was able to show that had Caterpillar installed a better safety system, Matt Will would be alive today.



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RANK	CASE	DATE	COURT	TYPE OF ACTION	HEADLINES	ATTORNEYS	AWARD
62	Schultz v. County of San Diego	3/29/12	Superior Court of San Diego County, San Diego	Motor Vehicle: Dangerous Condition	Flooding on roadway caused fatal crash, parents alleged	Roger E. Booth, Torrance, CA of Booth & Koskoff	\$4,000,000
63	Casablanca Express Inc. v. Wyndham Vacation Ownership Inc.	10/12/12	Superior Court of Los Angeles County, Los Angeles	Contracts: Breach of Contract	Plaintiff claimed hotel group concealed termination intent	Richard P. Kinnan, Los Angeles, CA of Engstrom, Lipscomb & Lack; Scott A. Marks, Los Angeles, CA of Engstrom, Lipscomb & Lack; Paul A. Traina, Los Angeles, CA of Engstrom, Lipscomb & Lack	\$3,907,000
64	Synnex Corp. v. Sitoa Corp.	10/23/12	Superior Court of Alameda County, Oakland	Contracts: Breach of Contract	Pricing error caused damage to business: cross-complaint	Eduardo Martorell, Los Angeles, CA of Blank Rome LLP; Raymond G. Mullady, Jr., Washington, DC of Blank Rome LLP	\$3,900,000
65	Fellini v. Prometheus Real Estate Group Inc.	7/12/12	Superior Court of San Mateo County, San Mateo	Premises Liability: Negligent Repair and/or Maintenance	Unmaintained Eucalyptus tree impaled driver, family claimed	Michael A. Farbstein, San Mateo, CA of Farbstein & Blackman; Deirdre O. Marblestone, San Mateo, CA of Farbstein & Blackman; Gary R. Gleason, Redwood Shores, CA of Miclean Gleason LLP	\$3,840,791
66	Lawson v. Chamberlain Backhoe Service	5/23/12	Superior Court of Riverside County, Riverside	Construction: Accidents	Plaintiff: Backhoe accident resulted in toe amputation	Stephen K. McElroy, Beverly Hills, CA of AlderLaw, P.C.; Scott E. Spell, Beverly Hills, CA of AlderLaw, P.C.	\$3,679,192
67	Zeng v. Lu	6/22/12	Superior Court of Los Angeles County, Pasadena	Intentional Torts: Intentional Infliction of Emotional Distress	Son sought recovery for violent murder of mother	Bradley S. Wallace, Calabasas, CA of Law Offices of Gerald L. Marcus	\$3,600,000
68	South v. Vasquez	6/15/12	Superior Court of Los Angeles County, Central	Motor Vehicle: Red Light	Defendant ran red light and caused lumbar injuries: plaintiff	Douglas D. Shaffer, Santa Monica, CA of Law Offices of Douglas D. Shaffer	\$3,423,000
69	Anwar v. State of California	11/8/12	Superior Court of Madera County, Madera	Contracts: Breach of Contract	Surgeon claimed defendants failed to state reason for firing	Michael F. Ball, Fresno, CA of McCormick, Barstow, Sheppard, Wayte & Carruth LLP	\$3,300,000
70	Allen v. City of Los Angeles	9/28/12	United States District Court, Central District, Los Angeles	Government: Excessive Force	Officers' use of gun and Taser were excessive: bipolar woman	Martin L. Stanley, Santa Monica, CA of Law Office of Martin L. Stanley; Gilbert R. Geilim, Van Nuys, CA of Law Offices of Gilbert R. Geilim	\$3,218,500
71	Blickman Turkus, L.P. v. Hitachi Global Storage Technologies Inc.	9/24/12	Superior Court of Santa Clara County, San Jose	Contracts: Breach of Contract	Brokers claimed they were owed compensation	Joel Zeldin (lead), San Francisco, CA of Shartsis Friese LLP; Gregory H. Ward, San Jose, CA of McManis Faulkner & Morgan; Felicia A. Draper, San Francisco, CA of Shartsis Friese LLP	\$3,021,909

