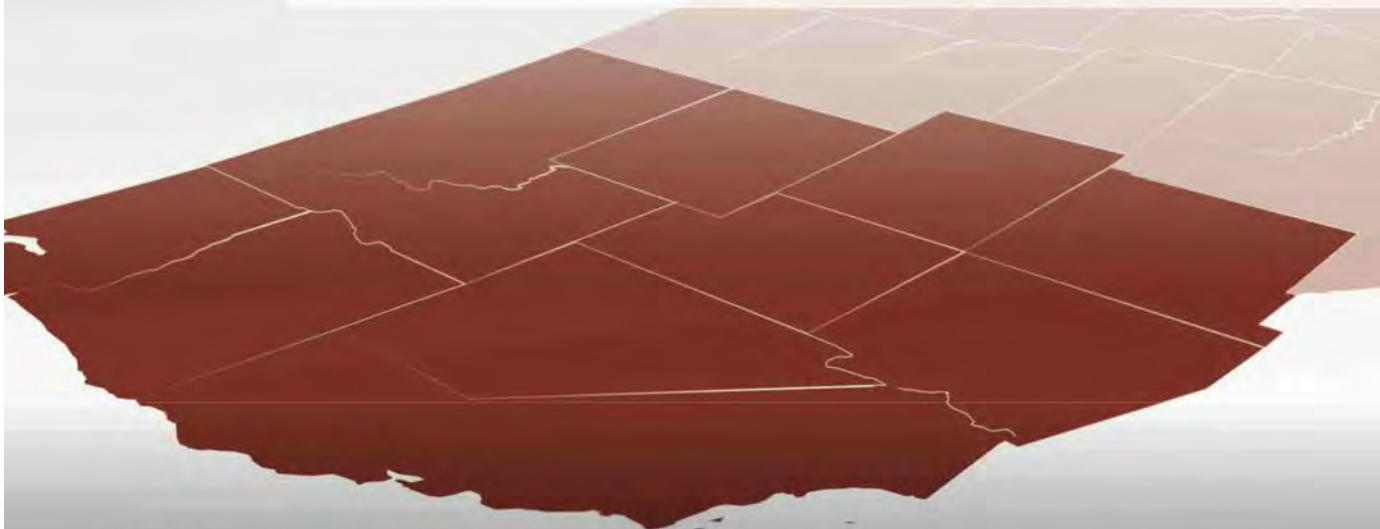




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VERDICTS AND SETTLEMENTS
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Dear Readers,

While COVID-19 brought courts to a halt in 2020, last year we saw litigators kick things into gear. This year's publication has just under 200 cases above the \$100K threshold. Those amazing litigators are represented in the pages of the *West Top Verdicts & Settlements of 2021* which covers cases from Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

This year, a products liability case in Washington took the No. 1 verdict spot in the region while an intentional torts suit in Montana earned the top settlement position. As you read more about these cases, check out the mediations, decisions and arbitrations that also made the list.

The following charts provide the basic information on each case. Attorneys are listed in alphabetical order by firm, then by the attorney's last name unless 'lead' or 'co-lead' was indicated. You can read about each case in detail on VerdictSearch.com. We encourage you to report your firm's cases at VerdictSearch.com/Submit-Case or by calling our team at 212-457-9576. For subscription information to VerdictSearch's database of 175,000+ cases, call sales at 800-445-6823.

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Charts are based on cases reported by Verdict Search, an affiliate of the The Recorder. Verdicts are reported as issued by the trial court. The total award listed does not include the recovery after post-verdict adjustments. The summaries may not include whether post-trial motions or appeals have been decided or are pending.

TOP 25 VERDICTS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$185,150,000.00	7/27/2021	WA (King County)	Teachers' exposure to PCBs caused brain damage	Kerry L. Erickson, Michelle M. Leahy, Richard A. Leahy and Joyce E. Marquardt v. Monsanto Company, Solutia, Inc., Pharmacia LLC, f/k/a Pharmacia Corporation, Union High School District No. 402, and Snohomish Health District	Richard H. Friedman (Lead), Friedman Rubin, Bremerton, WA; Sean J. Gamble, Friedman Rubin; Henry G. Jones, Friedman Rubin, Seattle, WA
2	\$177,792,640.01	7/22/2021	CA (Federal)	Drug developer: Other company's drug infringed patents	Plexxikon Inc. v. Novartis Pharmaceuticals Corporation	Kira A. Davis, Durie Tangri, Los Angeles, CA; Daralyn J. Durie, Durie Tangri, San Francisco, CA; Hannah Jiam, Durie Tangri, San Francisco, CA; Andrew T. Jones, Durie Tangri, Los Angeles, CA; Raghav R. Krishnapriyan, Durie Tangri, San Francisco, CA; David F. McGowan, Durie Tangri, San Francisco, CA; Katherine E. McNutt, Durie Tangri, Los Angeles, CA; Eugene Novikov, Durie Tangri, San Francisco, CA; Whitney O'Byrne, Durie Tangri, Los Angeles, CA



TOP 25 VERDICTS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
3	\$155,413,344.00	12/16/2021	CA (Los Angeles County)	Plaintiff claimed he was fired to conceal discriminatory practices	Andrew Rudnicki v. Farmers Insurance Exchange, Farmers Insurance Group, Zurich Insurance, Zurich, Zurich North America, Farmers Group Inc., Zurich Insurance Company, Truck Insurance Exchange, Fire Insurance Exchange, and Does 1 to 100, inclusive	Carney R. Shegerian (Lead), Shegerian & Associates, Los Angeles, CA; Leonard E. Livshits, Shegerian & Associates, Los Angeles, CA; Mahru Madjidi, Shegerian & Associates, Los Angeles, CA; Anthony Nguyen, Shegerian & Associates, Los Angeles, CA; Griselda Rodriguez, Shegerian & Associates, Los Angeles, CA
4	\$136,900,000.00	10/4/2021	CA (Federal)	Elevator operator claimed racial harassment forced resignation	Demetric Di-az, Owen Diaz and Lamar Patterson, an individual v. Tesla, Inc. dba Tesla Motors, Inc.; CitiStaff Solutions, Inc.; West Valley Staffing Group; Chartwell Staffing Services, Inc. and Does 1-10, inclusive	J. Bernard Alexander, III (Co-Lead), Alexander Morrison + Fehr, LLP, Los Angeles, CA; Lawrence A. Organ (Co-Lead), California Civil Rights Law Group, San Anselmo, CA; Navruz Avloni, California Civil Rights Law Group, San Anselmo, CA; Cimone A. Nunley, California Civil Rights Law Group, San Anselmo, CA
5	\$129,171,113.00	8/18/2021	CA (Los Angeles County)	Plaintiff claimed driver on cell phone caused accident	Jesse Equihua and Barbara Equihua v. Marilyn Chausse and Shayna Nash	Brittney M. Baca, Accident Attorneys, Lancaster, CA; James M. Baratta, Grant, Genovese & Baratta, Irvine, CA; Khail A. Parris, PARRIS Law Firm, Lancaster, CA; R. Rex Parris, PARRIS Law Firm, Lancaster, CA; Eric N. Wilson, PARRIS Law Firm, Lancaster, CA
6	\$91,000,000.00	6/17/2021	WA (Pierce County)	Plaintiff claimed store clerk failed to protect customer from assault	William Tisdale v. CF United Propco, LLC, a Delaware Limited Liability Corporation d/b/a "Union 76 Service Station and convenience store"; Pacific Convenience & Fuels, LLC, a Delaware Limited Liability Corporation d/b/a "Union 76 Service Station and convenience store"; Richard M. Baker, a Washington resident; John Does 1-10	Eric Fong (Lead), Fong Law, Port Orchard, WA; Emma Aubrey, Fong Law, Port Orchard, WA; Ken McEwan, Fong Law, Port Orchard, WA
7	\$81,865,102.00	7/29/2021	CA (Los Angeles County)	Restaurant's patrons claimed they were beaten in altercation	Anne Greene and Matthew Greene v. Alberto Daniel Driz, Maurice Driz, Shawn Driz, William Aubrey Joelson and Aaron Joseph Torbati / Jeremy Findel v. Alberto Daniel Driz, Maurice Driz, Shawn Driz, William Aubrey Joelson and Aaron Joseph Torbati	Christopher V. Bulone, Dordick Law Corp., Beverly Hills, CA; Terry J. Cole, Dordick Law Corp., Beverly Hills, CA; John P. Kristensen, Kristensen LLP, Los Angeles, CA
8	\$73,039,191.00	9/20/2021	CA (Kern County)	Oil companies blamed each other for cessation of activity	TRC Operating Company, Inc., a California corporation, and TRC Cypress Group, LLC, a California limited liability company v. Chevron U.S.A. Inc., a Pennsylvania corporation	Valerie A. Lozano, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA; Christopher Tayback, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA; Scott L. Watson, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA

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Walker v. City of Encinitas \$11,000,000



Edward Susolik



Brian McCormack

Walker case is largest personal injury settlement in the United States for 2021

Business Fraud Beckman Coulter vs. Flextronics \$934,000,000 Largest Jury Verdict in OC History	Personal Injury Neria vs. Bradshaw \$50,000,000 The Largest Personal Injury Settlement in US History	Insurance Medical Device Manufacturer vs. Farmers Insurance \$58,000,000 Largest Insurance Bad faith Judgment in OC History
Employment Class Action vs. OC Register \$38,000,000 Largest Class Action Settlement in OC History	Personal Injury Dean vs. Allied Trucking \$28,000,000 Truck Accident	Personal Injury Vincent vs. Public Entity \$17,000,000 Bicycle Accident

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TOP 25 VERDICTS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
9	\$62,650,512.00	12/7/2021	NV (Clark County)	United Healthcare, others underpaid medical providers	Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd. d/b/a Ruby Crest Emergency Medicine v. United Healthcare Insurance Company, United Health Care Services Inc., d/b/a UnitedHealthcare, UMR, Inc., d/b/a United Medical Resources, Sierra Health and Life Insurance Company, Inc. and Health Plan of Nevada, Inc.	John Zavitsanos (Lead), Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Michael Killingsworth, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Louis Liao, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Jason S. McManis, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Joseph Y. Ahmad, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; P. Kevin Leyendecker, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Justin C. Fineberg, Lash & Goldberg LLP; Kristen T. Gallagher, McDonald Carano LLP; Pat Lundvall, McDonald Carano LLP; Amanda M. Perach, McDonald Carano LLP
10	\$62,135,000.00	11/10/2021	WA (King County)	Exposure to defendant's PCBs caused students, staff's illnesses	Angela M. Bard and William Bard, individually and as legal guardians of minor J.D.B.; Jessica L. Bard; John M. Beutler; Stacy R. Mullen-Deland and Eric Deland, individually and as legal guardians of minors A.S.M.D. and C.R.M.D.; Donya C. Grant and Weldon J. Grant, individually and as legal guardians of minors H.B.G., K.M.G., M.A.G. and R.K. G.;	Richard H. Friedman (Lead), Friedman Rubin, Bremerton, WA; Sean J. Gamble, Friedman Rubin; Henry G. Jones, Friedman Rubin, Seattle, WA
11	\$49,800,000.00	10/5/2021	CA (Fresno County)	Breathing tube negligently removed during ambulance ride	Nicholas R. Merlo, by and through his Conservator and Guardian ad Litem, Kaci K. Merlo, and Kaci K. Merlo, individually v. Pristine Surgery Center, Inc., Prahalad B. Jojodia, M.D., Simranjit Singh Bassi, CRNA, American Ambulance, Brina Portillo, Ashley Bowman, Allison Freer, Jeffrey Schneider, and Does 1-20	Daniel R. Baradat (Lead), Baradat & Paboojian, Inc., Fresno, CA; Warren R. Paboojian, Baradat & Paboojian, Inc., Fresno, CA; Adam B. Stirrup, Baradat & Paboojian, Inc., Fresno, CA
12	\$49,640,094.00	10/20/2021	CA (Los Angeles County)	Motorcycle cop struck by car while pursuing speeding driver	Eric Bejar and Christina Bejar v. Josefina Lopez	Khail A. Parris, PARRIS Law Firm, Lancaster, CA; R. Rex Parris, PARRIS Law Firm, Lancaster, CA; Bruce L. Schechter, PARRIS Law Firm, Lancaster, CA; Ibiere N. Seck, Seck Law, P.C., Los Angeles, CA
13	\$38,972,500.00	9/9/2021	CA (Glenn County)	Broker claimed former colleagues defamed him	Dalas L. Gundersen v. Does 1 to 50	John R. Garner (Co-Lead), Garner & Associates, Sacramento, CA; Ognian A. Gavrilov (Co-Lead), Gavrilov & Brooks, Sacramento, CA; Erika M. Gaspar, Law Office Of Erika M. Gaspar, Sacramento, CA
14	\$38,750,000.00	8/24/2021	NV (Clark County)	Estate awarded \$38 million in wrongful death trucking case	Encarnacion Espana, as Personal Representative of The Estate of Jazmin Honorato Espana v. Republic Silver State Disposal, Inc, Republic Services, Republic Services, Inc., Julio Cortez-Solano	Patrick Kang, Ace Law Group; Sean K. Claggett, Claggett & Sykes Law Firm, Las Vegas, NV; Micah Echols, Claggett & Sykes Law Firm, Las Vegas, NV; Geordan Logan, Claggett & Sykes Law Firm, Las Vegas, NV; William T. Sykes, Claggett & Sykes Law Firm, Las Vegas, NV

25 Million Dollar Verdict

Mahe v. Blind Vision; Salt Lake City



DKOW recognizes Alan W. Mortensen, Lance L. Milne, and Christopher J. Cheney for the verdict in the Mahe v. Blind Vision case. The jury awarded \$25 million in a case where a young child strangled to death on window covering cords. The award represents the largest jury verdict for a minor death in Utah.



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TOP 25 VERDICTS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
15	\$30,330,000.00	6/17/2021	CA (Federal)	Defendant used trade secrets to create competing platform	LivePerson, Inc. v. [24]7.ai, Inc.	Adam R. Alper, Kirkland & Ellis LLP, San Francisco, CA; Michael W. De Vries, Kirkland & Ellis LLP, Los Angeles, CA
16	\$29,500,000.00	4/9/2021	NV (Clark County)	Aspiring actress severely brain-damaged after defendant's negligent care	Deborah Jean Giacalone, in her capacity as the guardian of Chantel Rose Giacalone v. MedicWest Ambulance, Inc., MedicWest Holdings, Inc., Mandalay Resort Group, d/b/a Mandalay Bay Hotel & Casino, Advanstar Communications Inc.	Christian Morris (Lead), Nettles Morris Law Firm; Micah Echols, Claggett & Sykes Law Firm; Jeffrey S. Cook, Driggers, Schultz & Herbst; Victoria "Tori" R. Allen, Nettles Morris Law Firm
17	\$27,500,100.00	9/3/2021	CA (Federal)	Pharmacist claimed she was fired for reporting overpriced meds	Afrouz Nikmanesh, on behalf of herself, the general public, and all others similarly situated v. Wal-Mart Stores, Inc., a Delaware corporation, a Delaware corporation, and Does 1 through 10, inclusive	Dayton B. Parcels, III (Lead), Parcels Law Firm, Los Angeles, CA; Eric M. Epstein, Eric M. Epstein, APC, Los Angeles, CA; Josh Buck, Thierman Buck, LLP, Reno, NV; Mark R. Thierman, Thierman Buck, LLP, Reno, NV
18	\$27,458,000.00	10/12/2021	CA (Los Angeles County)	Use of asbestos-containing talc caused cancer	Shawn Johnson and Holly Johnson v. Johnson & Johnson; Johnson & Johnson Consumer Inc.; Albertsons Companies, Inc. Individually and as Successor-In-Interest to Sav-On Drug Stores, Inc.; Costco Wholesale Corporation; Ralphs Grocery Company; Thrifty Payless Inc. dba Rite Aid Pharmacy; and Walmart Inc.	Danny R. Kraft, Jr. (Lead), Weitz & Luxenberg, P.C., New York, NY; Benno B. Ashrafi, Weitz & Luxenberg, P.C., Los Angeles, CA; Joseph J. Mandia, Weitz & Luxenberg, P.C., Cherry Hill, NJ
19	\$27,000,000.00	7/7/2021	NM (Bernalillo County)	Tire shop negligent in repairing and checking safety of tractor-trailer wheels	Kristina Martinez, in her capacity as the Personal Representative of the Wrongful Death Estate of Barbara Granger, Estate of Barbara Granger and Scott Granger v. Dart Trans, Inc., Gilbert Tan doing business as GMT Trucking, Sunrise Tire and Lube Service, Inc., Har-Sukh Corp., Inc., Sam Sandhu, Jasvir Singh, Rajinder Singh Bassi, Sukhdev Singh Dhaliwal, Teri-OAT, LLC, Goodwill Trucking, LLC and Gurpreet Such	Mark T. Baker, Peifer, Hanson, Mullins & Baker, P.A., Albuquerque, NM; Matthew M. Beck, Peifer, Hanson, Mullins & Baker, P.A., Albuquerque, NM
20	\$26,641,876.75	5/14/2021	OR (Federal)	Defendant infringed RFID patent	ADASA Inc. v. Avery Dennison Corporation	Jonathan T. Suder (Lead), Friedman, Suder & Cooke, P.C., Fort Worth, TX; Glenn S. Orman, Friedman, Suder & Cooke, P.C., Fort Worth, TX; Richard A. Wojcio, Jr., Friedman, Suder & Cooke, P.C.
21	\$25,772,967.00	8/26/2021	CA (Alameda County)	Manufacturer failed to warn of risk of using talc	Christina G. Prudencio v. Johnson & Johnson, Albertsons Companies, Inc., Cyprus Mines Corporation, Johnson & Johnson Consumer Inc., Longs Drug Stores California, Inc., Lucky Stores, Inc., Perrigo Company of Tennessee, Safeway Inc., Vi-Jon, Inc. and Whittaker, Clark & Daniels, Inc.	Joseph D. Satterley (Lead), Kazan, McClain, Satterley & Greenwood, Oakland, CA; Ian Rivamonte, Kazan, McClain, Satterley & Greenwood, Oakland, CA



TOP 25 VERDICTS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
22	\$25,000,000.00	9/21/2021	UT (Salt Lake County)	Defective blinds fatally strangled 3-year-old girl	Sunny Mahe and Sateki Reno Mahe, individually and on behalf of the heirs and estate of Elsie K. Mahe, deceased v. BlindVision, Century Blinds, Inc., Hunter Douglas, Inc. and Hunter Douglas Fabrication Company*	Alan W. Mortensen (Co-Lead), Dewsnap King Olsen Worel Havas Mortensen; James Corrigan (Co-Lead), O'Leary, Shelton, Corrigan, Peterson, Dalton & Quillin; Christopher J. Cheney, Dewsnap King Olsen Worel Havas Mortensen; Lance L. Milne, Dewsnap King Olsen Worel Havas Mortensen; James D. O'Leary, O'Leary, Shelton, Corrigan, Peterson, Dalton & Quillin, St. Louis, MO
23	\$21,600,000.00	11/10/2021	CA (Los Angeles County)	Bus's driver didn't notice bicyclist	Barry Smith and Rose Smith v. City of Redondo Beach / Barry Smith and Rose Smith v. State of California; Caltrans County of Los Angeles; Los Angeles Metropolitan Transit; Francine Danyielle Murphy; MV Transportation Inc.; and Does 1 to 100, inclusive	Garo Mardrossian (Lead), Mardrossian Akaragian LLP, Los Angeles, CA; Lawrence D. Marks, Mardrossian Akaragian LLP, Los Angeles, CA
24	\$21,169,685.00	7/28/2021	CA (Los Angeles County)	Failure to replace crash barrier caused death	The Estate of Kevin Walsh, by and through Eryn Walsh as successor in interest; Eryn Walsh, an individual; and Lauren Anne Marie Walsh, an individual minor by and through her guardian ad litem Eryn Walsh v. California Department of Transportation, a public entity; State of California; The Travelers Indemnity Company; and Does 1 through 100, inclusive	David W. Gammill, Gammill Law, APC, Manhattan Beach, CA; Carlos X. Colorado, The X-Law Group, P.C., South Pasadena, CA; Thomas E. Gray, The X-Law Group, P.C., South Pasadena, CA; Filippo Marchino, The X-Law Group, P.C., South Pasadena, CA
25	\$20,800,000.00	7/29/2021	CA (San Luis Obispo County)	Police dog fatally attacked man and injured bystander	Rachel Fear; Sarah Fear; Steven Fear; Betty Long; and Lori Chevoya v. Alex Geiger; City of Exeter; City of Exeter Police Department; City of Grover Beach; City of Grover Beach Police Department; Christopher Belavic; Monica Belavic; and Does 1 through 100, inclusive	John F. ("Jack") Denove, Cheong, Denove, Rowell, Bennett & Hapuarachy, Los Angeles, CA; Jacqueline Vitti Frederick, Frederick Law Firm, Nipomo, CA; Sunny Hawks, Frederick Law Firm, Nipomo, CA

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TOP 25 VERDICTS

NO. 1 PRODUCTS LIABILITY

Teachers' exposure to PCBs caused brain damage

AMOUNT: \$185,150,000.00

VENUE: Washington (King County)

JUDGE: Douglass A. North

CASE NAME: *Kerry L. Erickson, Michelle M. Leahy, Richard A. Leahy and Joyce E. Marquardt v. Monsanto Company, Solutia, Inc., Pharmacia LLC, f/k/a Pharmacia Corporation, Union High School District No. 402, and Snohomish Health District, No.18-2-11915-4 SEA*

DATE: July 27, 2021

PLAINTIFF ATTORNEY(S):

- Richard H. Friedman (Lead); Friedman | Rubin for Kerry L. Erickson, Michelle M. Leahy, Richard A. Leahy, Joyce E. Marquardt
- Sean J. Gamble; Friedman | Rubin for Kerry L. Erickson, Michelle M. Leahy, Richard A. Leahy, Joyce E. Marquardt
- Henry G. Jones; Friedman | Rubin for Kerry L. Erickson, Michelle M. Leahy, Richard A. Leahy, Joyce E. Marquardt

DEFENSE ATTORNEY(S):

- Thomas M. Goutman; Shook, Hardy & Bacon L.L.P. for Pharmacia LLC
- Jennifer Campbell; Schwabe, Williamson & Wyatt PC for Pharmacia LLC
- Adam E. Miller; Shook, Hardy & Bacon L.L.P. for Pharmacia LLC
- None reported for Monsanto Company, Solutia, Inc., Union High School District No. 402, Snohomish Health District

FACTS: Between 2011 and 2016, plaintiffs Kerry Erickson, 47; Michelle Leahy, 61; and Joyce Marquardt, 52, worked as teachers at the Sky Valley Education Center in Monroe. They claimed that they were exposed to synthetic chemicals called polychlorinated biphenyls, or PCBs, that were contained in the school and caused them to suffer permanent brain damage. Erickson, Leahy and Marquardt sued the manufacturer of the PCBs, Pharmacia LLC. They alleged claims under a theory of products liability, including design and manufacturing defects and failure to warn. The three teachers also sued Pharmacia's predecessor, Monsanto Co.; Solutia Inc., a Monsanto subsidiary; the school district, Union High School District No. 402; and Snohomish Health District, the municipal corporation responsible for public health in Snohomish County. The claims against Monsanto, Solutia and the school and health districts either were dismissed or concluded via dispositions involving undisclosed terms, prior to trial. Sky Valley was built in the 1950s. The Pharmacia-manufactured PCBs were present in the school's fluorescent light ballasts manufactured by third parties to which the defendants provided PCBs. The plaintiffs' counsel argued that Pharmacia intentionally produced and promoted in the United States more than 1.25 billion pounds of PCBs. The plaintiffs' experts in toxicology testified that

PCBs are extremely toxic and damage essentially every system of the human body. The plaintiffs' counsel maintained that, since the 1930s, Pharmacia has known that PCBs are toxic, yet promoted them without adequate warnings for electrical, construction, and other applications—until they were banned in 1979. According to the plaintiffs' counsel, internal memoranda show that while Pharmacia knew that PCBs are toxic, it made decisions based on PCB profits. As a consequence, PCBs were produced and incorporated into public buildings, including school buildings. Today, up to 14 million school children—and their teachers—in U.S. schools may be exposed to PCBs, as estimated by a Harvard School of Public Health study. Pharmacia still fails to adequately warn about the extreme toxicity of PCBs, the plaintiffs' counsel contended. The plaintiffs' expert in industrial hygiene testified that Erickson, Leahy and Marquardt were exposed to PCBs in the indoor air, dust, and on surfaces through their normal activities. According to the expert, exposure occurred through inhalation, ingestion, and dermal contact. The defense maintained that these light ballasts, installed in the 1960s, were decades beyond their useful life, energy inefficient, and obsolete. The defense contended there is no basis in law that requires a manufacturer of a component part to warn the customers of their customers' finished products. In addition, according to the defense, the evidence was very clear that the Monroe School District, which has authority over Sky Valley Education Center, was repeatedly advised that the facilities' lighting systems were long overdue for renovation, among other critical infrastructure issues, prior to Sky Valley Education Center relocating to this campus. Moreover, Monsanto voluntarily stopped manufacturing PCBs in 1977, two years before the Environmental Protection Agency banned its production, the defense noted. The defense maintained that the PCBs found at the school were significantly low levels and that they could not have caused any harm to the plaintiffs or the other school occupants. According to the defense, PCBs were widely recognized as nonflammable safety fluids and required by many electrical and building codes as well as insurance companies to protect against serious fire risk. The defense's expert in chemicals testified that PCB testing at the school showed extremely low levels, and the plaintiffs' tests contained the normal amounts of PCB levels found in the U.S. population. According to the defense's experts in toxicology, the evidence demonstrated that the plaintiffs were not exposed to unsafe levels of PCBs or that those levels caused injuries, according to Occupational Safety and Health Administration and Washington State safe levels as well as the Environmental Protection Agency's evaluation levels for exposure in schools. The defense claims plaintiffs' exposure and causation experts used unprecedented methodologies to attempt to estimate exposure levels because the actual PCB testing, in this case, demonstrated that either no PCBs were detected or that the levels were orders of magnitude less than those determined to be safe. The defense argued that there is no scientific literature or evidence that links PCBs to brain injuries, the signature injury alleged in these cases.