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RANK	CASE	DATE	COURT	TYPE OF ACTION	HEADLINES	ATTORNEYS	AWARD
72	Rhoades v. Lansdale	6/18/12	Superior Court of Los Angeles County, Central	Contracts: Breach of Contract	Plaintiff: Breach of contract due to failure to pay attorney fees	Lawrence J. Imel, Beverly Hills, CA of Lurie Zepeda Schmalz & Hogan; Kurt L. Schmalz, Beverly Hills, CA of Lurie Zepeda Schmalz & Hogan	\$3,000,000
73	Buelna v. Hill	10/25/12	Superior Court of San Bernardino County, San Bernardino	Premises Liability: Negligent Repair and/or Maintenance	Plaintiff: Landlord failed to maintain tree, resulting in injury	James M. Bergener, Newport Beach, CA of Bergener & Associates; Mark S. Algorri, Pasadena, CA of DeWitt, Algorri, Algorri; A. Lucy Mazloumian, Pasadena, CA of DeWitt, Algorri, Algorri	\$2,988,481
74	Torres v. City of Los Angeles	11/29/12	Superior Court of Los Angeles County, Los Angeles	Employment: Retaliation	City retaliated for testifying against it, police officer claimed	Gregory W. Smith, Beverly Hills, CA of Law Offices of Gregory W. Smith	\$2,882,018
75	Arenas v. United Parcel Service Inc.	3/12/12	Superior Court of Sacramento County, Sacramento	Motor Vehicle: Side-swipe	Family: Tractor-trailer's lane change resulted in fatal crash	Roger A. Dreyer, Sacramento, CA of Dreyer Babich Buccola Wood Campora, LLP	\$2,860,840
76	Lopez-Coronado v. Barrajas	1/4/12	Superior Court of Riverside County, Indio	Motor Vehicle: Pedestrian	Hit-and-run resulted in leg amputation, plaintiff alleged	Shelly L. Zeise, Redlands, CA of Welebir, Tierney & Weck	\$2,655,240
77	Burkett v. Keathely	4/16/12	Superior Court of Fresno County, Fresno	Worker/Workplace Negligence: Negligent Training	Plaintiff: Failure to train forklift driver resulted in accident	Rayma J. Church, Fresno, CA of Emerson, Corey, Sorensen, Church & Libke; James D. Emerson, Fresno, CA of Emerson, Corey, Sorensen, Church & Libke	\$2,565,706
78	Grayson v. Peper	12/19/12	Superior Court of Los Angeles County, Los Angeles	Motor Vehicle: Motorcycle	Crash caused knee and leg injuries, motorcyclist claimed	Stanley K. Jacobs, Los Angeles, CA of Jacobs & Jacobs, LLP	\$2,510,685
79	Heston v. Profound Systems Inc.	1/19/12	Superior Court of Santa Barbara County, Santa Maria	Motor Vehicle: Hit-and-Run	Hit-and-run driver caused pedestrian's death	Lars C. Johnson, Woodland Hills, CA of Grassini & Wrinkle, L.C.; David L. Richards, Arroyo Grande, CA of Richards & Richards	\$2,500,000
80	Felicity v. Round Table Pizza Inc.	4/26/12	Superior Court of Contra Costa County, Martinez	Hotel/Restaurant: Foreign Object in Food or Drink	Plaintiff: Bone from BBQ chicken pizza caused vocal cord injury	Chuck Geerhart, San Francisco, CA of Paoli & Geerhart, LLP; Tom Paoli, San Francisco, CA of Paoli & Geerhart, LLP	\$2,493,767
81	Jacobs v. Sacramento Regional Transit District	11/5/12	Superior Court of Sacramento County, Sacramento	Motor Vehicle: Pedestrian	Plaintiff: Decedent in crosswalk when struck by bus	Robert A. Buccola, Sacramento, CA of Dreyer, Babich, Buccola Wood & Campora; Steven M. Campora, Sacramento, CA of Dreyer, Babich, Buccola Wood & Campora; Jason J. Sigel, Sacramento, CA of Dreyer, Babich, Buccola Wood & Campora	\$2,411,789

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VERDICTS

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well; Allen, Matkins, Leck, Gamble & Mallory, L.L.P.; Walnut Creek, CA, for Berg & Berg Enterprises, LLC Robert R. Moore; Allen, Matkins, Leck, Gamble & Mallory, L.L.P.; San Francisco, CA, for Berg & Berg Enterprises, LLC