**INJURY:**

- Erickson, Leahy and Marquardt alleged that they each began experiencing symptoms of fatigue and difficulty concentrating within six months of starting their respective tenures at Sky Valley. Each plaintiff consulted with their primary care physician, saw a neurologist or a neuropsychologist, and they were ultimately diagnosed with brain damage, which they attributed to their PCB exposure.
- Erickson, Leahy and Marquardt underwent a battery of testing and extensive neuropsychological and cognitive therapy; however, the significant treatment was unsuccessful in resolving their issues.
- The plaintiffs' experts in public health testified that adults exposed to PCBs have been shown to have significantly greater motor retardation, poorer results on certain memory and attention tests, and higher scores on standardized confusion scale than did control adults.
- The plaintiffs' expert in neuropsychology attributed the plaintiffs' permanent and irreversible brain damage to their PCB exposure.
- Erickson was a math teacher who organized the school's science, technology, engineering and mathematics program, also known as STEM; Leahy instructed math, science and art; and Marquardt primarily taught Spanish, in addition to journalism and humanities, and coordinated extra-curricular programs for students.
- Erickson, Leahy and Marquardt each testified about how their symptoms of memory loss, brain fog, difficulty concentrating and fatigue altered their professional and personal lives. Each plaintiff had to prematurely retire from teaching and was forced to reconfigure their lives in order to accommodate their restricted brain function.
- In seeking punitive damages, the plaintiffs' counsel argued that Pharmacia's conduct was reckless and willfully disregarded the safety and well-being of Erickson, Leahy and Marquardt.
- Erickson, Leahy and Marquardt each sought recovery of compensatory and punitive damages. Leahy's husband sought damages for his claim for loss of consortium.
- The defense's experts in neuropsychology and psychology testified that the plaintiffs' alleged brain damage was unrelated to their exposure to low-level PCBs and that their symptoms were most likely due to pre-existing conditions.

RESULT: The jury found that Pharmacia supplied a product that was not reasonably safe in construction, that it was not reasonably safe as designed and that adequate warnings or instructions were not provided with the product. Jurors determined that Pharmacia's negligence was a proximate cause of the plaintiffs' injuries. The plaintiffs were determined to receive \$185,150,000.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' and defense counsel.

NO. 2 INTELLECTUAL PROPERTY

Drug developer: Other company's drug infringed patents

AMOUNT: \$177,792,640.01

VENUE: California (Federal)

JUDGE: Haywood S. Gilliam Jr.

CASE NAME: *Plexxikon Inc. v. Novartis Pharmaceuticals Corporation*, No. 4:17-cv-04405-HSG

DATE: July 22, 2021

PLAINTIFF ATTORNEY(S):

- Kira A. Davis; Durie Tangri for Plexxikon Inc.
- Daralyn J. Durie; Durie Tangri for Plexxikon Inc.
- Hannah Jiam; Durie Tangri for Plexxikon Inc.
- Andrew T. Jones; Durie Tangri for Plexxikon Inc.
- Raghav R. Krishnapriyan; Durie Tangri for Plexxikon Inc.
- David F. McGowan; Durie Tangri for Plexxikon Inc.
- Katherine E. McNutt; Durie Tangri for Plexxikon Inc.
- Eugene Novikov; Durie Tangri for Plexxikon Inc.
- Whitney O'Byrne; Durie Tangri for Plexxikon Inc.

DEFENSE ATTORNEY(S):

- Ian B. Brooks; McDermott Will & Emery; Washington, DC for Novartis Pharmaceuticals Corp.
- Sarah Columbia; McDermott Will & Emery; Boston, MA for Novartis Pharmaceuticals Corp.
- William G. Gaede III; McDermott, Will & Emery; San Francisco, CA for Novartis Pharmaceuticals Corp.
- Nicole M. Jantzi; McDermott Will & Emery; Washington, DC for Novartis Pharmaceuticals Corp.
- David M. Mlaver; McDermott Will & Emery; Boston, MA for Novartis Pharmaceuticals Corp.
- Michael S. Nadel; McDermott Will & Emery; Washington, DC for Novartis Pharmaceuticals Corp.
- Jennifer B. Routh; McDermott Will & Emery; Washington, DC for Novartis Pharmaceuticals Corp.
- Paul M. Schoenhard; McDermott Will & Emery; Washington, DC for Novartis Pharmaceuticals Corp.
- Thomas P. Steindler; McDermott Will & Emery; Washington, DC for Novartis Pharmaceuticals Corp.

FACTS: In 2017, plaintiff Plexxikon Inc., a developer of small molecule pharmaceuticals, began to suspect that two of its patents related to its melanoma drug Zelboraf, which inhibits the growth of cancer cells that have a mutated form of a certain gene, were being used in another melanoma cancer drug, Tafinlar, which was manufactured by Novartis Pharmaceutical Corp. Plexxikon Inc. sued Novartis Pharmaceuticals. The lawsuit alleged that Novartis' actions infringed U.S. patent Nos. 9,469,640 and 9,844,539. Plexxikon's counsel contended that Plexxikon developed a B-Raf kinase inhibitor with a novel molecular structure that allows it to bind selectively to B-Raf kinases exhibiting the V600E mutation, which is frequently found in metastatic melanomas. The selectivity for the mutant kinase allowed for effective treatment with fewer toxic side effects. Plexxikon's drug, Zelboraf, was introduced in 2011, and it was the first such kinase inhibitor approved for the treatment of melanoma. Plexxikon's counsel argued that Novartis knew of the Plexxikon patents and willfully infringed them. Novartis stipulated that its drug, Tafinlar, which also



works by inhibiting the V600E B-Raf mutation, infringed the Plexxikon patents. However, its counsel argued that Plexxikon's patents were invalid.

INJURY:

- Plexxikon claimed that Novartis unlawfully sold Tafinlar without licensing the Plexxikon patents. Plexxikon sought recovery of a reasonable royalty.

RESULT: The jury found that the Plexxikon patents were not invalid. It determined that Plexxikon's compensatory damages totaled \$177,792,640.01. The jury also found that Novartis' infringement was willful, allowing the court to award additional, enhanced damages.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiff's counsel. Additional information was gleaned from court documents. Defense counsel did not respond to the reporter's phone calls.

NO. 3 EMPLOYMENT

Plaintiff claimed he was fired to conceal discriminatory practices

AMOUNT: \$155,413,344.00

VENUE: California (Los Angeles County)

JUDGE: Ruth Ann Kwan

CASE NAME: *Andrew Rudnicki v. Farmers Insurance Exchange, Farmers Insurance Group, Zurich Insurance, Zurich, Zurich North America, Farmers Group Inc., Zurich Insurance Company, Truck Insurance Exchange, Fire Insurance Exchange, and Does 1 to 100, inclusive*, No. BC630158

DATE: December 16, 2021

PLAINTIFF ATTORNEY(S):

- Carney R. Shegerian (Lead); Shegerian & Associates for Andrew Rudnicki,
- Leonard E. Livshits; Shegerian & Associates for Andrew Rudnicki,
- Mahru Madjidi; Shegerian & Associates for Andrew Rudnicki,
- Anthony Nguyen; Shegerian & Associates for Andrew Rudnicki,
- Griselda Rodriguez; Shegerian & Associates for Andrew Rudnicki,

DEFENSE ATTORNEY(S):

- Lynne C. Hermle; Orrick, Herrington & Sutcliffe; Menlo Park, CA for Farmers Insurance Exchange, Farmers Group Inc.
- Joseph C. Liburt; Orrick, Herrington & Sutcliffe, LLP; Menlo Park, CA for Farmers Insurance Exchange, Farmers Group Inc.
- None reported for Farmers Insurance Group, Fire Insurance Exchange, Truck Insurance Exchange, Zurich, Zurich Insurance, Zurich Insurance Company, Zurich North America

FACTS: In 2016, plaintiff Andrew Rudnicki, 63, an attorney, was terminated by his employer, Farmers Insurance

Exchange. Rudnicki reported that his drug, Farmers, which also

litigation. Rudnicki had been a potential witness in a class-action lawsuit that alleged gender-based workplace discrimination at Farmers. Rudnicki had also claimed that he had been subjected to discrimination based on his age and a cardiovascular condition. Rudnicki's termination occurred shortly after Farmers had settled the class-action suit. Rudnicki sued Farmers Insurance Exchange; its parent organizations, Farmers Group Inc. and Farmers Insurance Group; and several related entities, Fire Insurance Exchange, Truck Insurance Exchange, Zurich, Zurich Insurance, Zurich Insurance Co. and Zurich North America. The lawsuit alleged that Rudnicki was subjected to discrimination, retaliatory acts and a wrongful termination. Farmers Insurance Group, Fire Insurance Exchange, Truck Insurance Exchange, Zurich, Zurich Insurance, Zurich Insurance Co. and Zurich North America were dismissed. The matter proceeded to a trial against Farmers Group and Farmers Insurance Exchange. Rudnicki claimed that Farmers blamed him for the class-action lawsuit and that Farmers anticipated that he would reveal the company's pay practices if he testified. The defense contended that Rudnicki was terminated for inappropriate comments and conduct with female co-workers, and for using poor judgment.

INJURY:

- Rudnicki worked for Farmers for 37 years prior to his termination. He claimed that he suffered emotional distress. He sought recovery of damages for past and future loss of earnings, damages for emotional suffering, and punitive damages.

RESULT: The jury found that Farmers Group and Farmers Insurance Exchange did not discriminate against Rudnicki, but that he was subjected to retaliation and wrongfully terminated. The jury determined that Rudnicki's compensatory damages totaled \$5,413,344. It also determined that an officer, director and/or managing agent of at least one of the defendants acted with malice, oppression or fraud against Rudnicki and that Rudnicki was entitled to punitive damages. The jury awarded \$150 million in punitive damages, which included \$75 million against Farmers Insurance Exchange and \$75 million in punitive damages against Farmers Group. Thus, Rudnicki's damages totaled \$155,413,344.

POST TRIAL: Judge Ruth Kwan opined that the punitive damages were excessive. As such, the jury's punitive-damages award, \$150 million, was conditionally reduced to \$18.9 million, from \$150 million. If Rudnicki does not accept the reduction, a new trial will address punitive damages.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiff's counsel, and defense counsel for Farmers Group Inc. and Farmers Insurance Exchange. The remaining defendants' counsel were not asked to contribute.



NO. 4 EMPLOYMENT

Elevator operator claimed racial harassment forced resignation

AMOUNT: \$136,900,000.00

VENUE: California (Federal)

JUDGE: William H. Orrick, Jr.

CASE NAME: *Demetric Di-az, Owen Diaz and Lamar Patterson, an individual v. Tesla, Inc. dba Tesla Motors, Inc.; CitiStaff Solutions, Inc.; West Valley Staffing Group; Chartwell Staffing Services, Inc. and Does 1-10, inclusive*, No. 3:17-cv-06748-WHO

DATE: October 04, 2021

PLAINTIFF ATTORNEY(S):

- J. Bernard Alexander III (Co-Lead); Alexander Morrison + Fehr, LLP for Owen Diaz, Lamar Patterson, Demetric Di-az
- Lawrence A. Organ (Co-Lead); California Civil Rights Law Group for Owen Diaz, Lamar Patterson, Demetric Di-az
- Navruz Avloni; California Civil Rights Law Group for Owen Diaz, Lamar Patterson, Demetric Di-az
- Simone A. Nunley; California Civil Rights Law Group for Owen Diaz, Lamar Patterson, Demetric Di-az

DEFENSE ATTORNEY(S):

- Susan Haines; Sheppard, Mullin, Richter & Hampton LLP; San Francisco, CA for Tesla, Inc.
- Patricia M. Jeng; Sheppard, Mullin, Richter & Hampton LLP; San Francisco, CA for Tesla, Inc.
- Tracey A. Kennedy; Sheppard, Mullin, Richter & Hampton LLP; Los Angeles, CA for Tesla, Inc.
- None reported for West Valley Staffing Group, nextSource, Inc., CitiStaff Solutions, Inc., Chartwell Staffing Services, Inc.

FACTS: In March 2016, plaintiff Owen Diaz, a Black elevator lead at the Tesla Inc. automobile factory in Fremont, resigned from his employment. Diaz had been a contract employee for Tesla before being promoted to an elevator lead. He claimed that he was subjected to severe and pervasive racial harassment, beginning shortly after starting at Tesla and continuing until his resignation. Diaz claimed that he complained about his treatment, but that effective remedial action was not undertaken. He claimed that the harassment did not stop and that he was ultimately forced to resign. Diaz's son, plaintiff Demetric Di-az, a contract employee of Tesla, and another Tesla contract employee, plaintiff Lamar Patterson, both Black men, also claimed that they were subjected to race-based discrimination while working at Tesla. Diaz, Di-az and Patterson sued Tesla; the company that managed contract employees at Tesla's factory, nextSource Inc.; the staffing company that placed Diaz at the Tesla factory, CitiStaff Solutions Inc.; the staffing company that placed Di-az at the Tesla factory, West Valley Staffing Group; and the staffing company that placed Patterson at the Tesla factory, Chartwell Staffing Services Inc. The lawsuit alleged that the plaintiffs were subjected to racially discriminatory acts. The lawsuit further alleged that Diaz was subjected to a hostile environment that constituted a constructive discharge. Di-az's claim was dismissed,

Group, and Patterson's claim was severed for arbitration. Diaz's counsel negotiated a pretrial settlement of the claims against CitiStaff Solutions and nextSource. The matter proceeded to a trial that addressed Diaz's claim against Tesla. Diaz claimed that he was regularly subjected to racial slurs by two supervisors, that he was told to "go back to Africa," that he was exposed to racist drawings and graffiti, and that he witnessed his son being subjected to the use of racial epithets. Davis claimed that he and several co-workers reported the conduct, but that the offending worker was merely warned about "kidding around." Three Tesla supervisors claimed that they overheard daily use of racial epithets without repercussion. One of Diaz's supervisors acknowledged that the conduct was corroborated in an email. Diaz's counsel argued that Tesla was Diaz's joint employer under 42 USC § 1981, but Tesla's counsel argued that Diaz was not Tesla's employee nor were Diaz's alleged harassers. Tesla's counsel also argued that any time harassment was brought to Tesla's attention, it handled it with appropriate remedial action. Tesla's counsel contended that Diaz never submitted a written complaint about the alleged use of racial epithets and that Diaz was not bothered by the conduct he was subjected to because Diaz encouraged his son to work for Tesla. Tesla's counsel also contended that racial epithets were not widely used at the Tesla factory.

INJURY:

- Diaz worked as a contract employee at the Tesla factory in Fremont from June 3, 2015, to March 2016. He worked as an elevator operator, moving products and materials between the floors of the Tesla factory. Diaz was promoted to an elevator lead on Aug. 17, 2015. He claimed that he was forced to resign in March 2016 as a result of being subjected to racial harassment at work.
- Diaz further claimed that he suffers emotional distress as a result of the treatment he was subjected to at work. Diaz's expert psychologist opined that Diaz still suffers from his experiences at Tesla and that counseling has been recommended.
- Diaz sought recovery of damages for past and future emotional pain and suffering. He also sought recovery of punitive damages.

RESULT: The jury found that Diaz was subjected to a racially hostile work environment and that Tesla was a joint employer of Diaz. The jury also found that Diaz proved all the elements of a hostile work environment caused by a supervisor, as well as a hostile work environment caused by a non-immediate supervisor or co-worker. It further found that Tesla failed to take all reasonable steps necessary to prevent Diaz from being subjected to racial harassment and that Diaz was harmed by Tesla's negligent supervision or continued employment of a supervisor who created a racist drawing.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Tesla's counsel did not respond to the reporter's phone calls, and the remaining defendants' counsel were not asked to contribute.



NO. 5 MOTOR VEHICLE

Plaintiff claimed crash caused by driver on cell phone

AMOUNT: \$129,171,113.00

VENUE: California (Los Angeles County)

JUDGE: Wendy W.Y. Chang

CASE NAME: *Jesse Equihua and Barbara Equihua v. Marilyn Chausse and Shayna Nash*, No. 19AVCV00071

DATE: August 18, 2021

PLAINTIFF ATTORNEY(S):

- Brittney M. Baca; Accident Attorneys for Jesse Equihua
- James M. Baratta; Grant, Genovese & Baratta for Barbara Equihua
- Khail A. Parris; PARRIS Law Firm for Jesse Equihua
- R. Rex Parris; PARRIS Law Firm for Jesse Equihua
- Eric N. Wilson; PARRIS Law Firm for Jesse Equihua

DEFENSE ATTORNEY(S):

- Scott B. Spriggs; Kinkle, Rodiger & Spriggs P.C.; Riverside, CA for Marilyn Chausse, Shayna Nash

INSURER:

- Allstate Insurance Co.

FACTS: On Feb. 14, 2018, plaintiff Jesse Equihua, 58, a truck driver, was driving on West Avenue D, in Lancaster. As he proceeded through the intersection with 60th Street West, his truck's left side was struck by a vehicle that was being driven by Shayna Nash, who was traveling on 60th Street West. Equihua's truck rolled more than a full revolution, and it came to rest on one side, with Equihua suspended by his seat belt. Equihua suffered injuries of his back, his head and his neck. Equihua sued Nash and the owner of Nash's vehicle, Marilyn Chausse. Equihua alleged that Nash was negligent in the operation of her vehicle and that Chausse was vicariously liable for Nash's actions. Equihua also alleged that Chausse was negligent for entrusting the vehicle to Nash. Equihua's counsel contended that Nash ignored a stop sign because she was talking on a cell phone. Equihua's course was not governed by a traffic-control device. Equihua's counsel also contended that Chausse should have known that Nash was an unfit driver. Defense counsel conceded liability.

INJURY:

- Equihua suffered a traumatic brain injury. He claimed that he also suffered herniations of his C2-3, C3-4, C5-6, C6-7, L1-2, L2-3, L3-4, L4-5 and L5-S1 intervertebral discs.
- Equihua was transported to a hospital, where he was treated and released. After exhausting every conservative care measure for his lumbar spine, he underwent fusion at the L4-5 level, with a right L5-S1 hemilaminotomy.
- Equihua's wife, Barbara Equihua, testified about how her husband has been changed by his injuries. She claimed that he is now more moody and lashes out more often in emergent situations. She also claimed that her husband is not the same man anymore, but that there are moments in which "the old guy is still in there." She further claimed that her husband will no longer be able to continue working

- Jesse Equihua's physicians believe that he will need an additional three surgeries to his spine, as well as the implantation of a neurostimulator. The physicians also believe that Equihua would require a lifetime of care as a result of his traumatic brain injury.
- Equihua sought recovery of past and future medical costs, and damages for past and future pain and suffering. His wife sought recovery for her past and future loss of consortium.
- Judge Wendy Chang issued terminating sanctions against defense counsel prior to trial, so the defense did not get to oppose damages at trial.

RESULT: The jury determined that the plaintiffs' damages totaled \$129,171,113.

POST TRIAL: Since the plaintiffs beat the defendants' § 998 offer to compromise, a total judgment was entered in favor of the Equihuas in the amount of \$141,189,424.34.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Defense counsel did not respond to the reporter's phone calls.

NO. 6 PREMISES LIABILITY

Store clerk failed to protect him from assault

AMOUNT: \$91,000,000.00

VENUE: Washington (Pierce County)

JUDGE: Stephanie A. Arend

CASE NAME: *William Tisdale v. CF United Propco, LLC, a Delaware Limited Liability Corporation d/b/a "Union 76 Service Station and convenience store"; Pacific Convenience & Fuels, LLC, a Delaware Limited Liability Corporation d/b/a "Union 76 Service Station and convenience store"; Richard M. Baker, a Washington resident; John Does 1-10*, No. 18-2-12279-7

DATE: June 17, 2021

PLAINTIFF ATTORNEY(S):

- Eric Fong (Lead); Fong Law for William Tisdale
- Emma L. Aubrey; Fong Law for William Tisdale
- Ken McEwan; Fong Law for William Tisdale

DEFENSE ATTORNEY(S):

- Michael A. Jaeger; Lewis Brisbois Bisgaard & Smith LLP; Seattle, WA for Richard M. Baker, APRO LLC
- Geoffrey M. Hersch; Lewis Brisbois Bisgaard & Smith LLP; Seattle, TX for Richard M. Baker, APRO LLC
- None reported for CF United Propco LLC, Pacific Convenience & Fuels LLC, John Does 1-10

INSURER:

- Zurich North America
- Endurance Insurance
- HDI Gerling

FACTS: On Nov. 4, 2015, plaintiff William Tisdale, 31, a store clerk, entered a Union 76 convenience store in Tacoma as a customer. It was about 11 p.m. Richard M. Baker was the clerk on duty and the only employee present. Another man

that her husband will no longer be able to continue working as a result of his injuries.

clerk on duty and the only employee present. Another man, who was unknown to Tisdale, was also in the store. This



man had just attempted to rob the store of cash and cigarettes by threatening Baker's life with a baseball bat. When Tisdale walked into the store, Baker told him to call 911. As Tisdale was calling 911, the would-be robber left the store and entered Tisdale's unlocked car. As Tisdale left the store and approached his car, the man got out of the vehicle and repeatedly bashed Tisdale in the skull with the bat. Security cameras recorded the entire incident. Tisdale sued the company that owned and operated the store, APRO, LLC. Tisdale alleged that APRO was liable in failing to take mandatory safety precautions to make the store safe for customers and failed to train the store clerk properly in robbery and violence prevention. He also initially sued Baker. Tisdale had initially sued CF United Propco, LLC doing business as Union 76 Service Station and Convenience Store, Pacific Convenience & Fuels, LLC doing business as Union 76 Service Station and Convenience. However, they were not the proper owners of the store. When it was determined that APRO was the correct owner and operator, United Propco and Pacific Convenience & Fuels were dismissed from the case and the complaint was amended to add APRO. Also, Baker was nonsuited before trial after APRO stipulated that he was in the course and scope of his employment with APRO at the time of the incident. Tisdale alleged that Baker should have notified Tisdale of the robbery attempt after the would-be robber walked outside, and should have also warned him to stay inside until police arrived. By failing to do so, counsel argued, Baker failed to follow industry standards. Baker's counsel did not concede that Tisdale was contributorily negligent, but suggested that, if the jury disagreed, a finding of 10 percent contributory negligence would be appropriate. The defense denied negligence and argued that the would-be robber, not APRO or Baker, was responsible for Tisdale's injuries. The defense also argued that Tisdale should have known better than to approach his car while a stranger was in it.