Defense Attorney(s): Nora V. Friemann; Assistant City Attorney, Office of the City Attorney; San Jose, CA, for City of San José, San José City Council Margo Laskowska; Sr. Deputy City Attorney, Office of the City Attorney; San Jose, CA, for City of San José, San José City Council Christian B. Nielsen; Sr. Deputy City Attorney, Office of the City Attorney; San Jose, CA, for City of San José, San José City Council

6. PRODUCTS LIABILITY-DESIGN DEFECT, BREACH OF WARRANTY

Sanitation worker Mariolle, 46, was injured when the truck's tire fractured causing the tire to separate and the truck's cab to drop to the pavement causing the suspension and Mariolle's seat to bottom out. Mariolle continued his shift on the date of loss, but later in the day he complained of severe lower back pain, radiating down to his legs, and went to the emergency room. Mariolle subsequently claimed inju-

ries to his lower back and had several surgeries. He claimed that he lives with constant debilitating pain and still required multi-level fusion surgery for his lower back and future attendant care. Defense counsel argued that non-symptomatic degenerative changes, which were aggravated by the accident and that the accident did not cause new injuries. Plaintiff's counsel called the defense's original medical examiner, an orthopedic surgeon, who agreed that Mariolle was rendered 100 percent disabled as a result of the accident. The jury found ConMet (manufacturer of the truck's hub) 52 percent at fault for the accident, Volvo (manufacturer of the truck's cab and chassis) 30 percent at fault, Wittke (installer of the body of the garbage truck and chassis onto the cab) 12 percent at fault, and Waste Management, a non-party, 6 percent at fault. The plaintiffs were subsequently awarded \$11,397,854 in total damages. After a reduction of non-economic damages based on the liability assessment of the parties at trial, the plaintiff's net recovery would be \$10,857,854.

Venue: Federal

Case: *Mariolle v. Volvo Truck*

Plaintiff Attorney(s): John M. Anton; Boxer & Gerson, LLP; Oakland, CA, for Regina Mariolle, Raymond Mariolle Gary B. Roth; Boxer & Gerson, LLP; Oakland, CA, for Regina Mariolle, Raymond Mariolle

Defense Attorney(s): Michael A. King; Bradley, Curley, Asiano, Barra-

bee, Abel & Kowalski, P.C.; Larkspur, CA, for Amsted Industries Inc., Wittke Waste Equipment, Consolidated Metco Inc., Volvo Truck North America Inc. Douglas A. Kroesch; Gallawa Brown Kroesch; Sacramento, CA, for Amsted Industries Inc., Wittke Waste Equipment, Consolidated Metco Inc., Volvo Truck North America Inc. Anthony E. Sonnett; Lewis Brisbois Bisgaard & Smith LLP; Los Angeles, CA, for Amsted Industries Inc., Wittke Waste Equipment, Consolidated Metco Inc., Volvo Truck North America Inc. Ann M. Asiano; Bradley, Curley, Asiano, Barrabee, Abel & Kowalski, P.C.; Larkspur, CA, for Amsted Industries Inc., Wittke Waste Equipment, Consolidated Metco Inc., Volvo Truck North America Inc. Trevor J. Ingold; Lewis Brisbois Bisgaard & Smith LLP; Los Angeles, CA, for Amsted Industries Inc., Wittke Waste Equipment, Consolidated Metco Inc., Volvo Truck North America Inc.

7. PRODUCTS LIABILITY — DESIGN DEFECT, CRASHWORTHINESS, EQUIPMENT

Facts: On Oct. 8, 2007, plaintiffs' decedent Matthew Will, 30, a Heavy Fire Equipment Operator for the California Department of Forestry and Fire Protection, was battling the Palo Colorado fire in Monterey County with a bulldozer. Will's bulldozer was a Caterpillar D6N XL Track Type Tractor that