INJURY:

- Tisdale was struck five times in the head with a baseball bat. He was transported by ambulance to a hospital, where he spent three days.
- Tisdale was diagnosed with skull fractures, right holo-hemispheric bleeding, subdural hematomas, subarachnoid hematomas, intracranial bleeding, damage to the right frontal and right temporal lobes, and a midline shift of the brain. He developed encephalomalacia in the right temporal lobe, which his attorney described as "essentially a hole in his brain."
- Tisdale developed a poorly controlled grand mal seizure disorder, anxiety, attention deficits, tinnitus, headaches, visual impairment, sleep impairment, post-traumatic stress disorder, depression, poor appetite, poor judgment, impulse-control problems, memory impairment and cognitive impairment. He further claimed that the seizures damaged his teeth.
- Tisdale eventually came under doctors' care for his psychiatric issues, seizures, and visual and auditory disturbances. He claimed that these issues, along with his loss of appetite, sleep disturbances and dental problems, are all ongoing.
- Testimony about Tisdale's life-care needs ranged from

- Tisdale sought compensatory damages only, consisting of future economic damages and past and future noneconomic damages. For noneconomic damages, Tisdale's attorneys asked the jury for \$91 million.
- The defense argued that Tisdale had emotional and psychological problems before this incident and that other factors caused his ongoing problems. The defense pointed to Tisdale's use of alcohol and marijuana, spotty employment history, homelessness and arguments with his boyfriend. The defense also argued that, by not following his doctors' advice, he failed to mitigate his damages.

RESULT: The jury assigned 90 percent liability to APRO and 10 percent liability to Tisdale. It determined that Tisdale's damages totaled \$91 million. The verdict was reduced to \$81.9 million to reflect Tisdale's comparative negligence. Tisdale's counsel said that this is the largest compensatory damages award for one person in the history of Washington State.

POST TRIAL: The court denied APRO's motions for remittitur and new trial. APRO has appealed.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiff's counsel. Defense counsel did not respond to the reporter's phone calls.

**NO. 7
INTENTIONAL TORTS**

Restaurant's patrons claimed they were beaten in altercation

AMOUNT: \$81,865,102.00

VENUE: California (Los Angeles County)

JUDGE: Susan Bryant-Deason

CASE NAME: *Anne Greene and Matthew Greene v. Alberto Daniel Driz, Maurice Driz, Shawn Driz, William Aubrey Joelson and Aaron Joseph Torbati / Jeremy Findel v. Alberto Daniel Driz, Maurice Driz, Shawn Driz, William Aubrey Joelson and Aaron Joseph Torbati*, No. BC643270; BC643450

DATE: July 29, 2021

PLAINTIFF ATTORNEY(S):

- Christopher V. Bulone; Dordick Law Corp. for Anne Greene, Matthew Greene
- Terry J. Cole; Dordick Law Corp. for Anne Greene, Matthew Greene
- John P. Kristensen; Kristensen LLP for Jeremy Findel

DEFENSE ATTORNEY(S):

- None reported for Aaron Joseph Torbati
- Alberto Daniel Driz; pro se for
- Maurice Driz; pro se for
- Shawn Driz; pro se for
- William Aubrey Joelson; pro se for

FACTS: On April 17, 2015, plaintiff Anne Greene, 33, a model and actress, her brother, plaintiff Matthew Greene, 37, a restaurant's owner, and plaintiff Jeremy Findel, 42,

roughly \$3 million, if he lives in a group home, to \$12 million, if caregivers come to his house.

an associate of Matthew Greene, dined on the patio of a restaurant on La Cienega Boulevard, in West Hollywood.



Several other patrons, Alberto Driz, Maurice Driz, Shawn Driz and William Joelson became involved in an argument with the restaurant's valet. An altercation ensued in the valet area, and the Greens and Findel interceded. Anne Greene suffered injuries of her face and her head; Matthew Greene suffered injuries of his abdomen, his back and his head; and Findel suffered injuries of his head. Alberto Driz, Maurice Driz and Shawn Driz were arrested, and they served brief sentences after plea bargains. The Greens sued Alberto Driz, Maurice Driz, Shawn Driz, Joelson and another individual believed to have been involved in the altercation, Aaron Torbati. The lawsuit alleged that the Greens were battered during the altercation. In a separate filing, Findel also sued Alberto Driz, Maurice Driz, Shawn Driz, Joelson and Torbati. The lawsuit alleged that Findel was battered during the altercation. The lawsuits were consolidated. Plaintiffs' counsel negotiated a settlement of the claims against Torbati. Terms were not disclosed. The matter proceeded to a trial against the remaining defendants. Plaintiffs' counsel contended that the Greens and Findel were battered by Alberto Driz, Maurice Driz, Shawn Driz and Joelson. The restaurant's manager claimed that Alberto Driz and Maurice Driz battered Anne Greene, and another witness claimed that Albert Driz admitted to having struck Anne Greene. Plaintiffs' counsel argued that Joelson and Shawn Driz were responsible for Anne Greene's attack as aiders and abettors. The defendants claimed that they were attacked by the Greens and Findel and that any intentional contact was done in self-defense.

INJURY:

- Anne Greene suffered fractures of her orbital bone, skull and jaw. She claimed that she also suffered a mild concussion and resultant damage of her brain. She claimed that she developed post-traumatic stress disorder.
- Greene further claimed that she missed time from work as a result of her injuries. She also claimed that she has residual difficulties with relationships with men and that she would need psychotherapy.
- Greene sought recovery of past lost earnings, future medical expenses, damages for past and future pain and suffering, and punitive damages.
- Matthew Greene claimed that he suffered an injury of his abdomen, fractures of his T12 and L1 vertebrae, a mild concussion, and resultant damage of his brain. He claimed that he developed post-traumatic stress disorder.
- Greene required surgical removal of a 7-centimeter portion of his small intestine. He claimed that he requires further treatment.
- Greene sought recovery of \$310,443 for past medical expenses, \$40,512 for future medical expenses, unspecified damages for past and future pain and suffering, and punitive damages.
- Findel claimed that he suffered an injury of his head, resultant damage of a nerve and a residual loss of his right ear's auditory ability. He also claimed that he feels a sense of compression or pressure in his head every day. Findel's expert neurologist opined that the pressure in Findel's head

- Findel sought recovery of medical expenses, damages for past and future pain and suffering, and punitive damages.

RESULT: The jury found in favor of the plaintiffs on the battery claims. It also found that Alberto Driz, Maurice Driz, Shawn Driz and Joelson engaged in the conduct with malice or oppression. It determined that the plaintiffs' damages totaled \$81,865,102.

EDITOR'S COMMENT: This report includes information that was provided by plaintiffs' counsel. Additional information was gleaned from court documents. The defendants were not represented by counsel and were not asked to contribute.

NO. 8 ENERGY AND NATURAL RESOURCES

Oil companies blamed each other for cessation of activity

AMOUNT: \$73,039,191.00

VENUE: California (Kern County)

JUDGE: David R. Lampe

CASE NAME: *TRC Operating Company, Inc., a California corporation, and TRC Cypress Group, LLC, a California limited liability company v. Chevron U.S.A. Inc., a Pennsylvania corporation*, No. S1500CV282520

DATE: September 20, 2021

PLAINTIFF ATTORNEY(S):

- Valerie A. Lozano; Quinn Emanuel Urquhart & Sullivan, LLP for TRC Operating Co. Inc., TRC Cypress Group, LLC
- Christopher Tayback; Quinn Emanuel Urquhart & Sullivan, LLP for TRC Operating Co. Inc., TRC Cypress Group, LLC
- Scott L. Watson; Quinn Emanuel Urquhart & Sullivan, LLP for TRC Operating Co. Inc., TRC Cypress Group, LLC

DEFENSE ATTORNEY(S):

- James S. Bright; Bright and Brown; Glendale, CA for Chevron U.S.A. Inc.
- Maureen J. Bright; Bright and Brown; Glendale, CA for Chevron U.S.A. Inc.
- Thomas A. Manakides; Gibson, Dunn & Crutcher; Irvine, CA for Chevron U.S.A. Inc.
- Marcellus A. McRae; Gibson, Dunn & Crutcher; Los Angeles, CA for Chevron U.S.A. Inc.

FACTS: In 2011, plaintiff TRC Operating Co. Inc. and plaintiff TRC Cypress Group, LLC, operators of oil and gas fields, discovered that oil and other unwanted liquids had infiltrated their property. They suspected that the fluids had migrated from a neighboring operation at Midway-Sunset Oil Field, near Taft, in Kern County. The Midway-Sunset Oil Field was operated by Chevron U.S.A. Inc. The TRC entities, Chevron and other companies in the area had been utilizing a process called cyclic steaming, whereby steam is injected into a reservoir to produce oil. Subsequent fluid-to-surface events in the summer of 2011 ultimately led to the cessation of steaming operations

could be mitigated by off-label treatment, but that it could not be resolved.

in August 2011, coincident with the issuance of orders to stop all steam-injection operations near one of Chevron's



wells. The TRC entities claimed that their oil production resultantly declined dramatically from 2011 to 2015. TRC Operating and TRC Cypress Group sued Chevron. The lawsuit alleged negligence, trespass and nuisance. Chevron countersued the TRC entities. The countersuit also alleged negligence, trespass and nuisance. Plaintiffs' counsel argued that Chevron mismanaged its property around the parties' leases lines, thereby creating unsafe conditions that necessitated both operators to cease cyclic steaming for years. Plaintiffs' counsel argued that Chevron failed to properly abandon damaged wells on its property, that Chevron negligently steamed damaged wells, and that Chevron negligently installed a subterranean containment vessel, a French drain. Plaintiffs' counsel argued that Chevron's negligence caused oil and other fluids to flow from Chevron's property onto the TRC entities' property. Plaintiffs' counsel further claimed that Chevron's negligence caused the subsequent fluid-to-surface events that led to the cessation of steaming operations in August 2011. Chevron's counsel contended that the steaming-operations cessation was a product of negligent operating practices, which included steaming in or near compromised and broken wellbores, by the TRC entities.

INJURY:

- The TRC entities claimed that millions of dollars had to be spent to remediate fluids that flowed onto their property from Chevron's property. They also claimed that there was a loss of profits as a result of oil production being dramatically reduced.
- The TRC entities sought recovery of the cost of remediation and the loss of profits caused by the lost oil production from 2011 to 2015.
- Chevron's counsel contended that the TRC entities could not recover costs that were attributable to their compliance with, and efforts to lift, the order ceasing steaming operations. Chevron sought recovery of more than \$50 million in damages.

RESULT: The jury found in favor of the TRC entities. It determined that their damages totaled \$73,039,191, which was for TRC's lost profits and out-of-pocket costs.

POST TRIAL: Chevron's counsel moved for a new trial, and the motion was granted.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' and defense counsel.

John L. Burris

A Champion For Peoples Rights.

Select Results from 2020 and 2021

- ▶ Martin v. City of San Jose (2021)
- ▶ Banks-Reed v. Bay Area Rapid Transit (2021)
- ▶ Jah V Rancho Cordova S/B E.T. v. Rancho Cordova (2020)



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NO. 9 CONTRACTS

Insurers underpaid for medical services, providers argued

AMOUNT: \$62,650,512.00

VENUE: Nevada (Clark County)

JUDGE: Nancy L. Allf

CASE NAME: *Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd. d/b/a Ruby Crest Emergency Medicine v. United Healthcare Insurance Company, United Health Care Services Inc., d/b/a UnitedHealthcare, UMR, Inc., d/b/a United Medical Resources, Sierra Health and Life Insurance Company, Inc. and Health Plan of Nevada, Inc.*, No. A-19-792978-B

DATE: December 07, 2021

PLAINTIFF ATTORNEY(S):

- John Zavitsanos (Lead); Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C. for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.
- Joseph Y. Ahmad; Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C. for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.
- Michael Killingsworth; Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C. for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.
- P. Kevin Leyendecker; Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C. for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.
- Louis Liao; Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C. for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.
- Pat Lundvall; McDonald Carano LLP for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.
- Jason S. McManis; Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C. for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.
- Justin C. Fineberg; Lash & Goldberg LLP for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.
- Kristen T. Gallagher; McDonald Carano LLP for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.
- Amanda M. Perach; McDonald Carano LLP for Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd.

DEFENSE ATTORNEY(S):

- K. Lee Blalack II; O'Melveny & Myers LLP; Washington, D.C., DC for United Healthcare Insurance Company, United Health Care Services Inc., UMR, Inc., Sierra Health and Life

Health Care Services Inc., UMR, Inc., Sierra Health and Life Insurance Company, Inc., Health Plan of Nevada, Inc.

- Colby L. Balkenbush; Weinberg Wheeler Hudgins Gunn & Dial; Las Vegas, NV for United Healthcare Insurance Company, United Health Care Services Inc., UMR, Inc., Sierra Health and Life Insurance Company, Inc., Health Plan of Nevada, Inc.
- D. Lee Roberts Jr.; Weinberg Wheeler Hudgins Gunn & Dial; Las Vegas, NV for United Healthcare Insurance Company, United Health Care Services Inc., UMR, Inc., Sierra Health and Life Insurance Company, Inc., Health Plan of Nevada, Inc.

FACTS: From July 2017 to January 2020, plaintiffs Fremont Emergency Services Ltd., Team Physicians of Nevada-Mandavia P.C., and Crum Stefanko and Jones Ltd., all of which are professional emergency medicine services groups, staffed emergency departments at various hospitals throughout Nevada. They claimed that a dispute arose between themselves and insurers United Healthcare Insurance Co., United Health Care Services Inc., UMR, Inc., Sierra Health and Life Insurance Co. Inc., and Health Plan of Nevada Inc., regarding the rate at which the insurers reimburse the emergency medical providers. The insurers allegedly manipulated their payment rates to deny Fremont, Team Physicians, and Crum Stefanko reasonable payment for their services. Fremont, Team Physicians, and Crum Stefanko sued United Healthcare, United Health Care Services, UMR, Sierra and Health Plan. The lawsuit alleged claims of breach of implied contract, unjust enrichment and insurance unfair settlement practices. Plaintiffs' counsel argued that the defendants accepted and retained the benefit of the emergency services provided by Fremont, Team Physicians, and Crum Stefanko for the members of United's health plans and did so knowing that the plaintiffs expected to be paid the reasonable value of services provided. The plaintiffs' counsel provided evidence that showed that defendants paid as little as 20 percent of billed charges. In one instance, United Healthcare only allowed \$254 for a gunshot wound billed at \$1,428. Plaintiffs further provided evidence that for every dollar United underpaid plaintiffs, United made 35 percent of that dollar as part of its shared savings program. As an example, for the \$1,428 billed charge for which United paid \$254, United "saved" \$1,174 and therefore United pocketed \$411, which was more than United paid for the emergency room services. The defense maintained that the medical bills the plaintiffs produced to the insurers were egregious and inflated. The defense further argued that the amounts ultimately paid to the plaintiffs were fair and reflected the market value. The defense also contended that the defendants paid the emergency room services in accordance with their plan documents.

INJURY:

- The plaintiffs' expert in forensic accounting calculated two figures for damages: \$10.4 million, which represented the difference between the bill charge and what the defendants actually paid, and \$6.1 million, which represented the difference between what United paid all other emergency providers in Nevada, on average, and what the defendants actually paid.
- The plaintiffs' counsel argued that the defendants have

- Insurance Company, Inc., Health Plan of Nevada, Inc.
- Jeffrey E. Gordon; O'Melveny & Myers LLP; Washington, D.C., DC for United Healthcare Insurance Company, United

reaped millions of dollars from their illegal, coercive, unfair and fraudulent conduct, and will reap millions more if their conduct is not stopped. The plaintiffs' counsel also



argued that the defendants' conduct constituted unfair claims practices that warranted punitive damages.

- The plaintiffs sought to recover compensatory damages and \$100 million in punitive damages.
- The defense's expert in economics disputed that the billed charges brought forth by the plaintiffs were even relevant to reasonable market analysis. The expert concluded that the amount the defendants paid to the plaintiffs was appropriate and that no more was owed to them. The defense further maintained that the plaintiffs were not entitled to punitive damages.

RESULT: The jury found that the defendants engaged in malice, oppression and fraud in the underpayment of the emergency-room doctors. It determined that the plaintiffs' damages totaled \$62,650,512.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Defense counsel did not respond to the reporter's phone calls.

NO. 10 PRODUCTS LIABILITY

Plaintiffs: Defendant's PCBs caused students' and staff's illnesses

AMOUNT: \$62,135,000.00

VENUE: Washington (King County)

JUDGE: Douglass A. North

CASE NAME: *Angela M. Bard and William Bard, individually and as legal guardians of minor J.D.B.; Jessica L. Bard; John M. Beutler; Stacy R. Mullen-Deland and Eric Deland, individually and as legal guardians of minors A.S.M.D. and C.R.M.D.; Donya C. Grant and Weldon J. Grant, individually and as legal guardians of minors H.B.G., K.M.G., M.A.G. and R.K. G., No. 18-2-00001-7 SEA*

DATE: November 10, 2021

PLAINTIFF ATTORNEY(S):

- Richard H. Friedman (Lead); Friedman | Rubin for Melanie L. Long, A. D. L., A. R. L., I. R. L., Ilyana A. Long, Joel Pritchett, Cheryl T. Pritchett, James L. Woodard
- Henry G. Jones; Friedman | Rubin for Melanie L. Long, A. D. L., A. R. L., I. R. L., Ilyana A. Long, Joel Pritchett, Cheryl T. Pritchett, James L. Woodard
- Sean J. Gamble; Friedman | Rubin for Melanie L. Long, A. D. L., A. R. L., I. R. L., Ilyana A. Long, Joel Pritchett, Cheryl T. Pritchett, James L. Woodard

DEFENSE ATTORNEY(S):

- Jennifer Campbell; Schwabe, Williamson & Wyatt PC for Pharmacia LLC
- Adam E. Miller; Shook, Hardy & Bacon L.L.P. for Pharmacia LLC
- None reported; Shook, Hardy & Bacon L.L.P. for Monsanto Company, Solutia, Inc., Monroe School District No. 103, Union High School District NO. 402

Woodard, 51, a teacher; Ilyana Long, 23; Aidan Long, 20; Ian Long, 13; Aya Long, 17; and Melanie Long, 47, a teacher, attended the Sky Valley Education Center in Monroe. They claimed that they were exposed to synthetic chemicals called polychlorinated biphenyls, or PCBs, that were contained in the school and caused them to suffer various injuries and ailments. Pritchett, Woodard and the Longs sued the manufacturer of the PCBs, Pharmacia LLC. They alleged claims under a theory of products liability, including design and manufacturing defects and failure to warn. The individuals also sued Pharmacia's predecessor, Monsanto Co.; Solutia Inc., a Monsanto subsidiary; the school district, and Union High School District No. 402. The claims against Monsanto, Solutia and the school and health districts either were dismissed, or concluded via dispositions involving undisclosed terms, prior to trial. Sky Valley was built in the 1950s. The Pharmacia-manufactured PCBs were present in the school's caulking, paints, and sealants, and used in interior and exterior windows, doors, and masonry joints. The plaintiffs argued that Pharmacia, the only manufacturer of PCBs before the chemicals fell out of use decades ago, knew the compounds posed a serious health risk but withheld that information from the public for years. The plaintiffs' counsel argued that Pharmacia, since the 1930s, had known that PCBs are toxic, yet promoted them without adequate warnings, and the decision to do so was driven by profits, according to internal memoranda. From the 1930s to 1977, Pharmacia was the only manufacturer in the United States that intentionally produced and promoted PCBs for commercial use. By the late 1970s, the federal government banned the manufacture, processing, distribution in commerce and use of PCBs. The plaintiffs' expert in toxicology testified that PCBs are extremely toxic and damage essentially every system of the human body. The plaintiffs' experts in epidemiology and public health testified that epidemiological data and experiments on laboratory animals indicate that exposure to PCBs pose carcinogenic and other risks to humans. The defense maintained that the PCBs in the school were at such low levels that it was not possible that the plaintiffs were harmed by their exposure. The defense's expert in chemicals testified that PCB testing at the school showed extremely low levels, and the plaintiffs' tests contained the normal amounts of PCB levels found in the U.S. population. According to the defense's expert in toxicology, the evidence showed that the plaintiffs were not exposed to unsafe levels of PCBs or that those levels caused injuries.

INJURY:

- The plaintiffs alleged that they suffered adverse medical effects, including neurological damage, cancers and autoimmune and endocrine diseases.
- Each plaintiff consulted with their primary care physician, saw a neurologist or a neuropsychologist, and they were ultimately diagnosed with brain damage, which they attributed to their PCB exposure.
- In seeking punitive damages, the plaintiffs' counsel argued that Pharmacia's conduct was reckless and willfully disregarded the safety and well-being of the plaintiffs

FACTS: Between 2011 and 2016, either as faculty or as a student, plaintiffs Cheryl Pritchett, 40, a teacher; James

- The plaintiffs each sought recovery of compensatory and punitive damages. Pritchett's husband sought damages for his claim for loss of consortium.



- The defense maintained that the plaintiff's injuries and treatment were unrelated to their PCB exposure.

RESULT: The jury found that Pharmacia supplied a product that was not reasonably safe in construction and was not reasonably safe as designed. The jurors determined that Pharmacia was negligent by supplying a product that was not reasonably safe because adequate warnings or instructions were not provided after the product was manufactured. According to the jury, Pharmacia's negligence was a proximate cause of injury or damage to the plaintiffs. The plaintiffs were determined to receive \$62,135,000.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Defense counsel did not respond to the reporter's phone calls. The other plaintiffs and defendants were not asked to contribute.

NO. 11 MEDICAL MALPRACTICE

Breathing tube negligently removed during ambulance ride

AMOUNT: \$49,800,000.00

VENUE: California (Fresno County)

JUDGE: Kristi Culver Kapetan

CASE NAME: *Nicholas R. Merlo, by and through his Conservator and Guardian ad Litem, Kaci K. Merlo, and Kaci K. Merlo, individually v. Pristine Surgery Center, Inc., Prahalad B. Jajodia, M.D., Simranjit Singh Bassi, CRNA, American Ambulance, Brina Portillo, Ashley Bowman, Allison Freer, Jeffrey Schneider, and Does 1-20, No. 18CECG03026*

DATE: October 05, 2021

PLAINTIFF ATTORNEY(S):

- Daniel R. Baradat (Lead); Baradat & Paboojian LLP for Nicholas R. Merlo, Kaci K. Merlo
- Warren R. Paboojian; Baradat & Paboojian LLP for Nicholas R. Merlo, Kaci K. Merlo
- Adam B. Stirrup; Baradat & Paboojian LLP for Nicholas R. Merlo, Kaci K. Merlo

DEFENSE ATTORNEY(S):

- Vanessa L. Efremsky; Bowles & Verna LLP; Walnut Creek, CA for American Ambulance, Brina Portillo, Allison Freer, Ashley Bowman, Katherine Schneider
- Pamela B. Shafer; Bowles & Verna LLP; Walnut Creek, CA for American Ambulance, Brina Portillo, Allison Freer, Ashley Bowman, Katherine Schneider
- Michael F. Ball; McCormick Barstow LLP; Fresno, CA for Pristine Surgery Center, Inc., Prahalad B. Jajodia
- Daniel L. Wainwright; McCormick Barstow LLP; Fresno, CA for Pristine Surgery Center, Inc., Prahalad B. Jajodia
- Robert C. Reback; Reback, McAndrews & Blessey LLC; Manhattan Beach, CA for Simranjit Singh Bassi
- None reported for Jeffrey Schneider, Regional Anesthesia Associates, Eric Graham

gastroenterologist, Dr. Pralahad Jajodia, at Pristine Surgery Center, in Fresno. During the procedure, a certified registered nursing anesthetist, Simranjit Singh Bassi, reported that Merlo's oxygen saturation had declined. He terminated the procedure, administered oxygen and medication, and intubated Merlo. An ambulance was summoned. Bassi subsequently administered a muscle relaxant, rocuronium, that completely paralyzed Merlo. An ambulance, staffed by a paramedic, Brina Portillo, and an emergency medical technician, Ashley Bowman, arrived. Portillo and Bowman summoned another ambulance to assist in transferring Merlo to a gurney. The second ambulance was staffed by a paramedic, Allison Freer, another paramedic, Katherine Schneider, and an emergency medical technician. Jajodia told the ambulance crew to transport Merlo to Clovis Community Medical Center, in Clovis, where Jajodia had privileges. Bowman drove the ambulance, and Freer, Portillo and Schneider rode in the back to monitor Merlo. They detected a loss of the left lung's function, so they decided to extubate and re-intubate. They were not able to perform the re-intubation. Upon arrival at Clovis Community Medical Center, Merlo suffered cardiac arrest caused by a lack of oxygen. He suffers permanent residual damage of his brain. Merlo's wife, Kaci Merlo, acting as her husband's conservator and guardian ad litem, sued Pristine Surgery Center's operator, Pristine Surgery Center Inc.; Jajodia; Bassi; Bassi's employer, Regional Anesthesia Associates; Portillo; Freer; Bowman; Schneider; and the ambulances' operator, American Ambulance. The lawsuit alleged that Jajodia and Bassi failed to properly treat Nicholas Merlo, that their failure constituted malpractice, and that Portillo, Freer, Bowman and Schneider were grossly negligent in their care and treatment of Merlo. The lawsuit further alleged that Pristine Surgery Center Inc. was vicariously liable for Jajodia's actions, that Regional Anesthesia Associates was vicariously liable for Bassi's actions, and that American Ambulance was vicariously liable for the actions of Portillo, Freer, Bowman and Schneider. Bowman, Jajodia, Pristine Surgery Center Inc. and Regional Anesthesia Associates were dismissed. The matter proceeded against Bassi, Portillo, Freer, Schneider and American Ambulance. Plaintiffs' counsel argued that Bassi was negligent for beginning a cascade of events by failing to adequately sedate Nicholas Merlo and failing to travel with him in the ambulance to the hospital. Plaintiffs' counsel also argued that Portillo, Freer and Schneider were grossly negligent for failing to contact the base hospital and for pulling Merlo's endotracheal tube in the ambulance. Plaintiff's counsel contended that the paramedics were also grossly negligent for not contacting Clovis Community Medical Center before extubating Merlo for failing to use a proper monitor during their re-intubation attempts for failing to assess Merlo's airway for accepting the destination decision from Jajodia, rather than taking Merlo to the closest hospital; and for waiting for the second ambulance. Plaintiffs' counsel further contended that if the paramedics felt the tube placement was not good, then they were grossly negligent for taking Merlo in the ambulance and for not asking Bassi for assistance. Bassi contended that he had properly placed the endotracheal tube and that the paramed-

FACTS: On March 14, 2018, plaintiff Nicholas Merlo, 39, a loan officer, underwent an esophagogastroduodenoscopy: endoscopic exploration of the esophagus, stomach and small intestine. The procedure was performed by a

ics were grossly negligent for removing the endotracheal tube while Merlo was in the ambulance being transported to the hospital. Counsel for American Ambulance and its employees argued that American Ambulance's employees were



properly trained, were not grossly negligent, and acted in accordance with their training. Counsel contended that Bassi initially placed the breathing tube incorrectly, and American Ambulance's personnel claimed that there was some conversation regarding whether the endotracheal tube that had been placed was a "good tube" or had "good placement." However, Bassi denied that those conversations occurred, and he testified that Merlo was hemodynamically stable for transport to the hospital when he left the surgery center. The three paramedics testified that while they were in transit, Merlo's oxygen saturation levels dropped to levels that were inconsistent with what was documented in the ambulance record. Portillo, who was responsible for accurately recording the events as they occurred in the back of the ambulance, testified that the ambulance record she created contained 15 errors or mistakes that were never corrected or told to American Ambulance. Counsel of American Ambulance and its personnel further argued that the emergency room physician at Clovis Community Medical Center, Dr. Eric Graham, was negligent for not intubating Merlo quickly enough when Merlo arrived at the emergency room. Although Graham was not a defendant, he was included on the verdict form as an "other nonparty" at the request of American Ambulance's counsel.

INJURY:

- Merlo suffered a hypoxic brain injury. He also suffered a cardiac arrest. Merlo exists in a permanent vegetative state.
- Kaci Merlo sought recovery of her husband's past and future medical expenses, damages for his past and future loss of earnings, and damages for his past and future pain and suffering. Kaci Merlo, who was 8.5 months pregnant at the time she took her husband to the surgery center, also sought recovery for the loss of her husband's love, companionship, comfort, care, assistance, protection, affection, society, moral support, enjoyment of sexual relations, and ability to have children.

RESULT: The jury rendered a mixed verdict: It found that Bassi and Graham were not negligent, but that American Ambulance and/or its employees were negligent in the assessment and/or treatment of Nicholas Merlo. The jury apportioned 100 percent liability to American Ambulance and/or its employees, and no responsibility to Bassi or Graham. It determined that the Merlos' damages totaled \$49.8 million.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Defense counsel for Jajodia, Pristine Surgery Center, Bassi, American Ambulance, Portillo, Freer and Katherine Schneider did not respond to the reporter's phone calls. Counsel for Bowman, Graham, Jeffrey Schneider and Regional Anesthesia Associates were not asked to contribute.

**NO. 12
MOTOR VEHICLE**

Motorcycle cop struck by car while pursuing speeding driver

AMOUNT: \$49,640,094.00
VENUE: California (Los Angeles County)
JUDGE: Edward B. Moreton Jr.
CASE NAME: *Eric Bejar and Christina Bejar v. Josefina Lopez*, No. BC675339
DATE: October 20, 2021

PLAINTIFF ATTORNEY(S):

- Khail A. Parris; PARRIS Law Firm for Eric Bejar
- R. Rex Parris; PARRIS Law Firm for Eric Bejar
- Bruce L. Schechter; PARRIS Law Firm for Eric Bejar
- Ibiere N. Seck; Seck Law, P.C. for Christina Bejar

DEFENSE ATTORNEY(S):

- Tatiana Dupuy; Gordon Rees Scully Mansukhani, LLP; San Diego, CA for Josefina Lopez
- Gabriel G. Hedrick; Gordon Rees Scully Mansukhani, LLP; San Diego, CA for Josefina Lopez
- William M. Rathbone; Gordon Rees Scully Mansukhani, LLP; San Diego, CA for Josefina Lopez
- Kurt W. Hallock; Law Offices of Kurt W. Hallock; San Diego, CA for Josefina Lopez

FACTS: On Sept. 8, 2015, plaintiff Eric Bejar, 49, a California Highway Patrol officer, was motorcycling on Interstate 5, near Santa Clarita. He was pursuing a speeding motorist. The motorist began to merge onto the roadway's median, and Bejar followed. His motorcycle's rear end was struck by a trailing car that was being driven by Josefina Lopez. Bejar was propelled onto the roadway, and he claimed that he suffered injuries of his back, his face, his head, his knees, his neck, his shoulders and a wrist. Bejar sued Lopez. The lawsuit alleged that Lopez was negligent in the operation of her vehicle. Bejar's counsel contended that Bejar's motorcycle had its emergency lights activated, but that Lopez failed to properly react. Lopez's counsel contended that Bejar and the speeding motorist caused the accident. The jury was permitted to allocate liability to the speeding motorist.

INJURY:

- Bejar was transported to Henry Mayo Newhall Hospital, in Valencia. Doctors diagnosed a fracture of a vertebra of his spine's cervical region, a fracture of an orbital bone and resultant damage of an eye's tendon. Bejar claimed that he also suffered a concussion and mild residual damage of his brain; herniations of his C3-4, L2-3, L3-4 and L5-S1 intervertebral discs; a tear of his right, dominant shoulder's rotator cuff; a tear of the same shoulder's glenoid labrum; a sprain of his left shoulder; a tendon tear in each knee; and an injury of one arm's ulnar nerve, with resultant wrist pain and paresthesia that weakened his grip.
- Bejar underwent surgical repair of his injured eye, fusion



- Bejar claimed that he has developed chronic pain syndrome, that he suffers residual diminution of his neck's range of motion, that he suffers residual diminution of his right shoulder's range of motion, and that his injured eye has developed diplopia, which is commonly termed "double vision." He also claimed that his back, his left knee and his injured wrist remain painful. He claimed that his pain worsens when he lays in bed and has resultantly been sleeping in a reclining chair. He also claimed that his residual effects prevent his performance of any type of work.
- Bejar further claimed that he suffers residual effects of his brain's injury, such as depressive anxiety disorder. He claimed that he experiences moodiness that causes occasional outbursts, such as episodes of verbal abuse, and he contended that his condition has affected his marriage.
- Bejar also claimed that his left knee requires surgery, that his injured wrist may require fusion, and that he may require further fusion of his spine's cervical region. A doctor has also suggested further eye surgery but does not expect that the procedure would produce significant improvement.
- Bejar sought recovery of future medical expenses, a total of more than \$2 million for past and future loss of earnings, and unspecified damages for past and future pain and suffering. His wife, Christina Bejar, sought recovery of damages for loss of consortium.
- Defense counsel contended that Eric Bejar did not suffer damage of the brain.

RESULT: The jury found that Lopez was entirely liable for the accident. The jury determined that the Bejars' damages totaled \$49,640,094.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Defense counsel did not respond to the reporter's phone calls.

of his spine's C4-5, C5-6 and C6-7 levels; debridement of damaged tissue in his right shoulder; and ablation of problematic spinal nerves in his lumbar region. He also underwent injections that were directed to his painful wrist.

NO. 13 INTENTIONAL TORTS

Broker claimed former colleagues defamed him

AMOUNT: \$38,972,500.00

VENUE: California (Glenn County)

JUDGE: Alicia Ekland

CASE NAME: *Dalas L. Gundersen v. Does 1 to 50*, No. 15CV01484

DATE: September 09, 2021

PLAINTIFF ATTORNEY(S):

- John R. Garner (Co-Lead); Garner & Associates for Dalas L. Gundersen
- Ognian A. Gavrilov (Co-Lead); Gavrilov & Brooks for Dalas L. Gundersen
- Erika M. Gaspar; Law Office Of Erika M. Gaspar for Dalas L. Gundersen

DEFENSE ATTORNEY(S):

- Phillip R. Bonotto; Gurnee Mason Rushford Bonotto Forestiere; Roseville, CA for Paul Betenbaugh
- Tracy W. Fritch-Thym; Gurnee Mason Rushford Bonotto Forestiere; Roseville, CA for Paul Betenbaugh
- Samuel ("Skip") A. Keesal Jr.; Keesal, Young & Logan; Long Beach, CA for Lisa Rodriguez, Edward D. Jones & Co., LP
- Simon M. Levy; Keesal Young & Logan; San Francisco, CA for Lisa Rodriguez, Edward D. Jones & Co., LP
- Julie L. Taylor; Keesal, Young & Logan; San Francisco, CA for Lisa Rodriguez, Edward D. Jones & Co., LP

FACTS: In September 2015, plaintiff Dalas Gundersen, a broker, began receiving phone calls and text messages in reply to Web postings soliciting sexual acts and including his business phone number. Some nine months earlier, Gundersen had been terminated from an adviser role at a financial-services firm, Edward D. Jones & Co., L.P. Gundersen established his own firm a half-mile away. He was not permitted to retain his client book, but he kept using the business telephone he used at Edward D. Jones & Co. Gundersen claimed that Paul Betenbaugh, an adviser who oversaw the Edward Jones office in Glenn County, and Lisa Rodriguez, an adviser who replaced Gundersen at his former office in Glenn County and who was to take over his clientele, which included \$140 million in assets, had created the Web postings. Gundersen sued Betenbaugh, Rodriguez and Edward D. Jones & Co. The lawsuit alleged that the defendants' actions constituted defamation and an intentional infliction of emotional distress. Plaintiff's counsel claimed that Betenbaugh created the phony Web postings to generate harassment that would compel Gundersen to change his business phone number, thus abandoning clients. Plaintiff's counsel also claimed that Rodriguez defamed Gundersen by telling others that Gundersen could not be trusted to handle clients' money. Plaintiff's counsel further claimed that Betenbaugh and Rodriguez exchanged emails indicating that they wanted to run Gundersen out of town. Betenbaugh admitted to having created two of the

town. Betenbaugh admitted to having created two of the phony ads. He was fired in February 2016. The remaining defendants' counsel claimed that Betenbaugh was solely behind the harassment of Gundersen and that Rodriguez and the firm had not been aware of Betenbaugh's actions.



INJURY:

- Gundersen claimed that the defendants damaged his reputation. He also claimed that he suffered emotional distress that included anxiety and humiliation. He sought recovery of compensatory and punitive damages.

RESULT: The jury found against Betenbaugh and Rodriguez. It determined that Gundersen's damages totaled \$38,972,500.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiff's counsel. Defense counsel did not respond to the reporter's phone calls.

**NO. 14
MOTOR VEHICLE**

Child fatally struck by garbage truck at intersection

AMOUNT: \$38,750,000.00

VENUE: Nevada (Clark County)

JUDGE: Jacqueline M. Bluth

CASE NAME: *Encarnacion Espana, as Personal Representative of the Estate of Jazmin Honorato Espana v. Republic Silver State Disposal, Inc., Republic Services, Republic Services, Inc. and Julio Cortez-Solano*, No. A-18-782026-C

DATE: August 24, 2021

PLAINTIFF ATTORNEY(S):

- Sean K. Claggett; Claggett & Sykes Law Firm for Encarnacion Espana, Estate of Jazmin(deceased) Honorato Espana
- Micah S. Echols; Claggett & Sykes Law Firm for Encarnacion Espana, Estate of Jazmin(deceased) Honorato Espana
- Patrick W. Kang; Ace Law Group for Encarnacion Espana, Estate of Jazmin(deceased) Honorato Espana
- Geordan G. Logan; Claggett & Sykes Law Firm for Encarnacion Espana, Estate of Jazmin(deceased) Honorato Espana
- William T. Sykes; Claggett & Sykes Law Firm for Encarnacion Espana, Estate of Jazmin(deceased) Honorato Espana

DEFENSE ATTORNEY(S):

- David Leslie Barron; Barron & Pruitt, LLP; North Las Vegas, NV for Julio Cortez-Solano, Republic Silver State Disposal, Inc., Republic Services, Republic Services Inc.
- Joel D. Henriod; Lewis & Roca; Las Vegas, NV for Julio Cortez-Solano, Republic Silver State Disposal, Inc., Republic Services, Republic Services Inc.
- Daniel F. Polsenberg; Lewis & Roca; Las Vegas, NV for Julio Cortez-Solano, Republic Silver State Disposal, Inc., Republic Services, Republic Services Inc.

INSURER:

- Chubb Insurance Co
- Ace Group of Cos.
- Berkshire Hathawa

Cortez-Solano, who had been traveling northbound on Sandhill, was making a right turn onto Viking at the time of the accident. Espana died at the scene. Encarnacion Espana, as the personal representative of the estate of her daughter, sued Cortez-Solano for negligence and wrongful death. The estate also sued the owners of the garbage truck, Republic Silver State Disposal, Inc., Republic Services and Republic Services, Inc., claiming they were vicariously liable for the driver's negligence because he was engaged in the course and scope of employment at the time. Espana's friend testified that she did not see the truck's turn signal activated and that the truck slowed, but did not come to a stop, before turning. Surveillance video reportedly backed up this claim. Also, the estate alleged that Cortez-Solano had a history of traffic and safety violations prior to the incident, of which the Republic entities were aware, and the Republic entities were negligent in their hiring and retention of Cortez-Solano. The estate further alleged that the girls had the "Walk" signal at the intersection, indicating that they had the right of way. The defendants denied liability. Cortez-Solano contended that the crosswalk was clear before he attempted his turn.

INJURY:

- Espana suffered blunt force trauma to her head and most of her body, resulting in her death at the scene. Espana's mother sought to recover damages for the value of her daughter's life and damages for her own pain and suffering as a result of her daughter's death.

RESULT: The jury determined that the estate's damages totaled \$38.75 million.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Defense counsel did not respond to the reporter's phone calls.

FACTS: On Feb. 8, 2017, at approximately 2:45 p.m., plaintiff's decedent Jazmin Honorato Espana, 11, was walking with a friend after school on South Sandhill Road, Las Vegas. As they attempted to cross at East Viking Road, Espana was struck by a garbage truck driven by Julio Cortez-Solano.



NO. 15 BUSINESS LAW

Defendant used trade secrets to create competing platform: plaintiff

AMOUNT: \$30,330,000.00

VENUE: California (Federal)

CASE NAME: *LivePerson, Inc. v. [24]7.ai, Inc.*, No. 17-cv-01268-JST

DATE: June 17, 2021

PLAINTIFF ATTORNEY(S):

- Adam R. Alper; Kirkland & Ellis LLP for LivePerson Inc.
- Michael W. De Vries; Kirkland & Ellis LLP for LivePerson Inc.

DEFENSE ATTORNEY(S):

- Darin W. Snyder; O'Melveny & Myers; San Francisco, CA for [24]7.ai Inc.

FACTS: In 2013, plaintiff LivePerson Inc., a company specializing in live-interaction and customer-engagement technology for e-commerce websites, learned that a competing online chat platform had been released by [24]7.ai Inc., which provided call and chat center agents for use in online customer-service chat platforms, such as LivePerson's platform. Initially, [24]7.ai offered digital chat agents but did not have its own chat platform. Conversely, LivePerson offered a chat platform, but did not have digital chat agents to staff that platform. As a result, the two companies began working together and offering their combined services to mutual customers. Three of those customers were Capital One, Sears and Optus. LivePerson and [24]7.ai worked together to offer client services to Capital One from 2007 to 2014, to Sears from 2009 to 2014, and to Optus from 2009 to 2014. During those time periods, each client signed an agreement to use LivePerson's chat platform and separately signed an agreement to use [24]7.ai's digital chat agents. Through that working arrangement, [24]7.ai had access to the rules and data LivePerson developed for each of the three clients. In 2013, [24]7.ai introduced its own digital chat platform. Capital One, Sears and Optus had all switched to [24]7.ai's platform by 2014. LivePerson claimed that [24]7.ai used LivePerson's trade secret information to develop its own competing chat platform and take LivePerson's customers (including Capital One, Sears and Optus) and that [24]7.ai continues to use that protected information when providing chat platform services to those customers. LivePerson sued [24]7.ai, alleging that [24]7.ai's actions constituted a misappropriation of trade secrets and unfair competition. Plaintiff's counsel argued that [24]7.ai misappropriated 15 trade secrets, which mainly encompassed rules for operating customer-specific chat engines and the data those engines generated. Counsel contended that the rules and data for Capital One, Sears and Optus were developed by LivePerson and that [24]7.ai Inc., had gained access to that protected information while it was

platform. Defense counsel argued that LivePerson voluntarily assigned all of the IP rights arising out of the services to the customers and that the customers, themselves, provided information to [24]7.ai because they wanted to work with [24]7.ai, which was allegedly less expensive.

INJURY:

- LivePerson alleged that it lost profits as a result of [24]7.ai taking away its customers and continuing to use the protected information when providing chat platform services to those customers. LivePerson further alleged that [24]7.ai was unjustly enriched by its actions.
- LivePerson sought recovery of lost profits, as well as recovery of punitive damages due to [24]7.ai's conduct.
- Defense counsel argued that there should be no damages awarded to LivePerson.

RESULT: The jury found that [24]7.ai misappropriated LivePerson's trade secrets and engaged in unfair competition. The jury determined that LivePerson's damages totaled \$30.33 million, which included \$23.59 million in punitive damages.

EDITOR'S COMMENT: This report includes information that was provided by plaintiff's counsel. Additional information was gleaned from court documents. Defense counsel did not respond to the reporter's phone calls.

NO. 16 MEDICAL MALPRACTICE

Model/actress suffered brain damage due to anaphylactic shock

AMOUNT: \$29,500,000.00

VENUE: Nevada (Clark County)

JUDGE: Jacqueline M. Bluth

CASE NAME: *Deborah Jean Giacalone, in her capacity as the guardian of Chantel Rose Giacalone v. MedicWest Ambulance, Inc., MedicWest Holdings, Inc., Mandalay Resort Group, d/b/a Mandalay Bay Hotel & Casino, and Advanstar Communications Inc.*, No. A-15-714139-C

DATE: April 09, 2021

PLAINTIFF ATTORNEY(S):

- Christian Morris (Lead); Nettles Morris Law Firm for Deborah Jean Giacalone, Chantel Rose Giacalone
- Micah S. Echols; Claggett & Sykes Law Firm for Deborah Jean Giacalone, Chantel Rose Giacalone
- Jeffrey S. Cook; Driggers, Schultz & Herbst for Deborah Jean Giacalone, Chantel Rose Giacalone
- Victoria "Tori" R. Allen; Nettles Morris Law Firm for Deborah Jean Giacalone, Chantel Rose Giacalone

DEFENSE ATTORNEY(S):

- Adam A. Schneider; John Cotton & Associates; Las Vegas, NV for MedicWest Ambulance, Inc., MedicWest Holdings, Inc.

developing its own chat platform in late 2011 to early 2012. Counsel argued that as a result, [24]7.ai misappropriated LivePerson's technology and confidential information, and then engaged in unfair competition in order to create and refine [24]7.ai's own competing, live-interaction technology

- William W. Drury; Renaud Cook Drury Mesaros, PA; Phoenix, AZ for MedicWest Ambulance, Inc., MedicWest Holdings, Inc.
- Jeffrey S. Hunter; Renaud Cook Drury Mesaros, PA; Phoenix, AZ for MedicWest Ambulance, Inc., MedicWest Holdings, Inc.



- None reported for Mandalay Resort Group, Advanstar Communications Inc., Randa Accessories Leather Goods LLC

FACTS: On Feb. 20, 2013, plaintiff Chantel Rose Giacalone, 27, a model and actress, was working at a fashion trade show at the Mandalay Bay South Convention Center, in Las Vegas. Giacalone bit into a pretzel, which, unknown to her, had peanut butter in it. Giacalone, who is allergic to peanuts, suffered a severe allergic reaction and went into anaphylactic shock. She claimed that MedicWest Ambulance Inc., the onsite medical facility at the event, failed to properly treat her, which resulted in significant brain damage.

Deborah Giacalone, on behalf of her daughter, sued Mandalay Bay and MedicWest, as well as the organizer of the trade show, Advanstar Communications Inc., and vendor Randa Accessories Leather Goods LLC. Giacalone alleged negligence against all defendants and, more specifically, alleged that MedicWest failed in its standard of care toward her. The negligence claims against Mandalay Bay, Randa Accessories and Advanstar concluded via dispositions involving undisclosed terms. These three defendants were dismissed prior to trial. At the time of the incident, which was around 3 p.m., Giacalone bit into the pretzel, not knowing it had peanut butter. She immediately called her father, who told her to administer her EpiPen. He also told her to ask a friend who was with her to get her some Benadryl and to seek medical care immediately. According to Giacalone, when she presented to the MedicWest unit, the personnel did not believe she was having an allergic reaction, and instead asked her if she had been drinking and partying the previous night. Giacalone's friend testified that Giacalone was unable to take the Benadryl because she was unable to breathe, and was turning black and blue. Giacalone then lost consciousness and stopped breathing. Per the friend, it was only after Giacalone lost consciousness and stopped breathing that the medical personnel attempted to provide the lifesaving care, but it was too late. Giacalone's counsel alleged that the MedicWest medics also did not have the required dose of IV epinephrine, which the Southern Nevada Health District directed them to carry for the treatment of severe allergic reactions. Reportedly, the company had decided to eliminate the required IV epinephrine from the medics' jump bags because it was not used enough by medics, and epinephrine can expire and has to be thrown out. Citing internal documents, Giacalone's counsel claimed that MedicWest chose not to carry IV epinephrine because the company was saving \$2.42 per medic bag by eliminating the lifesaving drug from the bags. At 3:11 p.m., MedicWest called an ambulance. For the next 11 to 14 minutes, Giacalone laid there unconscious without oxygen to her brain. Once the medics arrived, Giacalone was intubated and she went into cardiac arrest. While in the ambulance and at the hospital, Giacalone was resuscitated further. It was later determined that she suffered debilitating brain damage, rendering her unable to walk or speak. Giacalone's counsel argued that MedicWest was negligent in failing to have IV epinephrine, an appropriate treatment for severe allergic reactions, on site

emergency medicine testified that MedicWest improperly evaluated Giacalone when she first presented to the medic station by not believing her when she told its personnel that she was suffering an allergic reaction. The expert stated that the staff wasted critical time by asking her unnecessary questions, such as whether she had been out drinking the previous night. The defense maintained that MedicWest treated Giacalone in accordance with the standard of care and there was no delay in her treatment. According to the defense's expert in emergency medicine, IV epinephrine would not have changed the outcome because Giacalone's allergic reaction was so severe. The defense's expert in pulmonology testified that science and medical literature demonstrates that there is no difference between intramuscular epinephrine and IV epinephrine. According to the defense's allergy expert, Giacalone, at 27 years old, was middle aged and it was dangerous to administer IV epinephrine to a middle-aged individual. The expert further stated that there was no amount of care that would have helped Giacalone because of the severity of her anaphylaxis.