was equipped with a Rollover Protection Structure and a forestry arrangement, which included a brush screen. The bulldozer's only operator restraint device was a two-point lap belt. As Will was cutting a bench into the side of the ridge below a stuck tractor that he was attempting to free, the ground slid out from beneath his unit. The tractor completed at least two full rolls down the hill, traveling approximately 150 feet, before striking the adjacent slope in a ravine at the bottom of the hill. The roll and impact caused head and brain trauma to Will, resulting in his death. Will's wife, Diana Will, and their children, Trysten and Elsie, filed suit against Caterpillar Inc., as well as against Thompson Machinery Commerce and Peterson Tractor Co. They claimed that the bulldozer was defectively and negligently designed, resulting in Matthew Will's wrongful death. Plaintiffs' counsel contended that the Rollover Protection Structure on Matthew Will's bulldozer was designed and manufactured by Caterpillar. Counsel also contended that Caterpillar designed the forestry arrangement with brush screen and equipped and installed the two-point lap belt. Thus, plaintiffs' counsel contended that after successfully cutting a fire line down a hill on the east flank of the fire, Will returned to the top of the hill to help a fellow CAL FIRE Heavy Fire Equipment Operator whose bulldozer was stuck on the hill. However,

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RANK	CASE	DATE	COURT	TYPE OF ACTION	HEADLINES	ATTORNEYS	AWARD
82	Daniels v. Scrivner	12/17/12	Superior Court of San Luis Obispo County, San Luis Obispo	Motor Vehicle: Rear-ender		Don A. Ernst, San Luis Obispo, CA of Ernst Law Group, APC; Nigel A. Whitehead, San Luis Obispo, CA of Ernst Law Group, APC; Stephen W. Johnson, Avila Beach, CA of Law Office of Stephen W. Johnson; Nazila Y. Levy, Beverly Hills, CA of Levy & Nourafchan, LLP	\$2,297,000
83	Wiese v. Athens Disposal Company Inc.	12/13/12	Superior Court of Los Angeles County, Los Angeles	Motor Vehicle: Motorcycle	Plaintiff: Officer struck, Company did not properly train employees	Gregory L. Bentley (lead), Claremont, CA of Shernoff Bidart Echeverria Bentley, LLP; Jason R. Sanchez, Claremont, CA of Shernoff Bidart Echeverria Bentley, LLP	\$2,239,366
84	Wolf v. Harris	4/26/12	Superior Court of Los Angeles County, Los Angeles	Motor Vehicle: Cross-walk	Plaintiff: Inside cross-walk when struck by vehicle	Lawrence N. Guzin, Los Angeles, CA of Guzin & Steier	\$2,178,204
85	Bode v. Pacific Health Corp.	8/28/12	Superior Court of Los Angeles County, Los Angeles	Business Law	Doctor: Fair hearing following discrepancy not provided	Henry R. Fenton (lead), Los Angeles, CA of Fenton & Nelson, L.L.P.; Abbie P. Maliniak, Los Angeles, CA of Fenton & Nelson, L.L.P.	\$2,177,000
86	Salazar v. AGCO Corp.	10/19/12	Superior Court of Imperial County, Brawley	Products Liability: Failure to Warn	Mechanic: Shoulder and back injuries from hood collapse	Jeffrey M. Padilla, San Diego, CA of O'Mara & Padilla; Michael D. Padilla, San Diego, CA of O'Mara & Padilla	\$2,098,302
87	Sybase Inc. v. ANTs Software Inc.	7/16/12	Superior Court of Alameda County, Oakland	Contracts: Breach of Contract	Plaintiff: Defendant breached nondisclosure agreement	Richard J. Curiale, San Francisco, CA of Curiale, Hirschfeld, Kraemer, L.L.P.; Amy A. Durgan, San Francisco, CA of Curiale, Hirschfeld, Kraemer, L.L.P.; Christopher J. Keller, San Francisco, CA of Curiale, Hirschfeld, Kraemer, L.L.P.	\$2,087,451
88	Oliver v. Hitachi Koki USA Ltd.	9/7/12	Superior Court of San Bernardino County, San Bernardino	Products Liability: Design Defect	Defective nail gun fired nail into head, plaintiff argued	Vincent F. Bennett, Los Angeles, CA of Gordon, Edelstein, Krepack, Grant, Felton & Goldstein, LLP; Roger L. Gordon, Los Angeles, CA of Gordon, Edelstein, Krepack, Grant, Felton & Goldstein, LLP	\$2,013,017
89	Pinasco v. State of California	1/31/12	United States District Court, Eastern District, Sacramento	Government: Excessive Force	Fleeing unarmed driver fatally shot by CHP officers	Arnold J. Wolf, Stockton, CA of Freeman, D'Aiuto, Pierce, Gurev, Keeling & Wolf	\$2,012,000
90	Monaco v. Asbestos Corporation Limited	11/2/12	Superior Court of Los Angeles County, Los Angeles	Products Liability: Asbestos	Brick mason: Cancer due to asbestos in joint compounds	James P. Nevin, Jr., Novato, CA of Brayton Purcell, L.L.P.; Ksenia L. Snylyk, Novato, CA of Brayton Purcell, L.L.P.	\$1,979,228