INJURY:

- Following her admission to the hospital, Giacalone underwent multiple imaging studies, which showed the extent and severity of her hypoxic and anoxic brain injury. Unable to speak and move her extremities, Giacalone remained hospitalized for the next month. She was then transferred to her home in Michigan, where she treated at an inpatient rehabilitation facility through November 2013. After she could no longer cover medical costs, Giacalone was discharged to her parents' home, where their dining room was converted to a bedroom for their daughter. In the ensuing years, Giacalone's parents have provided round-the-clock care for her, which consists of helping with physical therapy, dressing, eating, bathing and going to the bathroom. This care was ongoing at the time of trial.
- Giacalone's expert in neurology testified that Giacalone suffered the devastating hypoxic brain injury during the 11 to 14 minutes she was unconscious while waiting for an ambulance to arrive.
- Giacalone's expert in physical medicine estimated that Giacalone, who was 35 years old at the time of trial, had a life expectancy of another 20 years. Based on the life expectancy, Giacalone's expert in life-care planning calculated \$15,400,040 in future medical costs. The life-care plan consisted of 24-hour nursing care, modifications to the Giacalone home, a handicap-accessible van, medications, and surgeries to correct her muscle spasms and atrophy
- Giacalone's parents testified that Giacalone is aware of what happened and that her body no longer functions as it used to. They discussed how Giacalone becomes excited when someone she knows comes into the room and that moaning is the best way to express that she is happy. She uses a speech-generating computer to communicate that she went to the bathroom and to brush her teeth.
- In addition to \$15,400,040 in future medical costs, Giacalone sought to recover \$2,400,000 in past medical and

adrenaline treatment for severe allergic reactions, on site, despite the fact that it is required by the Southern Nevada Health District. Given the severity of Giacalone's anaphylactic shock and the failure in efficacy of the intramuscular EpiPen, counsel asserted that IV epinephrine was necessary to appropriately treat her condition. Giacalone's expert in

- caione sought to recover \$3,466,000 in lost earnings and damages for past and future pain and suffering. Prior to trial, the court granted \$1,533,890.70 in past medical costs.
- The defense maintained that Giacalone suffered the hypoxic brain injury during the ambulance transport to the hospital.



- The defense's expert in life expectancy testified that, given her debilitating condition, Giacalone only had 10 more years to live.
- The defense's expert in economics disputed the amount in future lost earnings that the plaintiffs' expert calculated.

RESULT: The jury found that MedicWest was negligent. It determined that Giacalone's damages totaled \$29.5 million.

POST TRIAL: The court added \$1,533,890.70 to the verdict, which was the amount in past medical costs granted prior to trial.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Defense counsel did not respond to the reporter's phone calls. The other defendants were not asked to contribute.

NO. 17 EMPLOYMENT

Pharmacist claimed she was fired for reporting overpriced meds

AMOUNT: \$27,500,100.00

VENUE: California (Federal)

JUDGE: Jesus G. Bernal

CASE NAME: *Afrouz Nikmanesh, on behalf of herself, the general public, and all others similarly situated v. Wal-Mart Stores, Inc., a Delaware corporation, a Delaware corporation, and Does 1 through 10, inclusive*, No. 8:15-cv-00202-JGB-JCG

DATE: September 03, 2021

PLAINTIFF ATTORNEY(S):

- Dayton B. Parcels III (Lead); Parcels Law Firm for Afrouz Nikmanesh, Elvis Atencio, Anna Nguyen, Effie Spentzos
- Eric M. Epstein; Eric M. Epstein, APC for Afrouz Nikmanesh, Elvis Atencio, Anna Nguyen, Effie Spentzos
- Josh Buck; Thierman Buck, LLP for Afrouz Nikmanesh, Elvis Atencio, Anna Nguyen, Effie Spentzos
- Mark R. Thierman; Thierman Buck, LLP for Afrouz Nikmanesh, Elvis Atencio, Anna Nguyen, Effie Spentzos

DEFENSE ATTORNEY(S):

- Susan E. Coleman; Burke, Williams & Sorenson LLP; Los Angeles, CA for Wal-Mart Stores, Inc., Wal-Mart Associates, Inc.
- Cheryl Johnson-Hartwell; Burke, Williams & Sorenson LLP; Los Angeles, CA for Wal-Mart Stores, Inc., Wal-Mart Associates, Inc.

FACTS: In September 2014, plaintiff Afrouz Nikmanesh, a pharmacist, concluded her employment at a Walmart retail store's pharmacy. Nikmanesh had reported that Walmart had been overcharging older and certain disabled customers for their medication. She had also reported that Walmart had

terminated in retaliation for whistleblowing activity. The lawsuit also alleged that the pharmacists were denied breaks, denied overtime pay and not compensated for time spent studying for necessary pharmacists' certification. Plaintiffs' counsel negotiated a pretrial settlement of the compensation and rest-break claims. The matter proceeded to a trial that addressed Nikmanesh's claims of retaliation and wrongful termination. Nikmanesh claimed that, after she reported Wal-Mart's actions, she was given a poor performance evaluation, was denied a promotion, and was not given a bonus. She claimed that she resultantly sought other positions and was eventually offered a full-time position with the California State Board of Pharmacy. She claimed that when she told her Wal-Mart supervisor about the job offer, she added that she would only accept the other position if she could remain employed by Wal-Mart on a part-time basis, as a floater, whereby she would move from one store location to another, filling in as needed, because the other position paid less. Nikmanesh claimed that she accepted the other position because her supervisor agreed that she could remain as a part-time floater. She claimed that, shortly after she had accepted the other job offer, she was told by Wal-Mart that she could not remain as a floater and that her employment had been terminated. Nikmanesh claimed that she later learned that there were at least two floater positions available. Defense counsel claimed that Wal-Mart had timely addressed Nikmanesh's complaints and that Nikmanesh was not fired but had resigned her employment to accept the other full-time position. Defense counsel also claimed that Wal-Mart had no floater positions available to offer Nikmanesh.

INJURY:

- Nikmanesh claimed that she was terminated in retaliation for whistleblowing activity. She sought recovery of past lost earnings, damages for past and future pain and suffering, and punitive damages.

RESULT: The jury found that Nikmanesh was wrongfully terminated, that she was subjected to retaliation, and that her whistleblowing was a contributing cause of the retaliation and termination. The jury also found evidence of malice, oppression or fraud, and it further found that punitive damages were necessary.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Additional information was gleaned from court documents. Defense counsel did not respond to the reporter's phone calls.

not been properly reporting its pharmacies' dispensing of controlled substances. Nikmanesh claimed that she was fired because of those disclosures. Nikmanesh, acting individually and on behalf of other Walmart pharmacists, sued her employers, Wal-Mart Stores Inc. and Wal-Mart Associates Inc. The lawsuit alleged that Nikmanesh was wrongfully



NO. 18 PRODUCTS LIABILITY

Use of asbestos-containing talc caused cancer: plaintiff

AMOUNT: \$27,458,000.00

VENUE: California (Los Angeles County)

JUDGE: Stephen M. Moloney

CASE NAME: *Shawn Johnson and Holly Johnson v. Johnson & Johnson; Johnson & Johnson Consumer Inc.; Albertsons Companies, Inc. Individually and as Successor-In-Interest to Sav-On Drug Stores, Inc.; Costco Wholesale Corporation; Ralphs Grocery Company; Thrifty Payless Inc. dba Rite Aid Pharmacy; and Walmart Inc.*, No. 20STCV17335; JCCP4674

DATE: October 12, 2021

PLAINTIFF ATTORNEY(S):

- Danny R. Kraft Jr. (Lead); Weitz & Luxenberg, P.C. for Shawn Johnson, Holly Johnson
- Benno B. Ashrafi; Weitz & Luxenberg, P.C. for Shawn Johnson, Holly Johnson
- Joseph J. Mandia; Weitz & Luxenberg, P.C. for Shawn Johnson, Holly Johnson

DEFENSE ATTORNEY(S):

- Phillip J. La Borde; Chehardy Sherman Williams; Metairie, LA for Johnson & Johnson, Johnson & Johnson Consumer Inc.
- Inemesit U. O'Boyle; Chehardy Sherman Williams; Metairie, LA for Johnson & Johnson, Johnson & Johnson Consumer Inc.
- Matthew J. Pertuit; Chehardy Sherman Williams; Metairie, LA for Johnson & Johnson, Johnson & Johnson Consumer Inc.
- James M. Williams; Chehardy Sherman Williams; Metairie, LA for Johnson & Johnson, Johnson & Johnson Consumer Inc.
- Stacy L. Foster; King & Spalding; Los Angeles, CA for Johnson & Johnson, Johnson & Johnson Consumer Inc.
- None reported for Albertsons Companies Inc., Costco Wholesale Corporation, Ralphs Grocery Company, Thrifty Payless Inc., Walmart Inc.

FACTS: In 2019, plaintiff Shawn Johnson, 59, an electrical engineer, learned that he was suffering peritoneal mesothelioma, a malignant cancer that is caused by ingested asbestos fibers. Johnson claimed that, during much of the 1960s and continuing through the late 1970s, he regularly used a talc-based hygienic product, Johnson's Baby Powder. He claimed that he used the product on his seven children beginning around 1985 and continued to do so until his cancer was diagnosed. He claimed that his cancer was a result of him having been exposed to asbestos fibers contained in the product. Johnson sued the baby powder's designer, Johnson & Johnson; the product's distributor, Johnson & Johnson Consumer Inc.; and

defective condition. Several defendants were dismissed or discontinued, and others negotiated settlements of the claims against them. The matter proceeded to a trial that addressed Shawn Johnson's claims against Johnson & Johnson and Johnson & Johnson Consumer. Plaintiff's counsel contended that the defendants knew that their baby powder contained asbestos but failed to correct the problem or provide a warning to users. Defense counsel contended that the baby powder did not contain asbestos.

INJURY:

- Johnson suffers terminal, malignant peritoneal mesothelioma. The condition was diagnosed in 2019. About 12 months later, Johnson underwent hyperthermic intraperitoneal chemotherapy surgery, a two-step procedure that treats certain cancers in the abdomen. The cancerous tumors were surgically removed, and heated chemotherapeutic agents were applied directly inside the abdomen to eliminate the remaining cancerous cells. Johnson's expert pulmonologist opined that Johnson's life was prolonged by the surgery, but he contended that the cancer will eventually claim Johnson's life.
- Johnson claimed that he may undergo immunotherapy, but that he has not been qualified for any trials of the treatment.
- Johnson sought recovery of past and future medical expenses, damages for past and future pain and suffering, and punitive damages. His wife sought recovery of damages for loss of consortium.
- Defense counsel argued that Shawn Johnson's cancer was a spontaneous, naturally occurring cancer or the result of a yet-identified familial cancer syndrome, given that Johnson had been diagnosed with three prior cancers and had a rare genetic anomaly of hereditary hemochromatosis, a disease in which the body retains high levels of iron.

RESULT: The jury found that the baby powder was defective and the cause of Johnson's cancer. It further found that corporate officers, directors and managing agents of Johnson & Johnson and Johnson & Johnson Consumer acted with malice and fraud. It determined that damages totaled \$27,458,000.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Counsel of Johnson & Johnson and Johnson & Johnson Consumer did not respond to the reporter's phone calls, and the remaining defendants' counsel were not asked to contribute.

get's distributor, Johnson & Johnson Consumer Inc., and retailers from which he claimed to have purchased the product, Albertsons Cos. Inc., Costco Wholesale Corp., Ralphs Grocery Co., Thrifty Payless Inc. and Walmart Inc. The lawsuit alleged that the baby powder was defectively designed and manufactured. The lawsuit further alleged that the defendants were strictly liable for the product's



NO. 19 WORKER/WORKPLACE NEGLIGENCE

Negligent tire repair led to fatal interstate accident

AMOUNT: \$27,000,000.00

VENUE: New Mexico (Bernalillo County)

JUDGE: James O. Browning

CASE NAME: *Kristina Martinez, in her capacity as the Personal Representative of the Wrongful Death Estate of Barbara Granger, Estate of Barbara Granger and Scott Granger v. Dart Trans, Inc., Gilbert Tan doing business as GMT Trucking, Sunrise Tire and Lube Service, Inc., Har-Sukh Corp., Inc., Sam Sandhu, Jasvir Singh, Rajinder Singh Bassi, Sukhdev Singh Dhaliwal, Teri-OAT, LLC, Goodwill Trucking, LLC and Gurpreet Such*, No. 1:19cv994

DATE: July 07, 2021

PLAINTIFF ATTORNEY(S):

- Mark T. Baker; Peifer, Hanson, Mullins & Baker, P.A. for Estate of Barbara Granger, Scott Granger, Kristina Martinez
- Matthew M. Beck; Peifer, Hanson, Mullins & Baker, P.A. for Estate of Barbara Granger, Scott Granger, Kristina Martinez

DEFENSE ATTORNEY(S):

- Rattan D. Dhaliwal; Dhaliwal Law Group, Inc.; Santa Clara, CA for Sunrise Tire and Lube Service, Inc., Sukhdev Singh Dhaliwal
- None reported for Dart Trans, Inc., Gilbert Tan, Har-Sukh Corp., Inc., Sam Sandhu, Jasvir Singh, Rajinder Singh Bassi, Teri-OAT, LLC, Goodwill Trucking, LLC, Gurpreet Such

FACTS: On July 28, 2018, plaintiffs' decedent Barbara Granger, 48, a homemaker, and her husband, plaintiff Scott Granger, a truck driver, were each operating a motorcycle in Torrance County, New Mexico. The Grangers, who were from Pennsylvania, were on a cross-country trip. As Mrs. Granger was traveling west on Interstate 40, with her husband directly behind her, her motorcycle was struck by one of two wheels that had detached from the rear driver's side axle of an eastbound tractor-trailer operated by Gilbert Tan. The wheel crossed over the median from the eastbound side into the westbound lanes of Interstate 40. The impact knocked Mrs. Granger and her motorcycle into the right lane, where the motorcycle was then struck by a Goodwill Trucking, LLC tractor-trailer operated by Gurpreet Such. The motorcycle became entangled underneath the Goodwill truck and Mrs. Granger was dragged to her death. Due to the quick turn of events, it was not determined when Mrs. Granger would have been considered to have been off the motorcycle. Scott Granger and his wife's estate sued Tan and his employer and owner of the tractor-trailer he was driving, Dart Trans, Inc., and Such, as well as Such's employer and owner of the tractor-trailer he was

Corp., Inc. and TeriOat, LLC. The plaintiffs alleged that Tan and Such were negligent in the operation of their vehicles and that Dart Trans and Goodwill Trucking were vicariously liable for Tan and Such's actions. Plaintiffs also alleged that Sandhu, Singh, Singh Bassi, Singh Dhaliwal, Sunrise Tire and Lube Service, Har-Sukh Corp. and TeriOat were all negligent with regard to the work they had performed on Tan's tractor-trailer. Dart Trans, Tan, Goodwill Trucking and Such settled out of the case prior to trial, while Sandhu, Singh, Singh Bassi, Har-Sukh Corp. and TeriOat, were dismissed from the case after the plaintiffs confirmed through discovery that Sunrise Tire and Lube Service, Inc. and Sukhdev Singh Dhaliwal were responsible for the shop at the time it repaired the Dart Trans trailer. The case proceeded against Sunrise Tire and Lube and its owner, Dhaliwal, only. Plaintiffs' counsel alleged that Sunrise Tire and Lube Service and Dhaliwal were responsible for the shop when repairs and safety checks were performed on Tan's tractor-trailer in July 2018. Counsel contended that the shop negligently replaced the wheel studs and also negligently mounted/dismounted the tires. Per plaintiffs' counsel, the shop failed to check that the wheel studs and tires were adequately repaired in terms of safety. The defendants contended that they had worked on a different axle than the one from which the tires detached.

INJURY:

- Mrs. Granger died in the accident. She was married to Mr. Granger for 27 years. They had three children and four grandchildren.
- Plaintiffs' expert in forensic economics testified about economic damages and explained to the jury how economists approach determining the value of life. Plaintiffs did not present a number on loss of value of life.
- The estate sought damages for Mrs. Granger's wrongful death and requested \$10 million. Mr. Granger sought damages for negligent infliction of emotional distress and loss of consortium. He sought \$7 million.

RESULT: The trial court entered a default judgment on liability, finding that Sunrise Tire and Lube Service and Singh Dhaliwal were negligent and that their negligence caused Mrs. Granger's death. The case then proceeded to the jury on damages only. The jury found the acts or failures to act of Sunrise Tire and Lube Service were willful, wanton or reckless, but that Singh Dhaliwal had not acted in a willful, wanton or reckless manner. It determined that the estate and Mr. Granger's damages totaled \$27 million, including \$10 million in punitive damages against Sunrise Tire and Lube Service.

EDITOR'S COMMENT: This report includes information that was gleaned from court documents and information that was provided by plaintiffs' counsel. Defense counsel for Singh Dhaliwal and Sunrise Tire and Lube Service did not respond to the reporter's phone calls. The remaining defendants were

driving, Goodwill Trucking, LLC. Plaintiffs also sued individuals and entities who were affiliated with the automotive repair and tire sales shop that does business as American Tire and Truck Repair, which did work on Tan's tractor-trailer prior to the incident. Those parties included Sam Sandhu, Jasvir Singh, Rajinder Singh Bassi, Sukhdev Singh Dhaliwal, Sunrise Tire and Lube Service, Inc., Har-Sukh

not asked to contribute.



NO. 20 INTELLECTUAL PROPERTY

Defendant infringed RFID patent, inventor alleged

AMOUNT: \$26,641,876.75

VENUE: Oregon (Federal)

JUDGE: Mustafa T. Kasubhai

CASE NAME: *Adasa Inc. v. Avery Dennison Corporation*, No. 6:17cv1685

DATE: May 14, 2021

PLAINTIFF ATTORNEY(S):

- Jonathan T. Suder (Lead); Friedman, Suder & Cooke, P.C. for Adasa Inc.
- Glenn S. Orman; Friedman, Suder & Cooke, P.C. for Adasa Inc.
- Richard A. Wojcio, Jr.; Friedman, Suder & Cooke, P.C. for Adasa Inc.

DEFENSE ATTORNEY(S):

- Katherine L. Allor; K&L Gates LLP for Avery Dennison Corporation
- Brenna K. Legaard; K&L Gates LLP for Avery Dennison Corporation
- Elizabeth H. White; K&L Gates LLP for Avery Dennison Corporation

FACTS: On Oct. 24, 2017, plaintiff Adasa Inc. was issued U.S. Patent No. 9,798,967. The patent creates systems for encoded and commissioned wireless radiofrequency identification, or RFID, devices. According to Adasa, the patent teaches an RFID transponder or inlay with an RFID integrated circuit chip having encoded memory structure that ensures uniqueness within the serial number portion of the code.

Adasa claimed that Avery Dennison Corporation, which, among other things, manufactures RFID inlays, infringed the '967 patent, from October 2017 to March 2021. Adasa sued Avery, alleging patent infringement. According to the plaintiff, in the RFID industry, and particularly for merchandise-tracking applications, the memory bank of an RFID tag is encoded with an electronic product code, or EPC, which is an identifier for an item in the supply chain to uniquely identify that particular item. This identifier is serialized to be unique for avoidance of duplicate numbers among items in the supply chain. In early 2008, Clarke McAllister, the founder of Adasa and inventor of the '967 patent, recognized the challenge in the industry that there was not a reliable way to ensure global uniqueness of the EPC for items within one object class when the RFID tags are encoded by different encoders in different locations across the distribution chain. McAllister alleged that, prior to his invention, other methods of managing and assigning EPCs did not provide

infringed the patent because it produced encoded RFID tags and labels that use the unique encoded structure identified in the claims of the '967 Patent. The defense denied the allegations. The defense's expert in serialization testified that the '967 was invalid and that Avery did not infringe the patent.

INJURY

- Adasa's expert in patent damages determined that the plaintiff sustained approximately \$531 million in lost royalties.

The defense's expert in patent damages testified that if any damages should be determined by the jury, it should be at a lower royalty rate, since only 17 percent of Avery's products were accused of infringement and therefore, the '967 patent is not that valuable.

RESULT: The jury found that Avery Dennison's Commissioning Authority tags infringed the '967 patent and that the tags infringed the patent via the doctrine of equivalence. The jury determined that Adasa's damages totaled \$26,641,876.75.

POST TRIAL: After the jury verdict, Avery disclosed that it had discovered additional products that would infringe under the jury's verdict that were called for during discovery but were not produced. Upon receiving that information, Adasa filed a motion for sanctions. Avery also disclosed that it retained a firm to perform a complete audit of the records to determine the extent of the missing production. After the audit was completed, it was determined that Avery's argument that only 17 percent of its products was accused on infringement turned out to be false, and the number was at approximately 50 percent. At the hearing on the motion for sanctions and other post-verdict motions, the court determined that this late production and difference was significant and determined sanctions against Avery for non-compliance with its discovery obligations, in the amount of \$9,417,343. During the hearing, the court further determined that attorneys' fees should be awarded under 35 U.S.C. § 285 in the amount awarded in the judgment and determined that sanctions in the amount of \$20,032,889.80 should be awarded. The court also determined an ongoing royalty should be at \$0.09 per tag through the expiration of the patent, which is August 2026. The court entered final judgment in the amount of \$62,407,801.50.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiff's counsel. Defense counsel did not respond to the reporter's phone calls.

the level of specificity in managing the assignment of the EPCs taught in the '967 patent. Additionally, the methods did not ensure that the EPC provided to an item would be globally unique without requiring real-time access to a central database to assign the next available unique EPC to each item in an object class, the plaintiff contended. Adasa's expert in serialization testified that Avery



NO. 21 PRODUCTS LIABILITY

Manufacturer failed to warn of risk of using talc

AMOUNT: \$25,772,967.00

VENUE: California (Alameda County)

JUDGE: Stephen D. Kaus

CASE NAME: *Christina G. Prudencio v. Johnson & Johnson, Albertsons Companies, Inc., Cyprus Mines Corporation, Johnson & Johnson Consumer Inc., Longs Drug Stores California, Inc., Lucky Stores, Inc., Perrigo Company of Tennessee, Safeway Inc., VI-Jon, Inc. and Whittaker, Clark & Daniels, Inc.*, No. RG20061303

DATE: August 26, 2021

PLAINTIFF ATTORNEY(S):

- Joseph D. Satterley (Lead); Kazan, McClain, Satterley & Greenwood for Christina G. Prudencio
- Ian Rivamonte; Kazan, McClain, Satterley & Greenwood for Christina G. Prudencio

DEFENSE ATTORNEY(S):

- Shaila Rahman Diwan; King & Spalding LLP; New York, NY for Johnson & Johnson, Johnson & Johnson Consumer Inc.
- Morton D. Dubin II; King & Spalding LLP; New York, NY for Johnson & Johnson, Johnson & Johnson Consumer Inc.
- Kevin Hynes; King & Spalding LLP; New York, NY for Johnson & Johnson, Johnson & Johnson Consumer Inc.
- None reported for Albertsons Companies Inc., Cyprus Mines Corporation, Longs Drug Stores California, Inc., Lucky Stores, Inc., Perrigo Company of Tennessee, Safeway Inc., VI-Jon, Inc., Whittaker, Clark & Daniels, Inc.

FACTS: In 2020, plaintiff Christina Prudencio, 34, a school teacher, was diagnosed with malignant mesothelioma, which is an aggressive, incurable cancer that often stems from exposure to asbestos. Prudencio had used Johnson's Baby Powder talc from the time she was born in 1986 until she was 16 years old. She claimed that even after the age of 16, she was still exposed to Johnson's Baby Powder talc, as it was used on her two younger siblings. She claimed that the product contained asbestos, asbestiform fibers and/or asbestiform talc and that the product's contents caused her cancer. Prudencio sued the manufacturers, suppliers and designers of Johnson's Baby Powder, Johnson & Johnson and Johnson & Johnson Consumer Inc.; the retailers who sold Johnson's Baby Powder, Albertsons Cos. Inc., Longs Drug Stores California LLC, Lucky Stores Inc. and Safeway Inc.; the supplier of the talc used in that product, Cyprus Mines Corp.; and other companies that were believed to have manufactured, supplied, designed and/or been otherwise involved in the chain of distribution of another brand of asbestos-containing

the claims against them. The matter proceeded to a bifurcated trial against Johnson & Johnson and Johnson & Johnson Consumer Inc. Plaintiff's counsel contended that Johnson & Johnson and Johnson & Johnson Consumer Inc. knew that their Johnson's Baby Powder talc product contained carcinogenic asbestos, asbestiform fibers and asbestiform talc decades before Prudencio was born in 1986. Counsel also contended that a good and reasonable company, after being warned that its product contained cancer-causing substances, would have taken the product off the marketplace, investigated the claims, and, if true, permanently kept the product off the shelves, but that Johnson & Johnson and Johnson & Johnson Consumer Inc. failed to do so. Defense counsel denied Prudencio's allegations concerning asbestos in Johnson & Johnson's products. In addition, defense counsel disputed the company's knowledge about the alleged asbestos in the products or the need for a warning on the products, as the U.S. Food & Drug Administration determined, based on its historic analysis of the products, that no such warning was required for them.

INJURY:

- Prudencio was diagnosed with malignant mesothelioma in 2020. She underwent her second major surgery in June 2020. The procedure involved an exploratory laparotomy and a cytoreductive surgery with hyperthermic intraperitoneal chemotherapy in an attempt to remove the cancer. Prudencio was hospitalized and bedridden for one week after the surgery.
- Prudencio claimed that she has experienced numerous complications since her surgery, including three emergency room admissions in August 2020. She also claimed that she was pursuing a master's degree in education to further her career, but that after her diagnosis, she was no longer able to work or take classes.
- Plaintiff's counsel contended that the defendants' conduct made Prudencio terminally ill because, in part, they failed to warn about their product's hazards, chose not to replace talc with a known safer alternative, cornstarch, and created test protocols for their talc that they knew were inaccurate and unreliable. Counsel also contended that Prudencio's mesothelioma resulted in numerous health complications, forced Prudencio to stop working, and rendered Prudencio infertile.
- During trial, the parties stipulated that the total amount of Prudencio's past and future medical costs totaled \$800,000. In addition to her past and future medical costs, Prudencio sought recovery for her past and future loss of income, past and future loss of household services, and past and future pain and suffering. She also sought recovery of punitive damages against Johnson & Johnson and Johnson & Johnson Consumer Inc. for their alleged malicious or oppressive conduct.
- Defense counsel contended that Prudencio's malignant cancer was incredibly rare in young women and that most

chain of distribution of another brand of asbestos-containing products to which she believed she was exposed, including Longs Drug Stores California Inc., Perrigo Company of Tennessee, and Vi-Jon Inc. Prudencio alleged that the defendants were negligent in the defective design and/or failure to warn of the asbestos-containing products. She also alleged claims of strict products liability. Some defendants were dismissed or discontinued, and others negotiated settlements of

cancer was incredibly rare in young women and that, most likely than not, it was a result of a gene mutation.

RESULT: On Aug. 19, 2021, the jury found that Johnson & Johnson and Johnson & Johnson Consumer Inc. were negligent and that their negligence was a substantial factor in contributing to Prudencio's risk of developing mesothelioma. It also found that the talc products' design was defective



and that this was a substantial factor in contributing to Prudencio's risk of developing mesothelioma. Further, the jury found that Johnson & Johnson and Johnson & Johnson Consumer Inc. failed to adequately warn of the potential risks of the products and that the lack of a sufficient warning was a substantial factor in contributing to Prudencio's risk of developing mesothelioma. The jury determined that Prudencio's damages totaled \$25,772,967. After the addition of the stipulated medical expenses, the award totaled \$26,472,967. It attributed 85 percent responsibility for Prudencio's mesothelioma to Johnson & Johnson and 15 percent responsibility to Johnson & Johnson Consumer Inc. In addition, the jury found that Prudencio proved that Johnson & Johnson and Johnson & Johnson Consumer Inc. acted with malice and oppression. On Aug. 26, 2021, after the trial's second phase, the jury awarded Prudencio \$100,000 in punitive damages, including \$85,000 in punitive damages against Johnson & Johnson and \$15,000 in punitive damages against Johnson & Johnson Consumer Inc.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiff's counsel and counsel of Johnson & Johnson and Johnson & Johnson Consumer Inc. The remaining defendants' counsel were not asked to contribute.

NO. 22 WRONGFUL DEATH

Defective blinds fatally strangled 3-year-old girl

AMOUNT: \$25,000,000.00

VENUE: Utah (Salt Lake County)

CASE NAME: *Sunny Mahe and Sateki Reno Mahe, individually and on behalf of the heirs and estate of Elsie K. Mahe, deceased v. BlindVision, Century Blinds, Inc., Hunter Douglas, Inc. and Hunter Douglas Fabrication Company**

DATE: September 21, 2021

PLAINTIFF ATTORNEY(S):

- Alan W. Mortensen (Co-Lead), Dewsnup King Olsen Worel Havas Mortensen
- James Corrigan (Co-Lead), O'Leary, Shelton, Corrigan, Peterson, Dalton & Quillin
- Christopher J. Cheney, Dewsnup King Olsen Worel Havas Mortensen
- Lance L. Milne, Dewsnup King Olsen Worel Havas Mortensen
- James D. O'Leary, O'Leary, Shelton, Corrigan, Peterson, Dalton & Quillin

*This case was not reported through VerdictSearch when this publication went to press.

NO. 23 MOTOR VEHICLE

Bus's driver didn't notice bicyclist

AMOUNT: \$21,600,000.00

VENUE: California (Los Angeles County)

JUDGE: J. Stephen Czuleger

CASE NAME: *Barry Smith and Rose Smith v. City of Redondo Beach / Barry Smith and Rose Smith v. State of California; Caltrans County of Los Angeles; Los Angeles Metropolitan Transit; Francine Danyielle Murphy; MV Transportation Inc.; and Does 1 to 100, inclusive, No. BC92297; BC680763*

DATE: November 10, 2021

PLAINTIFF ATTORNEY(S):

- Garo Mardirossian (Lead); Mardirossian Akaragian LLP for Estate of Ciara Smith, Barry Smith, Rose Smith
- Lawrence D. Marks; Mardirossian Akaragian LLP for Estate of Ciara Smith, Barry Smith, Rose Smith

DEFENSE ATTORNEY(S):

- David S. Poole; Poole Shaffery & Koegle, LLP; Los Angeles, CA for Francine Danyielle Murphy, MV Transportation Inc.
- Justin R. Wilmers; Poole Shaffery & Koegle, LLP; Los Angeles, CA for Francine Danyielle Murphy, MV Transportation Inc.
- None reported for State of California, Caltrans County of Los Angeles, Los Angeles Metropolitan Transit, City of Redondo Beach

FACTS: On May 5, 2017, plaintiffs' decedent Ciara Smith, 13, was bicycling on the southbound side of Pacific Coast Highway, alongside its intersection at Knob Hill Avenue, in the city of Redondo Beach. She was struck by a transit bus that was being driven by Francine Murphy. Ciara was propelled onto the roadway, and she fell beneath the bus. She suffered a fatal injury. Ciara's parents, Barry Smith and Rose Smith, acting individually and on Ciara's behalf, sued Murphy; the companies believed to be the bus's owners and Murphy's employers, the Los Angeles Metropolitan Transit Authority and MV Transportation Inc.; and two entities believed to be the intersection's maintainers, Los Angeles County and the state of California. The lawsuit alleged that Murphy was negligent in the operation of her vehicle, that the Los Angeles Metropolitan Transit Authority and MV Transportation were vicariously liable for Murphy's actions, that the Los Angeles Metropolitan Transit Authority and MV Transportation were negligent in their training of Murphy, and that Los Angeles County and the state of California negligently created a dangerous condition that caused, or contributed to, the accident. In a separate filing, Barry Smith and Rose Smith, acting individually and on Ciara's behalf, sued another entity that was believed to be the intersection's maintainer, the city of

Redondo Beach. The lawsuit alleged that the city negligently created a dangerous condition that caused, or contributed to, the accident. The lawsuits were consolidated. Los Angeles County and the Los Angeles Metropolitan Transit Authority were dismissed, and plaintiffs' counsel negotiated settlements of the claims against the state of California and the city of Redondo Beach. The matter proceeded to a trial against Murphy and MV Transportation. Plaintiffs' counsel



contended that Murphy failed to exercise due caution and maintain a proper lookout for bicyclists. Defense counsel contended that Murphy was safely operating the bus and was not responsible for the accident. Defense counsel noted that video footage of the accident established that Ciara entered the roadway without having checked traffic. An investigating police officer concluded that Ciara was solely liable for the accident. Defense counsel also argued that dangerous conditions also contributed to the accident. Defense counsel contended that the intersection's sidewalks had been constructed in a dangerous manner that delivered pedestrians and bicyclists directly into traffic, rather than a parking lane or shoulder. Ciara had entered traffic from a curb ramp that ended at the right southbound lane of Pacific Coast Highway. Defense counsel claimed that the impact occurred within five feet of the ramp's mouth. The ramp had been constructed by the state. Defense counsel further claimed that the impact occurred in a crosswalk whose lines had faded to a degree to which they were barely visible.

INJURY:

- Ciara was propelled beneath the bus. She died at the scene of the accident.
- Ciara, 13, was survived by her parents. The plaintiffs' sought recovery of wrongful-death damages.

RESULT: The jury found that Murphy and MV Transportation were liable for the accident, but liability was also assigned to the city and state -- each of which had been dismissed after negotiating a settlement. Murphy and MV Transportation were assigned a total of 75 percent of the liability; the city of Redondo Beach was assigned 15 percent of the liability; and the state of California was assigned 10 percent of the liability. The jury determined that the plaintiffs' damages totaled \$21.6 million. After an offset of the settling defendants' share of the liability, that amount totaled \$16.2 million.

POST TRIAL: Plaintiffs' counsel reported that the final recovery, inclusive of attorneys' fees, costs and the amount recovered via the settlements, will exceed \$32 million.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel. Counsel of Murphy and MV Transportation did not respond to the reporter's phone calls, and the remaining defendants' counsel were not asked to contribute.

**NO. 24
WORKER/WORKPLACE NEGLIGENCE**

Failure to replace crash barrier caused death: family

AMOUNT: \$21,169,685.00

VENUE: California (Los Angeles County)

JUDGE: William D. Stewart

CASE NAME: *The Estate of Kevin Walsh, by and through Eryn Walsh as successor in interest; Eryn Walsh, an individual; and Lauren Anne Marie Walsh, an individual minor by and through her guardian ad litem Eryn Walsh v. California Department of Transportation, a public entity; State of California; The Travelers Indemnity Company; and Does 1 through 100, inclusive*, No. BC652502

DATE: July 28, 2021

PLAINTIFF ATTORNEY(S):

- David W. Gammill; Gammill Law, APC for Estate of Kevin Walsh, Eryn Walsh, Lauren Anne Marie Walsh
- Carlos X. Colorado; The X-Law Group, P.C. for Estate of Kevin Walsh, Eryn Walsh, Lauren Anne Marie Walsh
- Thomas E. Gray; The X-Law Group, P.C. for Estate of Kevin Walsh, Eryn Walsh, Lauren Anne Marie Walsh
- Filippo Marchino; The X-Law Group, P.C. for Estate of Kevin Walsh, Eryn Walsh, Lauren Anne Marie Walsh

DEFENSE ATTORNEY(S):

- Alexander Prieto; California Department of Transportation, Legal Division; Los Angeles, CA for State of California, California Department of Transportation, State of California
- Desiri L. Schele; California Department of Transportation, Legal Division; Los Angeles, CA for State of California, California Department of Transportation, State of California
- None reported for The Travelers Indemnity Company

FACTS: On March 6, 2016, plaintiffs' decedent Kevin Walsh, 33, was driving on State Route 134, in Burbank. He lost control when his vehicle encountered rainwater that had pooled on the roadway. The vehicle struck a metal attenuator on the roadway's median. Walsh suffered a fatal injury. Walsh's widow, Eryn Walsh, acting individually, on behalf of her husband's estate, and on behalf of the couple's minor daughter, Lauren Walsh, sued the roadway's maintainer, the California Department of Transportation; that entity's operator, the state of California; and Kevin Walsh's insurer, Travelers Indemnity Co. The lawsuit alleged that the state and the California Department of Transportation negligently created a dangerous condition that caused Kevin Walsh's fatal injury. The lawsuit also alleged that Travelers improperly and without authorization disposed of Walsh's vehicle, thereby preventing proper investigation of the accident. Plaintiffs' counsel negotiated a settlement of the claims against



to be reset within a week of an impact. Defense counsel claimed that there were no records or witness reports of the attenuator having been impacted and fully collapsed prior to the instant accident. Defense counsel also argued that, despite the wet conditions, Walsh was speeding. Defense counsel further claimed that Walsh was intoxicated. A forensic toxicology report suggested that, at the time of the accident, Walsh's blood-alcohol content was 0.082.

INJURY:

- Walsh suffered a fatal injury and apparently died on impact. He was survived by his wife and a minor daughter.
- Walsh's family and estate sought recovery of wrongful-death damages.

RESULT: The jury found that Walsh and the defendants shared liability for the accident. The defendants were assigned a total of 69 percent of the liability, and Walsh was assigned 31 percent of the liability. The jury determined that the plaintiffs' damages totaled \$21,169,685, which comprised \$533,299 in past economic losses, \$2,636,386 in future economic losses, and \$18 million in future noneconomic losses. The comparative-negligence reduction produced a net recovery of \$14,607,082.60.

POST TRIAL: Judge William Stewart granted defense counsel's motion for a new trial regarding damages, unless plaintiffs' counsel accepted remittitur reducing future noneconomic damages to \$9 million. The remittitur was accepted, and the overall award was resultantly reduced to \$12,169,685. After the comparative-negligence reduction, the plaintiffs' recovery totaled \$8,397,085.65.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel and counsel of the state of California and the California Department of Transportation. Additional information was gleaned from court documents. Travelers' counsel was not asked to contribute.

counsel negotiated a settlement of the claims against Travelers. Terms were not disclosed. The matter proceeded to a trial against the remaining defendants. Plaintiffs' counsel contended that Walsh's death was a result of the attenuator having failed to stop Walsh's vehicle. Plaintiffs' counsel claimed that the attenuator was fully collapsed, as a result of an accident 17 days prior to Walsh's accident, and should have been reset. Plaintiffs' counsel noted that California Department of Transportation standards require attenuators

NO. 25 ANIMALS

Police dog fatally attacked man and injured bystander

AMOUNT: \$20,800,000.00

VENUE: California (San Luis Obispo County)

JUDGE: Barry T. LaBarbera

CASE NAME: *Rachel Fear; Sarah Fear; Steven Fear; Betty Long; and Lori Chevoya v. Alex Geiger; City of Exeter; City of Exeter Police Department; City of Grover Beach; City of Grover Beach Police Department; Christopher Belavic; Monica Belavic; and Does 1 through 100, inclusive*, No. 17CV-0529

DATE: July 29, 2021

PLAINTIFF ATTORNEY(S):

- John F. ("Jack") Denove; Cheong, Denove, Rowell, Bennett & Hapuarachy for Rachel Fear, Sarah Fear, Steven Fear, Estate of David Fear
- Sunny Hawks; Frederick Law Firm for Betty Long, Lori Chevoya
- Jacqueline Vitti Frederick; Frederick Law Firm for Betty Long, Lori Chevoya

DEFENSE ATTORNEY(S):

- Chester E. Walls; Overstreet & Associates; Fresno, CA for City of Exeter, Exeter Police Department, Brett Inglehart, Clifton Bush
- None reported for Alex Geiger, City of Grover Beach, Grover Beach Police Department, Monica Belavic, Christopher Belavic

FACTS: On Dec. 13, 2016, plaintiff Betty Long, 85, and a neighbor, plaintiff's decedent David Fear, 64, a retiree, conversed in Fear's yard, which was located on Nacimiento Avenue, in the city of Grover Beach. Fear was holding Long's small dog, Jiminy. Fear and Long were charged by two large dogs that had escaped from the yard of another neighbor, Alex Geiger, a Grover Beach police officer and a former member of the city of Exeter's police department. One of the dogs, a retired police dog named Neo, bit one of Fear's arms. Long was toppled, and Neo began mauling her. Fear intervened, and he was resultantly attacked by Neo. Fear suffered a fatal injury. Long suffered injuries to her hips, her pelvis, her torso and a shoulder. Neo was euthanized. Long, her daughter, Lori Chevoya, and Fear's three children, Rachel Fear, Sarah Fear and Steven Fear, who were acting on behalf of their father's estate, sued Geiger; Geiger's employers, the city of Grover Beach and the Grover Beach Police Department; Neo's former owners, the city of Exeter and the Exeter Police Department; the former police chief of the Exeter Police Department, Clifton Bush; the supervisor of the Exeter Police Department's canine unit, Lieutenant Brett Inglehart; and the owners of Geiger's residence, Christopher Belavic and Monica Belavic. The lawsuit alleged that Geiger, Christopher Belavic and Monica Belavic were strictly liable for Neo's attack. The lawsuit further alleged that Bush, as chief of the city of

tack. The lawsuit further alleged that Bush, Inglehart, the city of Exeter, the Exeter Police Department, the city of Grover Beach and the Grover Beach Police Department negligently failed to warn Geiger regarding Neo's dangerous propensities. The city of Grover Beach and the Grover Beach Police Department were dismissed, as was Cheyova's claim, and plaintiffs' counsel negotiated settlements of the claims against Geiger, Christopher Belavic and Monica Belavic. The matter proceeded to a trial against Bush, Inglehart, the city of Exeter and the Exeter Police



Department. Plaintiffs' counsel contended that Neo and Geiger's personal dog were not kenneled prior to the incident and resultantly were able to escape Geiger's yard. Plaintiffs' counsel argued that the Exeter Police Department was negligent in failing to warn Geiger, an officer with limited training and experience, that in retirement, a patrol-trained police dog can never be untrained, never become a pet, and must be kept locked in a kennel, except when in the officer's direct control. Plaintiffs' counsel also argued that the city of Exeter, Inglehart and Bush failed to warn Geiger that, even in retirement, a patrol-trained police dog must be kenneled at all times, except when in the owner's direct presence. The plaintiffs' police-standards-and-practices experts contended that it was "common sense" to provide proposed warnings regarding former police dogs. Defense counsel objected to the testimony but was overruled. In response, defense counsel argued that the plaintiffs' experts had no personal experience or training regarding police dogs and that the experts formulated their opinions without referencing any standards or guidelines, published or otherwise. Defense counsel noted that Geiger purchased Neo and signed a purchasing agreement in September 2016, when he left the Exeter Police Department. Defense counsel argued that the agreement relieved the city of liability for Neo and that the city and its employees had no legal duty because no special relationship existed between the plaintiffs and the defendants. Defense counsel also argued that the disposition of police dogs is not subject to a mandatory duty or other regulation and that the custom and practice is for the agency to exercise its discretion in the disposition of each police dog when no longer in service, which typically results in the transfer of ownership to the police dog's handler by a written agreement. Defense counsel contended that at the time of Geiger's purchase of Neo, the city had consistently and competently performed its duties as a canine team and that Neo had never escaped Geiger's control. As such, defense counsel argued that Exeter and its police department could not be held liable for Geiger's actions. Defense counsel further contended that Christopher Belavic and Monica Belavic were negligent in the maintenance of their property and for renting the property to Geiger, knowing he had a patrol-trained police dog. Defense counsel also contended that California Property Services, which was not sued, was negligent for failing to inspect the property to ensure the gate could secure a patrol-trained police dog. Defense counsel further argued that Long was partially at fault for violating the leash law, as Long acknowledged that Jiminy was not leashed. Defense counsel also questioned the plaintiffs' account of the incident, noting that Long testified that both of Geiger's dogs, Neo and Rolo, were involved in the incident but could not distinguish the dogs from each other. In response, plaintiffs' counsel contended that Long's dog, Jiminy, was on Fear's and/or Long's private property and that Fear had Jiminy in his arms and under his complete control at the time of the incident. Plaintiffs' counsel cited a municipal code that allows that a dog does not have to be on a leash when it is on a private

failure. Over defense counsel's objection, more than a dozen photographs and medical illustrations of Fear's injuries were shown to the jury and emphasized during closing arguments.

- Fear, 64, died on Dec. 16, 2016. He was survived by three adult children. Plaintiffs' counsel noted that Fear and Long knew each other for more than 30 years, as Long was the teller at a bank and opened Fear's first bank account for him when he was in high school. Fear's children sought recovery of wrongful-death damages.
- Long suffered a four-part, proximal humerus fracture of her left, nondominant arm's shoulder and superior-inferior pubic rami fractures of her left pelvis. She also suffered bite wounds of her hips and torso, as well as a head laceration.
- Long underwent physical therapy and was admitted to a rehabilitative facility. She also underwent shoulder-replacement surgery.
- Long claimed that, prior to the attack, she was completely independent and living alone, but that after the attack, she became a fall risk and suffered a stroke. She claimed that she suffers post-traumatic stress disorder as a result of the incident and that her post-traumatic stress disorder substantially caused her stroke. Long also claimed that she fell and broke a hip in 2020 because of residual balance issues and that, as a result, she required a hip replacement. In addition, she claimed that she contracted COVID-19 during her stay at a rehabilitation facility.
- Long sought recovery of future medical costs, and she also sought recovery of damages for past and future pain and suffering.
- Defense counsel argued that Long was not knocked down by the dogs but probably fell because of a Valsalva maneuver -- a breathing technique that increases pressure in the chest -- when she leaned over to pick up her dog. Defense counsel also argued that Long was never diagnosed with post-traumatic stress disorder by any treating provider nor did she report the condition to Medicare, which paid all of her medical expenses and reimbursed her for some expenditures pursuant to the plaintiffs' earlier settlements.

RESULT: The jury found that Bush and Inglehart negligently failed to warn Geiger about Neo and that the city of Exeter and the Exeter Police Department were liable for Bush's and Inglehart's actions. The jury also found that Geiger was negligent and that his negligence was a substantial cause of harm to Fear and Long. The jury apportioned 42 percent responsibility to Inglehart, 41.5 percent responsibility to Bush and 16.5 percent responsibility to Geiger. It did not apportion fault to Long, Christopher Belavic, Monica Belavic or California Property Services. The jury determined that the plaintiffs' damages totaled \$20.8 million, including \$13.8 million for Long's economic and non-economic damages, and \$7 million in total non-economic damages for Fear's three adult children from their loss of support and companionship of their

property or is in the complete control of the owner.

father, as well as from their emotional trauma and suffering.

INJURY:

- Fear suffered a puncture wound of his left thigh, scratches of his torso, abrasions of his knees and macerating injuries of his forearms, which resulted in significant blood loss. He was transported to Sierra Vista Regional Medical Center, in San Luis Obispo, where he was determined to have lost 50 percent of circulating blood. He underwent two debridement procedures, but he died three days later from multiple organ

POST TRIAL: Defense counsel is challenging the verdict and intends to seek attorney fees pursuant to California Code of Civil Procedure § 1021.7.

EDITOR'S COMMENT: This report is based on information that was provided by plaintiffs' counsel and counsel of Bush, Inglehart, the city of Exeter and the Exeter Police Department. The remaining defendants' counsel were not asked to contribute.



TOP VERDICTS BY CATEGORY

AFFIRMATIVE DEFENSES						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$20,636,313.00	5/27/2021	CA (Los Angeles County)	Drunken driver to blame for fiery crash	Michael Robert Isom v. Mark MacCarthy and Brandon T. MacCarthy	Mark J. Leonardo, Kuzyk Law, LLP, Lancaster, CA

ANIMALS						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$20,800,000.00	7/29/2021	CA (San Luis Obispo County)	Police dog fatally attacked man and injured bystander	Rachel Fear; Sarah Fear; Steven Fear; Betty Long; and Lori Chevoya v. Alex Geiger; City of Exeter; City of Exeter Police Department; City of Grover Beach; City of Grover Beach Police Department; Christopher Belavic; Monica Belavic; and Does 1 through 100, inclusive	John F. ("Jack") Denove, Cheong, Denove, Rowell, Bennett & Hapuarachy, Los Angeles, CA; Jacqueline Vitti Frederick, Frederick Law Firm, Nipomo, CA; Sunny Hawks, Frederick Law Firm, Nipomo, CA

AVIATION						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$7,224,128.33	11/2/2021	CA (San Bernardino County)	Paragliding collision resulted in spinal injuries	Corneliu Andrei Firtat, an individual, and Nicoleta Firtat, an individual v. Peter Pivka, an individual and Does 1 to 20, inclusive	David A. Fox, Fox Law, APC, Solana Beach, CA; Joanna L. Fox, Fox Law, APC, Solana Beach, CA; Russell A. Gold, Fox Law, APC, Solana Beach, CA; Christopher L. Hendricks, Fox Law, APC, Solana Beach, CA

BUSINESS LAW						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$30,330,000.00	6/17/2021	CA (Federal)	Defendant used trade secrets to create competing platform	LivePerson, Inc. v. [24]7.ai, Inc.	Adam R. Alper, Kirkland & Ellis LLP, San Francisco, CA; Michael W. De Vries, Kirkland & Ellis LLP, Los Angeles, CA

CIVIL RIGHTS						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$2,531,000.00	9/23/2021	CO (Federal)	Innocent' passenger shot multiple times by Denver police	Michael Valdez v. Robert Motyka, Jr., Denver Police Officer, in his individual capacity, and City and County of Denver, a municipality*	Laura A. Menninger, Haddon, Morgan and Foreman P.C.; Jeffrey S. Pagliuca, Haddon, Morgan and Foreman P.C.
2	\$301,240.00	9/13/2021	CA (Riverside County)	Woman claimed she was fired for bathroom breaks during pregnancy	Lauryn Vargas, an individual v. Kaiser Foundation Health Plan, Inc., a corporation, and Does 1 through 10, Inclusive	Jeffrey A. Rager, The Rager Law Firm, El Segundo, CA; James Y. Yoon, The Rager Law Firm, El Segundo, CA

*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.