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the ground slid out from under his bulldozer, and Will was thrown around inside the bulldozer as it rolled down the hill. As a result, plaintiffs' counsel argued that a multi-point operator restraint and/or removal of the steel mounting bracket would have prevented Will's death. Thompson Machinery and Peterson Tractor were ultimately dismissed by agreement after defense counsel filed a non-suit motion following the close of the plaintiffs' case. Caterpillar's counsel argued that there wasn't any real evidence showing that the decedent was cutting a fire line or that he did not return to the top of the hill to help his friend. Instead, counsel contended that Will went to the lateral side of a spur ridge, to the side of the fire. Thus, Caterpillar's counsel argued that the use of the track-type tractor on the steep side of the ridge posed an unforeseeable misuse of the product, contrary to the instructions and warnings provided with the product, guidelines issued by CAL FIRE, and the standard of care in the industry. Counsel further argued that the risks posed by the alternative restraint systems suggested by plaintiffs' counsel vastly outweighed their benefits and that the true cause of the incident was negligence on the part of Will and CAL FIRE. Matthew Will sustained multiple traumatic injuries

and died. He was 30. The decedent was survived by his wife and children, Elsie and Trysten. Will's family sought recovery of wrongful death damages, including loss of income, loss of household services, and pain and suffering. The decedent's wife also sought recovery of damages for her loss of consortium. The jury awarded the plaintiffs \$6,702,334 in total damages, including \$4,494,000 in economic damages and \$2,208,334 in non-economic damages. It determined that Caterpillar was 67 percent liable for Matthew Will's wrongful death. It also assigned 27 percent comparative fault to Will and 6 percent comparative fault to his employer, CAL FIRE. Based on the liability finding, the non-economic damages award was reduced to \$1,479,583.78, based on the percentage of Caterpillar's fault. However, the parties are jointly and severally liable for the economic damages, but since CAL FIRE was Will's employer, Caterpillar was responsible for 73 percent of the economic damages, reducing that award to \$3,280,620. Thus, the plaintiffs' total reduced award would be \$4,760,203.78, with an additional offset to eventually be applied in connection with workers' compensation benefits paid to the plaintiffs.

Venue: Monterey County

Case: *Will v. Caterpillar, Inc.*

Plaintiff Attorney(s): Craig M. Peters; The Veen Firm, P.C.; San Francisco, CA, for Diana Will, Elsie Dennise Will, Trysten Matthew Will, Estate of

Matthew Will S. Anoush Lancaster; The Veen Firm, P.C.; San Francisco, CA, for Diana Will, Elsie Dennise Will, Trysten Matthew Will, Estate of Matthew Will Jessica N. Biernier; The Veen Firm, P.C.; San Francisco, CA, for Diana Will, Elsie Dennise Will, Trysten Matthew Will, Estate of Matthew Will

Defense Attorney(s): Steven D. Di Saia; Sedgwick LLP; Los Angeles, CA, for Caterpillar Inc., Peterson Tractor Co., Thompson Machinery Commerce Frederic F. Grannis; Sedgwick, L.L.P.; Los Angeles, CA, for Caterpillar Inc., Peterson Tractor Co., Thompson Machinery Commerce