TOP VERDICTS BY CATEGORY

CONTRACTS						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$62,650,512.00	12/7/2021	NV (Clark County)	United Healthcare, others underpaid medical providers	Fremont Emergency Services (Mandavia), Ltd., Team Physicians of Nevada-Mandavia, P.C., Crum Stefanko and Jones, Ltd. d/b/a Ruby Crest Emergency Medicine v. United Healthcare Insurance Company, United Health Care Services Inc., d/b/a UnitedHealthcare, UMR, Inc., d/b/a United Medical Resources, Sierra Health and Life Insurance Company, Inc. and Health Plan of Nevada, Inc.	John Zavitsanos (Lead), Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Michael Killingsworth, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Louis Liao, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Jason S. McManis, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Joseph Y. Ahmad, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; P. Kevin Leyendecker, Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C.; Justin C. Fineberg, Lash & Goldberg LLP; Kristen T. Gallagher, McDonald Carano LLP; Pat Lundvall, McDonald Carano LLP; Amanda M. Perach, McDonald Carano LLP
2	\$13,975,659.00	8/20/2021	CA (Federal)	Former employee misappropriated trade secrets	Proofpoint, Inc.; Cloudmark LLC v. Vade Secure, Incorporated; Vade Secure SASU; Olivier Lemarie	Sean S. Pak (Lead), Quinn Emanuel Urquhart & Sullivan, LLP, San Francisco, CA; Jodie W. Cheng, of counsel, Quinn Emanuel Urquhart & Sullivan, LLP, San Francisco, CA; Ron Hagiz, of counsel, Quinn Emanuel Urquhart & Sullivan, LLP, New York, NY; Iman Lordgooei, Quinn Emanuel Urquhart & Sullivan, LLP, San Francisco, CA
3	\$662,075.00	10/29/2021	CA (Los Angeles County)	Plaintiff claimed he saved business but was denied share of sale	Matthew Dunn v. Terrence Mumford and Mr. T's Collective, LLC, a California limited liability company	Jessica L. Ponce, Law Offices of Jessica Ponce, Los Angeles, CA

DISCRIMINATION						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$7,630,725.00	8/9/2021	CA (Los Angeles County)	Plaintiffs claimed employers fired them after cancer diagnosis	Albert Garcia v. Seltzer-Doren Management Company Inc. dba Sierra Management; Seltzer-Doren Company & Affiliates; and Gresham Apartments Investors / Stephanie Garcia v. Seltzer-Doren Management Company Inc. DBA Sierra Management; Seltzer-Doren	Carney R. Shegerian (Lead), Shegerian & Associates, Los Angeles, CA; Mark I. Lim, Shegerian & Associates, Los Angeles, CA; Anthony Nguyen, Shegerian & Associates, Los Angeles, CA

					Company & Affiliates; and Gresham Apartments Investors	
2	\$1,200,000.00	10/27/2021	CA (Los Angeles County)	Police department retaliated for prior lawsuit	Richard Joaquin v. City of Los Angeles	Gregory W. Smith, Law Offices of Gregory W. Smith, Beverly Hills, CA; Diana Wang Wells, Law Offices of Gregory W. Smith, Beverly Hills, CA



TOP VERDICTS BY CATEGORY

EMPLOYMENT						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$155,413,344.00	12/16/2021	CA (Los Angeles County)	Plaintiff claimed he was fired to conceal discriminatory practices	Andrew Rudnicki v. Farmers Insurance Exchange, Farmers Insurance Group, Zurich Insurance, Zurich, Zurich North America, Farmers Group Inc., Zurich Insurance Company, Truck Insurance Exchange, Fire Insurance Exchange, and Does 1 to 100, inclusive	Carney R. Shegerian (Lead), Shegerian & Associates, Los Angeles, CA; Leonard E. Livshits, Shegerian & Associates, Los Angeles, CA; Mahru Madjidi, Shegerian & Associates, Los Angeles, CA; Anthony Nguyen, Shegerian & Associates, Los Angeles, CA; Griselda Rodriguez, Shegerian & Associates, Los Angeles, CA
2	\$136,900,000.00	10/4/2021	CA (Federal)	Elevator operator claimed racial harassment forced resignation	Demetric Di-az, Owen Diaz and Lamar Patterson, an individual v. Tesla, Inc. dba Tesla Motors, Inc.; CitiStaff Solutions, Inc.; West Valley Staffing Group; Chartwell Staffing Services, Inc. and Does 1-10, inclusive	J. Bernard Alexander, III (Co-Lead), Alexander Morrison + Fehr, LLP, Los Angeles, CA; Lawrence A. Organ (Co-Lead), California Civil Rights Law Group, San Anselmo, CA; Navruz Avloni, California Civil Rights Law Group, San Anselmo, CA; Cimone A. Nunley, California Civil Rights Law Group, San Anselmo, CA
3	\$27,500,100.00	9/3/2021	CA (Federal)	Pharmacist claimed she was fired for reporting overpriced meds	Afrouz Nikmanesh, on behalf of herself, the general public, and all others similarly situated v. Wal-Mart Stores, Inc., a Delaware corporation, a Delaware corporation, and Does 1 through 10, inclusive	Dayton B. Parcels, III (Lead), Parcels Law Firm, Los Angeles, CA; Eric M. Epstein, Eric M. Epstein, APC, Los Angeles, CA; Josh Buck, Thierman Buck, LLP, Reno, NV; Mark R. Thierman, Thierman Buck, LLP, Reno, NV
4	\$17,287,063.05	10/29/2021	WA (Federal)	ICE operator denied workers wages	Chao Chen, individually and on behalf of all those similarly situated v. The GEO Group, Inc. / State of Washington v. The GEO Group, Inc.*	Jamal Whitehead (Lead), Schroeter Goldmark & Bender; Andrea Brenneke, Attorney General's Office; Marsha Chien, Attorney General's Office; Lane Polozola, Attorney General's Office; Adam J. Berger, Schroeter Goldmark & Bender
5	\$11,085,672.00	4/15/2021	WA (Federal)	Manager claimed he was fired for alleging discrimination in commissions distribution	Scott Kingston v. International Business Machines Corporation, a New York Corporation*	Matthew E. Lee (Co-Lead), Milberg Coleman Bryson Phillips Grossman, PLLC, Raleigh, NC; Toby J. Marshall (Co-Lead), Terrell Marshall Law Group PLLC, Seattle, WA; Jeremy R. Williams, Milberg Coleman Bryson Phillips Grossman, PLLC, Raleigh, NC;

						Britt Glass, Terrell Marshall Law Group PLLC, Seattle, WA
6	\$3,967,135.00	9/21/2021	CA (Riverside County)	Company refused to find injured employee a position	Rosa Jensen and Linda Kerr v. The Home Depot; Home Depot USA Inc.; Theresa Meza; Karen Abraham; Jen Greenman; and Does 1 through 100, Inclusive	Maryann P. Gallagher, Law Offices of Maryann P. Gallagher, Los Angeles, CA; Michael H. Kim, Michael H. Kim, A Professional Law Corp., La Mirada, CA

*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.



TOP VERDICTS BY CATEGORY

EMPLOYMENT						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
7	\$3,625,752.00	9/29/2021	CA (Tulare County)	Terminated after complaining about discrimination	Ernie Flores v. Palo Verde Union School District*	Lindsay L. Bowden, Brock & Gonzales, LLP, Los Angeles, CA; D. Aaron Brock, Brock & Gonzales, LLP, Los Angeles, CA; Lee A. Cirsch, Brock & Gonzales, LLP, Los Angeles, CA
8	\$2,405,600.00	9/30/2021	CA (Los Angeles County)	Suit fired for investigating claims against school's founder	Anita Bralock v. American University of Health Sciences Inc., Gregory Johnson and Does 1-50 / Brandon Fryman v. American University of Health Sciences Inc., Gregory Johnson and Does 1-50	Twila S. White (Lead), Law Offices of Twila S. White, Hermosa Beach, CA; Iverson M. Jackson, Iverson Matthew Jackson Law Firm, PC, North Hollywood, CA
9	\$1,680,000.00	10/21/2021	CA (Los Angeles County)	Plaintiff claimed he was fired for reporting HIPAA violation	Matthew Flanigan v. Rheumatology Diagnostics Laboratory Inc. and Does 1 through 60	Christopher P. Fields, Christopher P. Fields Law Offices, Los Angeles, CA; Edward Y. Lee, Law Offices of Edward Y. Lee, Los Angeles, CA
10	\$1,494,583.00	12/14/2021	CA (Riverside County)	Veteran not accommodated for professional exam	Sean Wilder v. Staci Sullivan and City of Riverside*	Jamon R. Hicks, Douglas / Hicks Law, APC, Los Angeles, CA
11	\$1,280,000.00	8/12/2021	CA (Tulare County)	School district interfered with medical leave	Oscar Mayorga v. Porterville Unified School District	Maria A. Bourn, Law Offices of Tanya Gomeran, San Francisco, CA; Michael T. Brooks, Law Offices of Tanya Gomeran, San Francisco, CA
12	\$709,555.00	9/28/2021	CA (Monterey County)	Employer failed to prevent distribution of explicit video	Anahi Ramirez v. California Department of Corrections and Rehabilitation, a public entity; Tony Serna, an individual; Roy Munoz, an individual; Che White, an individual; Chad Bala, an individual; Peter Paluck, an individual; John Childers, an individual; and Does 1 through 50, inclusive	Elizabeth R. Leitzinger, Fenton & Keller, Monterey, CA; Gladys Rodriguez-Morales, Fenton & Keller, Monterey, CA
13	\$325,000.00	3/23/2021	CA (Orange County)	Co-workers not disciplined because of race	Ennio Rocca v. California Department of Parks and Recreation	Bijan Darvish, Law Office of Bijan Darvish, Huntington Beach, CA
14	\$257,000.00	11/24/2021	CA (Los Angeles County)	Plaintiff alleged hostile work environment caused early retirement	Harold Winston v. County of Los Angeles; and Does 1-10, inclusive	Michael J. Curls, Law Office of Michael J. Curls, Los Angeles, CA; Nichelle D. Jordan, Law Office of Michael J. Curls, Los Angeles, CA
15	\$250,000.00	7/16/2021	CA (Federal)	Hours changed after making	Ebony Ballard, an individual, v. Megan J. Brennan. Postmaster General of the	G. Samuel Cleaver, Law Offices of G. Samuel Cleaver, Los

			sexual harassment complaints	United States of America	Angeles, CA
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TOP VERDICTS BY CATEGORY

ENERGY AND NATURAL RESOURCES						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$73,039,191.00	9/20/2021	CA (Kern County)	Oil companies blamed each other for cessation of activity	TRC Operating Company, Inc., a California corporation, and TRC Cypress Group, LLC, a California limited liability company v. Chevron U.S.A. Inc., a Pennsylvania corporation	Valerie A. Lozano, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA; Christopher Tayback, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA; Scott L. Watson, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA

GOVERNMENT						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$17,002,000.00	10/27/2021	CA (Federal)	Parents claimed police officer shot unarmed son at store	Paola French and Russell French v. City of Los Angeles; Salvador Sanchez; and Does 1 through 10, inclusive	Dale K. Galipo, Law Offices of Dale K. Galipo, Woodland Hills, CA; Eric Valenzuela, Law Offices of Dale K. Galipo, Woodland Hills, CA
2	\$9,328,323.69	5/4/2021	CA (Fresno County)	Road's dangerous condition led to altercation	Daquan Jones v. Hiller Aircraft Corporation; Roadtex LTL, Inc.; Roadtex Transportation Corporation; David J. Carter as Trustee of the Raymond J. Carter Grantor Trust; Amy D. McBee as Trustee of the Raymond H. Carter Grantor Trust; Pacific Produce Distributors, Inc.; John Wayne McBee as Trustee of the John and Sheri McBee Revocable Trust; Sheri D. McBee as Trustee of the John and Sheri McBee Revocable Trust; City of Firebaugh; and Does 1-100	Richard C. Watters (Lead), Miles, Sears & Eanni, Fresno, CA; Lyndsie N. Russell, Miles, Sears, & Eanni, Fresno, CA
3	\$8,085,546.03	10/7/2021	CA (Federal)	Company made false statements to avoid antidumping fees	United States of America ex rel. Island Industries, Inc. v. Vandewater International Inc.; Neil Reubens; Anvil International, LLC; Sigma Corporation; Smith Cooper International; Allied Rubber & Gasket Company; and John Does Nos. 1-10	Matthew H. Marmolejo, Mayer Brown LLP, Los Angeles, CA; Jennifer L. Chorpene, United States Department of Justice - Civil Division, Washington, DC
4	\$6,000,000.00	5/27/2021	CA (Federal)	Police officer ran over him a second time	Andy Martin, an individual v. City of San Jose, a municipal corporation; Alexandre Vieira-Ribeiro, individually and in his official capacity as a City of San Jose Police Officer; and Does 1-50, inclusive	John L. Burris (Lead), Law Offices of John L. Burris, Oakland, CA; Ben Nisenbaum, Law Offices of John L. Burris, Oakland, CA; Patrick Buelna, Pointer & Buelna, LLP, Oakland, CA
5	\$1,235,000.00	6/15/2021	CA (Federal)	Plaintiff claimed officer struck him several times	Lee Montes v. Officer Duran, #673; Officer Raneer, #664; City of El Monte; and Does 1-50, inclusive	Kevin S. Conlogue, Law Office of Kevin S. Conlogue, Beverly Hills, CA

				during stop		
6	\$670,000.00	4/28/2021	CA (Solano County)	Deputy didn't properly secure police dog, bitten man claimed	Richard Chandler v. County of Alameda; Alameda County Sheriff's Department and Kevin Beyrodt	Elinor Leary (Lead), The Veen Firm, P.C., San Francisco, CA; Clifton N. Smoot, The Veen Firm, P.C., San Francisco, CA
7	\$180,000.00	12/9/2021	AZ (Federal)	Prison guard broke detainee's jaw while responding to fracas	Alexis Gabrielle Dinsbach v. Candice Harris*	Alexandra Dawson, Dawson & Rosenthal PC ; Sander Dawson, Dawson & Rosenthal PC

*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.



TOP VERDICTS BY CATEGORY

INSURANCE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$1,500,000.00	3/30/2021	WA (Federal)	Pedestrian suffered brain injury in accident	Julian Liu v. State Farm Mutual Automobile Insurance Company*	Jean Jorgensen, Edward K. Le, PLLC, Renton, WA; Michael Kittleson, Edward K. Le, PLLC, Renton, WA; Edward K. Le, Edward K. Le, PLLC, Renton, WA

INTELLECTUAL PROPERTY						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$177,792,640.01	7/22/2021	CA (Federal)	Drug developer: Other company's drug infringed patents	Plexxikon Inc. v. Novartis Pharmaceuticals Corporation	Kira A. Davis, Durie Tangri, Los Angeles, CA; Daralyn J. Durie, Durie Tangri, San Francisco, CA; Hannah Jiam, Durie Tangri, San Francisco, CA; Andrew T. Jones, Durie Tangri, Los Angeles, CA; Raghav R. Krishnapriyan, Durie Tangri, San Francisco, CA; David F. McGowan, Durie Tangri, San Francisco, CA; Katherine E. McNutt, Durie Tangri, Los Angeles, CA; Eugene Novikov, Durie Tangri, San Francisco, CA; Whitney O'Byrne, Durie Tangri, Los Angeles, CA
2	\$26,641,876.75	5/14/2021	OR (Federal)	Defendant infringed RFID patent	ADASA Inc. v. Avery Dennison Corporation	Jonathan T. Suder (Lead), Friedman, Suder & Cooke, P.C., Fort Worth, TX; Glenn S. Orman, Friedman, Suder & Cooke, P.C., Fort Worth, TX; Richard A. Wojcio, Jr., Friedman, Suder & Cooke, P.C.
3	\$14,500,000.00	11/18/2021	CA (Federal)	Former manufacturer used trademark without consent	SinCo Technologies Pte Ltd v. SinCo Electronics (Dongguan) Co. Ltd., XingKe Electronics (Dongguan) Co., Ltd.; NG Cher Yong Ng aka Cy Ng; and Liew Yew Soon aka Mark Liew	Lael D. Andara (Lead), Ropers, Majeski, Kohn & Bentley, Menlo Park, CA; Ernest E. Price, Ropers, Majeski, Kohn & Bentley, Los Angeles, CA

INTENTIONAL TORTS						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$81,865,102.00	7/29/2021	CA (Los Angeles County)	Restaurant's patrons claimed they were beaten in altercation	Anne Greene and Matthew Greene v. Alberto Daniel Driz, Maurice Driz, Shawn Driz, William Aubrey Joelson and Aaron Joseph Torbati / Jeremy Findel v. Alberto Daniel Driz, Maurice Driz, Shawn Driz, William Aubrey Joelson and Aaron Joseph	Christopher V. Bulone, Dordick Law Corp., Beverly Hills, CA; Terry J. Cole, Dordick Law Corp., Beverly Hills, CA; John P. Kristensen, Kristensen LLP, Los Angeles, CA

					Torbati	
2	\$38,972,500.00	9/9/2021	CA (Glenn County)	Broker claimed former colleagues defamed him	Dalas L. Gundersen v. Does 1 to 50	John R. Garner (Co-Lead), Garner & Associates, Sacramento, CA; Ognian A. Gavrilov (Co-Lead), Gavrilov & Brooks, Sacramento, CA; Erika M. Gaspar, Law Office Of Erika M. Gaspar, Sacramento, CA



TOP VERDICTS BY CATEGORY

INTENTIONAL TORTS						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
3	\$8,500,000.00	10/22/2021	CA (Federal)	Plane's passenger claimed he was assaulted for using restrooms	Atef Bandary v. Delta Air Lines, Inc.	Hee J. Kim, Obagi Law Group, P.C., Los Angeles, CA; Zein E. Obagi, Jr., Obagi Law Group, P.C., Los Angeles, CA
4	\$1,900,000.00	3/4/2021	CA (Orange County)	Plaintiff claimed permanent vision problems from assault	Juan Manuel Murillo Guerrero and Edwin Yovani Murillo Ceja v. Walsworth Property Management, Inc., William Walsworth, Mark Albert Marquez, Albert Hinojosa Marquez and Sandra Marill Chandler	Matthew J. Whibley (Lead), The Vartazarian Law Firm, APC, Sherman Oaks, CA; Kenneth E. Traynham, The Vartazarian Law Firm, APC, Calabasas, CA
5	\$450,000.00	9/3/2021	CA (Los Angeles County)	Neighbor knew gun shooting was dangerous	Nicholas Garcia v. Lisa Kritzell and Eliachar Elliot Mamann*	Jeffrey D. Wolf, Heimanson & Wolf, LLP, Los Angeles, CA

MEDICAL MALPRACTICE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$49,800,000.00	10/5/2021	CA (Fresno County)	Breathing tube negligently removed during ambulance ride	Nicholas R. Merlo, by and through his Conservator and Guardian ad Litem, Kaci K. Merlo, and Kaci K. Merlo, individually v. Pristine Surgery Center, Inc., Prahalad B. Jojodia, M.D., Simranjit Singh Bassi, CRNA, American Ambulance, Brina Portillo, Ashley Bowman, Allison Freer, Jeffrey Schneider, and Does 1-20	Daniel R. Baradat (Lead), Baradat & Paboojian, Inc., Fresno, CA; Warren R. Paboojian, Baradat & Paboojian, Inc., Fresno, CA; Adam B. Stirrup, Baradat & Paboojian, Inc., Fresno, CA
2	\$29,500,000.00	4/9/2021	NV (Clark County)	Aspiring actress severely brain-damaged after defendant's negligent care	Deborah Jean Giacalone, in her capacity as the guardian of Chantel Rose Giacalone v. MedicWest Ambulance, Inc., MedicWest Holdings, Inc., Mandalay Resort Group, d/b/a Mandalay Bay Hotel & Casino, Advanstar Communications Inc.	Christian Morris (Lead), Nettles Morris Law Firm; Micah Echols, Claggett & Sykes Law Firm; Jeffrey S. Cook, Driggers, Schultz & Herbst; Victoria "Tori" R. Allen, Nettles Morris Law Firm
3	\$438,826.00	5/26/2021	OR (Lane County)	Dentist fractured jaw, damaged nerve in wisdom teeth removal	Tianna Weaver v. Binder Family Dental Group, LLC and Ari Binder*	Bryan Lessley, Jensen, Elmore, Stupasky & Lessley P.C.; Tina Stupasky, Jensen, Elmore, Stupasky & Lessley P.C.
4	\$232,450.00	12/14/2021	CA (Kern County)	Patient's knee condition fully resolved, defense claimed	Randy Hatfield v. Michael C. Tivnon, M.D.	Jessica I. DeVille, DeVille Law Group, Redondo Beach, CA; Joshua M. Merliss, Law Offices of Joshua M. Merliss, Los Angeles, CA
5	\$165,884.48	6/9/2021	CA (Los Angeles)	Physician assistant negligent in use	Gloria Mikeler v. Jonathan Berkowitz, M.D., Los Angeles Orthopaedic Institute	Benjamin T. Ikuta (Lead), Hodes Milman Ikuta, LLP,

			County)	of surgical boot: patient	and Sherman Oaks Hospital	Irvine, CA; Michelle B. Hemesath, Hodes Milman Ikuta, LLP, Irvine, CA
6	\$107,800.00	6/9/2021	CA (San Bernardino County)	Oral surgeonextracted healthy tooth	Joyleen Qu, a minor by and through her guardian ad litem Geng Qu v. Dr. Andre Guerrero, an individual; David H. Gilbert, DDS, MS, MBA, Inc. dba Inland Institute, a California corporation; and Does 1-25	William R. Gilmore, Strassburg, Gilmore & Wei, LLP, Pasadena, CA; Adam R. Lugo, Strassburg, Gilmore & Wei, LLP, Pasadena, CA

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TOP VERDICTS BY CATEGORY

MOTOR VEHICLE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$129,171,113.00	8/18/2021	CA (Los Angeles County)	Plaintiff claimed driver on cell phone caused accident	Jesse Equihua and Barbara Equihua v. Marilyn Chausse and Shayna Nash	Brittney M. Baca, Accident Attorneys, Lancaster, CA; James M. Baratta, Grant, Genovese & Baratta, Irvine, CA; Khail A. Parris, PARRIS Law Firm, Lancaster, CA; R. Rex Parris, PARRIS Law Firm, Lancaster, CA; Eric N. Wilson, PARRIS Law Firm, Lancaster, CA
2	\$49,640,094.00	10/20/2021	CA (Los Angeles County)	Motorcycle cop struck by car while pursuing speeding driver	Eric Bejar and Christina Bejar v. Josefina Lopez	Khail A. Parris, PARRIS Law Firm, Lancaster, CA; R. Rex Parris, PARRIS Law Firm, Lancaster, CA; Bruce L. Schechter, PARRIS Law Firm, Lancaster, CA; Ibiere N. Seck, Seck Law, P.C., Los Angeles, CA
3	\$38,750,000.00	8/24/2021	NV (Clark County)	Estate awarded \$38 million in wrongful death trucking case	Encarnacion Espana, as Personal Representative of The Estate of Jazmin Honorato Espana v. Republic Silver State Disposal, Inc, Republic Services, Republic Services, Inc., Julio Cortez-Solano	Patrick Kang, Ace Law Group; Sean K. Claggett, Claggett & Sykes Law Firm, Las Vegas, NV; Micah Echols, Claggett & Sykes Law Firm, Las Vegas, NV; Geordan Logan, Claggett & Sykes Law Firm, Las Vegas, NV; William T. Sykes, Claggett & Sykes Law Firm, Las Vegas, NV
4	\$21,600,000.00	11/10/2021	CA (Los Angeles County)	Bus's driver didn't notice bicyclist	Barry Smith and Rose Smith v. City of Redondo Beach / Barry Smith and Rose Smith v. State of California; Caltrans County of Los Angeles; Los Angeles Metropolitan Transit; Francine Danyielle Murphy; MV Transportation Inc.; and Does 1 to 100, inclusive	Garo Mardirossian (Lead), Mardirossian Akaragian LLP, Los Angeles, CA; Lawrence D. Marks, Mardirossian Akaragian LLP, Los Angeles, CA
5	\$10,600,000.00	10/7/2021	CA (Los Angeles County)	Drunken driver caused fatal accident	Kent Hubbard and Sherrill Hubbard v. Rodney Deshone Wright and Does 1-100	Jason P. Fowler, PARRIS Law Firm, Lancaster, CA; Ryan K. Kahl, PARRIS Law Firm, Lancaster, CA; Alexander R. Wheeler, PARRIS Law Firm, Lancaster, CA
6	\$10,000,000.00	9/24/2021	CA (Kern County)	Plaintiff claimed brain injury resulted in personality change	Laurence Mitchell Little, an individual, Susan Little, an individual v. Davinder Singh, an individual, Wabash National, a business entity, and Does 1 through 20, inclusive	Ralph B. Wegis, Law Office of Ralph B. Wegis, Bakersfield, CA; Stephen K. McElroy, McElroy Parris Trial Lawyers, Ojai, CA; Courtney E. Rowlev, Rowlev