8. GOVERNMENT — EXCESSIVE FORCE

In February 2008, plaintiffs' decedent Gurmit Singh, 33, a long-distance truck driver living near Seattle, was getting a ride from relatives on Highway 152 when he began acting up, got out of the vehicle and ran off. Singh was previously diagnosed with a bipolar disorder that he normally kept under control. However, while he was on a trip, he became upset and needed a ride from relatives. While in their car, Singh started acting irrationally, and then got out of the vehicle on Highway 152 and ran off in the dark. Shortly thereafter, Officer Eustaquio Rodriguez and a passerby saw Singh lying alongside the road and stopped their vehicles. After walking toward Singh and pulling out his gun, Ro-

driguez got a phone call from another officer, who stayed on the line until after gunshots were heard. Officers Stanford, Jaquez and Heath then drove up and found that Singh was shot. When the wounded Singh did not respond to commands to pull his arm out from under his body so he could be handcuffed, one of the responding officers applied a Taser to his leg. Singh was ultimately pronounced dead almost four hours later. Singh's wife, Paramjit Kaur, acting individually and on behalf of her husband's estate, and their minor daughter and son sued Rodriguez; Stanford; Jaquez; Heath; their supervisors, Police Chief Denise Turner and Police Captain Scot Smithee; and their employer the city of Gilroy. Singh's family claimed that the actions of the responding officers (Rodriguez, Stanford, Jaquez and Heath) constituted excessive force and that they were also negligent for ignoring Singh's medical needs. They further claimed that the city, Turner and Smithee were responsible for the negligence of the officers. The plaintiffs ultimately voluntarily dismissed Turner and Smithee prior to trial. The matter subsequently proceeded against the remaining defendants. The passerby who stopped at the scene around the same time as Rodriguez testified that both Singh and Rodriguez were both standing still at the time of the shooting. Plaintiffs' counsel noted that Rodriguez's colleague reported that while

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RANK	CASE	DATE	COURT	TYPE OF ACTION	HEADLINES	ATTORNEYS	AWARD
91	Sturges v. Kern Fuels Research, LLC	7/26/12	Superior Court of Los Angeles County, Los Angeles	Contracts: Breach of Contract	Employee: Company breached profit-sharing agreement	Ricardo Echeverria (lead), Claremont, CA of Shernoff Bidart Echeverria Bentley LLP; Matthew W. Clark, Claremont, CA of Shernoff Bidart Echeverria Bentley LLP; Scott D. Howry, Bakersfield, CA of The Law Offices Of Young Wooldridge, LLP	\$1,976,270
92	Avila v. Lin	7/26/12	Superior Court of San Bernardino County, Rancho Cucamonga	Contracts: Fraud	Plaintiffs: Property owner did not allow farm to flourish	R.M. Anthony Cosio, Long Beach, CA of Law Offices of R.M. Anthony Cosio	\$1,853,000
93	Gogol v. Mills-Peninsula Health Services	7/2/12	Superior Court of San Mateo County, San Mateo	Nursing Homes: Negligent Supervision	Hip condition made worse by undocumented fall: plaintiff	Niall P. McCarthy, Burlingame, CA of Cotchett, Pitre & McCarthy, LLP; Anne Marie Murphy, Burlingame, CA of Cotchett, Pitre & McCarthy, LLP; Brian M. Schnarr, Burlingame, CA of Cotchett, Pitre & McCarthy, LLP	\$1,844,400
94	Renshaw v. Cooke	5/11/12	Superior Court of Ventura County, Ventura	Motor Vehicle: Motorcycle	Motorcyclist claimed teenager ran red light and caused crash	Allen R. Ball, Ventura, CA of Ball & Yorke	\$1,715,845
95	Paletz v. Adaya	8/15/12	Superior Court of Los Angeles County, Santa Monica	Discrimination: Religion	Jewish group claimed hotel owner discriminated against it	James H. Turken, Los Angeles, CA of Dickstein Shapiro, L.L.P.	\$1,690,000
96	Harris v. Los Angeles Police Department	11/8/12	Superior Court of Los Angeles County, Los Angeles	Government: Excessive Force	Plaintiff: Officer used excessive force during handcuffing	V. James DeSimone, Venice, CA of Schonbrun DeSimone Seplow Harris Hoffman & Harrison, LLP; Menaka N. Fernando, Venice, CA of Schonbrun DeSimone Seplow Harris Hoffman & Harrison, LLP; Anthony N. Luti, Hollywood, CA of The Luti Law Firm	\$1,686,000
97	Nguyen v. Peninsula Hotel Management, LLC	2/7/12	Superior Court of Orange County, Orange	Premises Liability: Hotel or Motel	Plaintiff claimed hotel failed to protect concrete walkway	Alex Galindo, Long Beach, CA of Curd, Galindo & Smith, L.L.P.; Richard Wynn, Long Beach, CA of Wynn Law Group, P.A.	\$1,600,037
98	Okhandiar v. Karan	4/30/12	Superior Court of Orange County, Santa Ana	Business Law: Defamation	Defendant sent defamatory e-mails to customers: plaintiffs	Aaron P. Morris, Tustin, CA of Morris & Stone, LLP; Deanna Stone Killeen, Tustin, CA of Morris & Stone, LLP	\$1,562,001
99	Belaire v. United Parcel Service Inc.	5/10/12	Superior Court of Orange County, Santa Ana	Employment: Failure to Accommodate	Plaintiff: Employer failed to reasonably accommodate him	William D. Paoli, Newport Beach, CA of Wentworth, Paoli & Purdy, LLP	\$1,419,030
100	Brock v. Hampton	5/11/12	Superior Court of Los Angeles County, Long Beach	Emotional Distress: Negligent Infliction of Emotional Distress	Defendant shot non-threatening trespasser, plaintiffs alleged	Brian T. Dunn, Los Angeles, CA of The Cochran Firm; Jamon R. Hicks, Los Angeles, CA of The Cochran Firm	\$1,363,000

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he was on the phone with the officer, Rodriguez told him in a calm voice that he was all right and then, moments later and while still on the phone, the colleague heard gunshots. Plaintiffs' counsel also pointed to Rodriguez's testimony, during which he said he was carrying a Taser, a baton and pepper spray. Thus, counsel argued that Rodriguez could have used those rather than a gun to subdue Singh, if that was even necessary. The plaintiffs' police practices expert opined that Rodriguez had sufficient time and opportunity to re-holster his service pistol after the initial contact, and could have then switched to a "less lethal" level of force. In addition, the plaintiffs' non-retained expert, the coroner who performed the autopsy, testified that the bullet wound to the aorta was likely non-survivable, and that since there was no gun powder nor stippling on Singh's skin, the muzzle of the gun must have been at least 3 to 4 feet away when the shots were fired. The jury found in favor of Stanford, Jaquez and Heath on all causes of action. However, it also found against Rodriguez and the city, determining that Rodriguez had violated Singh's civil rights by using excessive force and failing to give emergency medical care after shooting him. The jury also found that Singh was 50 percent responsible for his own death due to negligence. Thus, the jury awarded Singh's wife and

two young children \$1,275,000, including \$1 million for economic losses and additional damages for loss of his help and companionship.

Venue: Federal

Case: *Estate of Gurmit Singh v. City of Gilroy*

Plaintiff Attorney(s): Andrew C. Schwartz; Casper, Meadows, Schwartz & Cook; Walnut Creek, CA, for A. S., S. K., Paramjit Kaur, Estate of Gurmit Singh Karen L. Snell; Law Offices of Karen Snell; San Francisco, CA, for A. S., S. K., Paramjit Kaur, Estate of Gurmit Singh

Defense Attorney(s): Timothy J. Schmal; Burton, Schmal & DiBenedetto, L.L.P.; Santa Cruz, CA, for Officer Heath, City of Gilroy, Officer Jaquez, Officer Stanford, Police Chief Denise Turner, Officer Eustaquio Rodriguez, Police Captain Scot Smithee Burleigh E. Cooper; Burton, Schmal & DiBenedetto, L.L.P.; Santa Cruz, CA, for Officer Heath, City of Gilroy, Officer Jaquez, Officer Stanford, Police Chief Denise Turner, Officer Eustaquio Rodriguez, Police Captain Scot Smithee.

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RANK	CASE	DATE	COURT	TYPE OF ACTION	HEADLINES	ATTORNEYS	AWARD
101	Taylor v. City of Burbank	3/19/12	Superior Court of Los Angeles County, Central	Employment: Retaliation	Former deputy police chief: Termination due to retaliation	Christopher Brizzolara, Santa Monica, CA of Law Office of Christopher Brizzolara; Gregory W. Smith, Beverly Hills, CA of Law Offices of Gregory W. Smith	\$1,298,579
102	Estate of Singh v. City of Gilroy	4/3/12	United States District Court, Northern District, San Jose	Government: Excessive Force	Family claimed officer could have used less lethal force	Andrew C. Schwartz (lead), Walnut Creek, CA of Casper, Meadows, Schwartz & Cook; Karen L. Snell, San Francisco, CA of Law Offices of Karen Snell	\$1,275,000
103	Estate of Woo v. Stanford University Hospital & Clinics	9/12/12	Superior Court of San Francisco County, San Francisco	Medical Malpractice: Failure to Monitor	Cardiologist failed to monitor patient's Coumadin levels: suit	Mary C. Barnes, San Francisco, CA of The Dolan Law Firm; Christopher B. Dolan, San Francisco, CA of The Dolan Law Firm; Bryan D. Lamb, San Francisco, CA of The Dolan Law Firm	\$1,136,648
104	North v. Enterprise Leasing Co.	12/14/12	Superior Court of Los Angeles County, West Los Angeles	Motor Vehicle: Lane Change	Plaintiff claimed shoulder and foot injuries caused by crash	Shawn J. McCann, Los Angeles, CA of Girardi & Keese; Jonathan E. Howell, Los Angeles, CA of Pocrass & De Los Reyes LLP	\$1,120,000
105	Abbate v. City of Los Angeles	5/14/12	Superior Court of Los Angeles County, Los Angeles	Employment: Retaliation	Sergeant: Retaliation after reporting superior's violations	Gregory W. Smith, Beverly Hills, CA of Law Offices of Gregory W. Smith	\$1,020,224
106	Adler v. Community Hospital of Long Beach	7/13/12	Superior Court of Los Angeles County, Long Beach	Medical Malpractice: Negligent Treatment	Premature hospital discharge hastened patient's death: family	Kimberly Valentine, Irvine, CA of Valentine Law Group, APC	\$1,016,002
107	Davenport v. Ramirez	8/29/12	Superior Court of Orange County, Santa Ana	Motor Vehicle: Red Light	Parents claimed driver ran red light, causing daughter's death	C. Michael Alder, Beverly Hills, CA of AlderLaw, P.C.; Jennifer Burkes, Beverly Hills, CA of AlderLaw, P.C.; Stephen K. McElroy, Beverly Hills, CA of AlderLaw, P.C.; Robert J. Stoll, III, Los Angeles, CA of Stoll, Nussbaum & Polakov; Robert J. Stoll, Jr., Los Angeles, CA of Stoll, Nussbaum & Polakov	\$1,000,000
108	Walker v. Tau Kappa Epsilon Fraternity	1/31/12	Superior Court of Los Angeles County, Central	Intentional Torts: Battery	Unprovoked fraternity beat him, plaintiff alleged	Michael P. Rubin, Tarzana, CA of Michael P. Rubin & Associates	\$1,000,000

Congratulations!

Attorneys Michael J. Curls and Nichelle Jones of the Law Office of Michael J. Curls Secured a \$4.5M Wrongful Death Plaintiff's Verdict for *Lucero v. County of Kern* – One of the Top Verdicts of 2012!

After allegedly being TASERED and beaten by deputies from the Kern County Sheriff's Department during his arrest, subject went into cardiac arrest and was pronounced dead upon arrival at Antelope Valley Medical Center in Lancaster. The decedent's parents sought recovery of past and future wrongful death damages and emotional distress as a result of the incident and their son's death.

After just five hours of deliberation the jury found that the county and the sheriff's department were liable for the decedent's wrongful death and negligent infliction of emotional distress of his parents resulting in an award of \$4.5M in total damages.





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2012 Top Verdicts:

Four of the Top 50 verdicts



Brian Panish



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<i>Sheth v. Schneider National Carriers</i>	\$36,482,302.56	June 30, 2012
<i>Rivas v. J.B. Hunt Transport Services</i>	\$20,000,000.00	August 3, 2012
<i>Cisler v. Capistrano Unified School District</i>	\$10,000,000.00	December 7, 2012
<i>Cedillo v. Sobol</i>	\$9,320,891.80	April 12, 2012