						Law Firm, Ojai, CA; Nicholas C. Rowley, Trial Lawyers for Justice, Ojai, CA
7	\$7,619,000.00	10/12/2021	CA (Los Angeles County)	Trucker's hasty turn caused fatal accident	Maria Naranjo; Carla Silva-Naranjo; Luis R. Naranjo; Griselda I. Naranjo; Araceli Gonzalez-Naranjo; Jose M. Naranjo and Oscar N. Naranjo v. Jose R. Inzunza; Kershaw Fruit & Cold Storage Inc.; CR GTS Inc.; Carlos Gonzalez and Does 1 through 100	Katherine E. Harvey-Lee (Lead), California Truck Law PC, Los Angeles, CA; Mariano Morales, Jr., Mariano Morales Law, Yakima, WA; Robert L. Collins, Robert L. Collins & Associates, Houston, TX



TOP VERDICTS BY CATEGORY

MOTOR VEHICLE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
8	\$6,000,000.00	12/6/2021	CA (Sacramento County)	Rideshare driver's unsafe actions caused fatal crash	Jacqueline Doub, Successor in Interest to Estate of Joseph L. Doub Jr., and in her personal capacity; Katelyn Doub and Cody Doub v. Lyft, Inc.; Rafiulla Amiri; Jennifer Anne Alford; William Dunivin; and Does 1 through 50, Inclusive / William Zmrzel and Diane Love v. Lyft, Inc.; Rafiulla Amiri; Jennifer Alford; William Dunivin; and Does 1 through 100 / Rafiulla Amiri v. Jennifer Alford; William Dunivin; and Does 1 through 10 / Stephen Alford v. Rafiulla Amiri; Lyft, Inc.; and Does 1 through 100, Inclusive	Kevin L. Elder (Co-Lead), Penney & Associates, Rocklin, CA; Kent M. Luckey (Co-Lead), Penney & Associates, Roseville, CA; Garrett M. Penney, Penney & Associates, Rocklin, CA
9	\$5,367,996.00	12/20/2021	CA (Kings County)	Driver speeding for weather conditions	Jose Guadalupe Diaz Garcia v. Ryan Christopher Freitas; Shannon Bros. Co.; and Esbeco Equipment Company, LLC*	Lauren E.S. Horwitz, Banafsheh, Danesh, & Javid PC, Beverly Hills, CA; Shawn J. McCann, Banafsheh, Danesh, & Javid PC, Beverly Hills, CA
10	\$4,515,000.00	11/8/2021	WA (Snohomish County)	Truck driver injured in broadside crash	Nickalas Smith and Catlin Smith v. Mac Jac Trucking LLC*	Ben W. Wells, Ben Wells & Associates, Arlington, WA; Joshua B. Trumbull, JBT & Associates, P.S., Arlington, WA
11	\$2,150,000.00	8/30/2021	CA (Kern County)	Plaintiff alleged crash caused need for spinal fusions	Christine Ann Delvecchio, an individual v. Cesar Dominguez Bella, an individual; and Does 1 through 50, inclusive	Derek S. Monzon, Wilshire Law Firm, PLC, Los Angeles, CA; Jonathan C. Teller, Wilshire Law Firm, PLC, Los Angeles, CA
12	\$1,125,000.00	9/21/2021	CA (Riverside County)	Auto accident caused spinal injuries	Raquel Manzo, an individual, v. LGS Transport Inc., a California corporation; Daniel Garcia Buenrostro, an individual; and Does 1 through 50, inclusive	Jonathan H. Davidi, Panish Shea & Boyle LLP, Los Angeles, CA; Robert Glassman, Panish Shea & Boyle LLP, Los Angeles, CA
13	\$832,797.78	11/15/2021	CA (Los Angeles County)	Ongoing pain after intersection collision	Thomas Lee v. Elaine Sumi*	Christopher Montes de Oca, Law Offices of Christopher Montes de Oca, Whittier, CA; Esegbe A. Omofoma, The Omofoma Law Firm, Los Angeles, CA
14	\$750,000.00	12/3/2021	CA (Los Angeles County)	Auto accident caused neck injury	Selim Helvacioğlu v. Lawrence Madaras	Harry Nalbandyan, Levin & Nalbandyan, LLP, Los Angeles, CA
15	\$740,060.00	7/27/2021	CA (Los Angeles County)	Auto accident	Jonathan Carl Arellano v. Avatek Inc.;	Elliot R. Zarabi, The Zarabi Firm,

			Angeles County)	caused spinal injury, defense contended	Penske Truck Leasing Co.; and Yee Chun Lam	APC, Los Angeles, CA; Daniel S. DeSantis, Wilshire Law Firm, PLC, Los Angeles, CA
16	\$650,000.00	5/21/2021	WA (Snohomish County)	Mother, son injured in intersectional crash	Ashleigh Hulse, individually, and Ashleigh Hulse, as guardian for her minor child, James R. Nye v. Estate of Leroy R. Pouliot*	Elizabeth Minish, Ben Wells & Associates; Ben W. Wells, Ben Wells & Associates, Arlington, WA; Emily A. Harris, JBT & Associates, P.S., Arlington, WA; Joshua B. Trumbull, JBT & Associates, P.S., Arlington, WA

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TOP VERDICTS BY CATEGORY

MOTOR VEHICLE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
17	\$600,000.00	4/13/2021	WA (Snohomish County)	Multi-impact crash caused neck, back injuries	Isabella Bianchi v. Raymond Wagonblast*	Ben W. Wells, Ben Wells & Associates, Arlington, WA; Emily A. Harris, JBT & Associates, P.S., Arlington, WA; Joshua B. Trumbull, JBT & Associates, P.S., Arlington, WA
18	\$600,000.00	11/12/2021	CA (Los Angeles County)	Auto collision aggravated bad disc in back	Andrea Cornea v. Leslie Emely Briseno and Robert Jake Stirzel	Robert M. Mansour, Law Office of Robert Mansour, Santa Clarita, CA
19	\$554,287.21	8/27/2021	CA (Los Angeles County)	Truck entering highway from wrong side, caused crash	Hector Aleman v. James Goetze and MG Plumbing Inc.	Steven Berkowitz, Etehad Law Firm, Beverly Hills, CA; Simon P. Etehad, Etehad Law Firm, Beverly Hills, CA; William R. Gilmore, Strassburg, Gilmore & Wei, LLP, Pasadena, CA; Justin K. Strassburg, Strassburg, Gilmore & Wei, LLP, Pasadena, CA
20	\$408,523.00	7/7/2021	CA (Fresno County)	Driver's attempt to overtake two trucks caused crash	Ricardo Salcedo, an individual v. Porfirio Diaz Amaya, Donnie White, and Does 1-10, inclusive	Jason A. Helsel, Fowler Helsel Vogt, Fresno, CA; Mark A. Vogt, Fowler Helsel Vogt, Fresno, CA
21	\$402,750.00	3/30/2021	WA (King County)	Auto accident caused spinal injuries	Martyn Stewart v. Virginia Gorski, Stephen Gorski*	Thomas Jesse Degan, Jr. (Lead)
22	\$325,250.00	7/7/2021	CA (Kern County)	Defense: Bone spur showed injury was degenerative and not traumatic	Alfredo Espinosa, Jr. and Alice Espinosa v. Penske Truck Leasing Corp. and Fidel Sanchez / Marco Morin v. Penske Truck Leasing Corp., Fidel Sanchez and Jetriders, Inc.*	Sylvia Lopez, Law Office of Sylvia Lopez, Bakersfield, CA; David C. Shay, Vaziri Law Group, APC, Los Angeles, CA; Matthew M. Taylor, Vaziri Law Group, APC, Los Angeles, CA
23	\$137,938.36	7/21/2021	CA (San Bernardino County)	Father and daughter claimed auto accident caused injuries	Benigno Solis and Scarlet Solis, individuals v. Reginald Williams, an individual; and Does 1 to 25, Inclusive	Matthew M. Taylor, Vaziri Law Group, Los Angeles, CA
24	\$130,583.00	4/19/2021	WA (Snohomish County)	Rear-ender caused permanent injuries	Cynthia M. Piper-Kim v. Amber L. Galvez*	Mercedes M. Donchez, Donchez Law Firm
25	\$107,475.62	7/22/2021	CA (San Diego County)	Plaintiff claimed car crash aggravated prior	Mark Kirsch v. Yulin Li and GCP CMIC ClinPlus USA Corp.	Omid Rejali, Rejali Law Firm, San Diego, CA

injuries

NURSING HOMES

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$2,500,000.00	5/3/2021	CA (Riverside County)	Assisted living facility did not properly address wound	Marie Singleton, by and through her Attorney-In-Fact, Carla Singleton v. Integrated Care Communities, Inc.; California Drug Consultants, Inc. dba Integrated Care Communities-A1; and Does 1 through 250, inclusive	Roland C. Colton, Colton Law Group, Laguna Niguel, CA; Adam J. Peck, Peck Law Group, Van Nuys, CA



TOP VERDICTS BY CATEGORY

PREMISES LIABILITY

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$91,000,000.00	6/17/2021	WA (Pierce County)	Plaintiff claimed store clerk failed to protect customer from assault	William Tisdale v. CF United Propco, LLC, a Delaware Limited Liability Corporation d/b/a "Union 76 Service Station and convenience store"; Pacific Convenience & Fuels, LLC, a Delaware Limited Liability Corporation d/b/a "Union 76 Service Station and convenience store"; Richard M. Baker, a Washington resident; John Does 1-10	Eric Fong (Lead), Fong Law, Port Orchard, WA; Emma Aubrey, Fong Law, Port Orchard, WA; Ken McEwan, Fong Law, Port Orchard, WA
2	\$12,622,387.52	8/6/2021	CA (Los Angeles County)	Failure to warn of broken hatch, caused injuries	Louis Acosta v. MAS Realty LLC, a limited liability co.; Athena Management, Inc., a corporation; 3D Investments, LLC, a limited liability co.; CBRE Inc., a corporation; and Does 1 through 50, inclusive	Daniel K. Kramer (Lead), Kramer Trial Lawyers APC, Los Angeles, CA; Teresa A. Johnson, Kramer Trial Lawyers APC, Los Angeles, CA
3	\$11,216,056.00	8/5/2021	WA (Pierce County)	Company failed to warn of asbestos hazards	Dennis G. Woodruff v. American Optical Corporation; Crown Cork & Seal Company Inc.; Metropolitan Life Insurance Company; North Coast Electric Company; Pfizer Inc.; Union Carbide Corporation; Weyerhaeuser Company; Weyerhaeuser NR Company; Zidell Marine Corporation; Zidell Dismantling Inc.; Pon North America Inc.; Zidell Valve Corporation; Zidell Explorations Inc.; General Electric Company; Goulds Pumps IPG LLC; IMO Industries Inc.; ITT LLC; Viacomcbs Inc.; Warren Pumps and Port of Tacoma*	Justin Olson, Bergman Draper Oslund Udo, PLLC, Seattle, WA; Chandler H. Udo, Bergman Draper Oslund Udo, PLLC, Seattle, WA
4	\$9,000,000.00	10/6/2021	NM (Santa Fe County)	Hospital security used excessive force with psychiatric patient	Daniel Hirshey v. CHRISTUS St. Vincent Regional Medical Center*	Lee Hunt (Lead), Hunt Law Firm, Sante Fe, NM; Cynthia L. Zedalis, Hunt Law Firm
5	\$1,253,000.00	10/28/2021	CA (San Diego County)	Fall through walkway caused chronic pain condition	Jennifer Welsh v. Mission Grove Offices LLC; John Anewalt LLC; Mary Anewalt Perrine LLC; San Diego Commercial Real Estate Services Inc. dba Nai San Diego; and Woodside Avenue LLC	J. Domenic Martini, Singleton Schreiber McKenzie & Scott LLP, San Diego, CA; Brett J. Schreiber, Singleton Schreiber McKenzie & Scott LLP, San Diego, CA

PRODUCTS LIABILITY

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
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1	\$185,150,000.00	7/27/2021	WA (King County)	Teachers' exposure to PCBs caused brain damage	Kerry L. Erickson, Michelle M. Leahy, Richard A. Leahy and Joyce E. Marquardt v. Monsanto Company, Solutia, Inc., Pharmacia LLC, f/k/a Pharmacia Corporation, Union High School District No. 402, and Snohomish Health District	Richard H. Friedman (Lead), Friedman Rubin, Bremerton, WA; Sean J. Gamble, Friedman Rubin; Henry G. Jones, Friedman Rubin, Seattle, WA
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*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.



TOP VERDICTS BY CATEGORY

PRODUCTS LIABILITY						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
2	\$62,135,000.00	11/10/2021	WA (King County)	Exposure to defendant's PCBs caused students, staff's illnesses	Angela M. Bard and William Bard, individually and as legal guardians of minor J.D.B.; Jessica L. Bard; John M. Beutler; Stacy R. Mullen-Deland and Eric Deland, individually and as legal guardians of minors A.S.M.D. and C.R.M.D.; Donya C. Grant and Weldon J. Grant, individually and as legal guardians of minors H.B.G., K.M.G., M.A.G. and R.K. G.;	Richard H. Friedman (Lead), Friedman Rubin, Bremerton, WA; Sean J. Gamble, Friedman Rubin; Henry G. Jones, Friedman Rubin, Seattle, WA
3	\$27,458,000.00	10/12/2021	CA (Los Angeles County)	Use of asbestos-containing talc caused cancer	Shawn Johnson and Holly Johnson v. Johnson & Johnson; Johnson & Johnson Consumer Inc.; Albertsons Companies, Inc. Individually and as Successor-In-Interest to Sav-On Drug Stores, Inc.; Costco Wholesale Corporation; Ralphs Grocery Company; Thrifty Payless Inc. dba Rite Aid Pharmacy; and Walmart Inc.	Danny R. Kraft, Jr. (Lead), Weitz & Luxenberg, P.C., New York, NY; Benno B. Ashrafi, Weitz & Luxenberg, P.C., Los Angeles, CA; Joseph J. Mandia, Weitz & Luxenberg, P.C., Cherry Hill, NJ
4	\$25,772,967.00	8/26/2021	CA (Alameda County)	Manufacturer failed to warn of risk of using talc	Christina G. Prudencio v. Johnson & Johnson, Albertsons Companies, Inc., Cyprus Mines Corporation, Johnson & Johnson Consumer Inc., Longs Drug Stores California, Inc., Lucky Stores, Inc., Perrigo Company of Tennessee, Safeway Inc., VI-Jon, Inc. and Whittaker, Clark & Daniels, Inc.	Joseph D. Satterley (Lead), Kazan, McClain, Satterley & Greenwood, Oakland, CA; Ian Rivamonte, Kazan, McClain, Satterley & Greenwood, Oakland, CA
5	\$16,674,097.49	6/15/2021	WA (King County)	Worker's asbestos exposure caused meso, death	Sherrie D. Holdsworth, individually and as personal representative for the Estate of Kevan A. Holdsworth, deceased v. 3M Company, f/k/a Minnesota Mining and Manufacturing Company; Alaska Copper Companies, Inc.; Albany International Corporation; AstenJohnson Inc.; AW Chesterton Company; CBS Corporation, f/k/a a Viacom, Inc., successor by merger to CBS Corporation, f/k/a Westinghouse Electric Corporation; Crane Co.; EJ Bartells Settlement Trust; Gardner Denver Nash LLC, individually and as successor in interest to Nash Engineering Company; General Electric Company; Goulds Pumps, LLC; Harder Mechanical Contractors; Ingersoll Rand Company; IMO Industries,	Thomas Breen, Schroeter Goldmark & Bender; Lucas Garrett, Schroeter Goldmark & Bender, Seattle, WA

				LLC, individually and as successor in interest to Delaval; ITT Corporation, individually and as successor in interest to Allis-Chalmers; John Crane Inc.; Metropolitan Life Insurance Company; Scapa Waycross, Inc.; Sulzer Pumps (US), Inc., formerly known as Sulzer Bingham Pumps, Inc.; Union Carbide Corporation; and Viking Pump Company*
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TOP VERDICTS BY CATEGORY

PRODUCTS LIABILITY						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
6	\$15,594,000.00	8/12/2021	NV (Washoe County)	Company failed to warn of asbestos in equipment	John C. Wagner and Denise A.P. Wagner v. Eaton Corp.*	Benjamin Braly, Dean Omar Branham Shirley, LLP, Dallas, TX; Aaron D. Chapman, Dean Omar Branham Shirley, LLP, Dallas, TX; Ethan Horn, Dean Omar Branham Shirley, LLP, Dallas, TX
7	\$14,975,000.00	6/10/2021	CA (Federal)	Defective cryopreservation tank caused loss of embryos	A.B., C.D., and E.F., individually and on behalf of all others similarly situated v. Pacific Fertility Center and Prelude Fertility, Inc.	Amy M. Zeman (Co-Lead), Gibbs Law Group LLP, Oakland, CA; Dena C. Sharp (Co-Lead), Girard Sharp LLP, San Francisco, CA; John E. Bicknell, Gibbs Law Group LLP, Oakland, CA; Geoffrey A. Munroe, Gibbs Law Group LLP, Oakland, CA; Nina R. Giozzo, Girard Sharp LLP, San Francisco, CA; Adam E. Polk, Girard Sharp LLP, San Francisco, CA
8	\$4,817,719.17	4/16/2021	CA (Los Angeles County)	Asbestos-containing talc caused mesothelioma	Willie McNeal Jr. v. Autozone Inc.; Autozone West Inc.; Brenntag North America Inc.; Brenntag Specialties Inc. fka Mineral Pigment Solutions Inc.; Cyprus Amax Minerals Company dba American Talc Company dba Metropolitan Talc Co. Inc. dba Charles Mathieu Inc. dba Sierra Talc Company dba United Talc Company; Genuine Parts Company aka Napa; Honeywell International Inc. fka Allied-Signal Inc. sued as Successor-in-Interest to Bendix Corporation; Imerys Talc America Inc.; Johnson & Johnson; Johnson & Johnson Consumer Inc.; Lorillard Tobacco Company; Metropolitan Talc Co. Inc.; Pneumo Abex LLC; R.J. Reynolds Tobacco Company; Shulton Inc.; The PEP Boys-Manny Moe & Jack of California; Whittaker Clark & Daniels Inc.; and Windsor Minerals Inc.	Stuart J. Purdy (Lead), Simon Greenstone Panatier, PC, Long Beach, CA; Tyson Gamble, Simon Greenstone Panatier, PC, Long Beach, CA
9	\$926,000.00	5/14/2021	OR (Federal)	Defective IVC filter caused severe internal damage	Justin Peterson v. C.R. Bard Incorporated and Bard Peripheral Vascular Incorporated*	Thomas Wm. Arbon, Martin Baughman; Ben C. Martin, Martin Baughman; Joseph R. Johnson, Searcy Denney Scarola Barnhart & Shiple; Wm. Keith Dozier. Wm.

PROFESSIONAL NEGLIGENCE

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$16,652,538.00	11/17/2021	MT (Cascade County)	6-month-old suffered abuse, severe brain damage due to state's negligence	Seraphina Wilson, a minor, by and through her guardian Jeffrey Ferguson v. State of Montana, by and through the Montana Department of Public Health and Human Services*	Lawrence A. Anderson (Co-Lead), Davis, Hatley, Haffeman & Tighe, P.C.; Ben Graybill (Co-Lead), Davis, Hatley, Haffeman & Tighe, P.C.; Raph Graybill, Graybill Law Firm, PC

*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.

**TOP VERDICTS BY CATEGORY****SLIPS, TRIPS & FALLS**

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$3,500,000.00	10/5/2021	CA (Los Angeles County)	Sale's attendee injured while trying to reach locked dressing room	Izumi Maki v. Sue L. Wong, Studio S Inc., Sue Wong Lifestyle Inc. and Sue Wong Universe LP	Anthony A. Liberatore, A. Liberatore, P.C., Santa Monica, CA; H.W. Trey Jones, Jones & Bendon LLP, Los Angeles, CA
2	\$1,313,140.65	7/15/2021	CA (Monterey County)	Nursing home's failure to give shower resulted in fall	Catherine Gheen v. Salinasidence Opco, LLC dba Pacific Coast Post Acute	Reza Sobati (Lead), Lanzzone Morgan, LLP, Long Beach, CA; Ayman R. Mourad, Lanzzone Morgan, LLP, Long Beach, CA

WORKER/WORKPLACE NEGLIGENCE

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$27,000,000.00	7/7/2021	NM (Bernalillo County)	Tire shop negligent in repairing and checking safety of tractor-trailer wheels	Kristina Martinez, in her capacity as the Personal Representative of the Wrongful Death Estate of Barbara Granger, Estate of Barbara Granger and Scott Granger v. Dart Trans, Inc., Gilbert Tan doing business as GMT Trucking, Sunrise Tire and Lube Service, Inc., Har-Sukh Corp., Inc., Sam Sandhu, Jasvir Singh, Rajinder Singh Bassi, Sukhdev Singh Dhaliwal, Teri-OAT, LLC, Goodwill Trucking, LLC and Gurpreet Such	Mark T. Baker, Peifer, Hanson, Mullins & Baker, P.A., Albuquerque, NM; Matthew M. Beck, Peifer, Hanson, Mullins & Baker, P.A., Albuquerque, NM
2	\$21,169,685.00	7/28/2021	CA (Los Angeles County)	Failure to replace crash barrier caused death	The Estate of Kevin Walsh, by and through Eryn Walsh as successor in interest; Eryn Walsh, an individual; and Lauren Anne Marie Walsh, an individual minor by and through her guardian ad litem Eryn Walsh v. California Department of Transportation, a public entity; State of California; The Travelers Indemnity Company; and Does 1 through 100, inclusive	David W. Gammill, Gammill Law, APC, Manhattan Beach, CA; Carlos X. Colorado, The X-Law Group, P.C., South Pasadena, CA; Thomas E. Gray, The X-Law Group, P.C., South Pasadena, CA; Filippo Marchino, The X-Law Group, P.C., South Pasadena, CA
3	\$13,000,000.00	9/8/2021	CA (Riverside County)	Inattentive day care worker missed sexual assault	Jane Doe, by and through her guardian ad litem, Ashley Louise Randal v. Fitness Alliance LLC	Nadine Khedry, Panish Shea Boyle Ravipudi LLP, Los Angeles, CA; Spencer R. Lucas, Panish Shea Boyle Ravipudi LLP, Los Angeles, CA
4	\$5,782,000.00	7/23/2021	CA (Los Angeles County)	Wall's collapse led to painter's loss of toe	Brayan Resendez vs. Mulholland Tennis Club; and DOES 1-50*	Stephen K. McElroy, McElroy Parris Trial Lawyers, Ojai, CA

5	\$4,270,000.00	11/18/2021	CA (Kern County)	Store didn't inspect freezer drain	William Mora and Christine Mora v. Albertsons, LLC and AM Wighton & Sons dba A&J Refrigeration and Does 1 through 10, Inclusive	Steven R. Andrade, Andrade Law Offices, Santa Barbara, CA
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WORKPLACE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$8,400,000.00	10/21/2021	CO (Denver County)	Electrician shocked by hidden wires at work site	Jonathon Valaer v. Public Service Company of Colorado, d/b/a Xcel Energy, Q3 Contracting, Inc. and Xcel Energy*	Kurt Zaner (Lead), Zaner Harden Law, Denver, CO; Sarah McEahern, Zaner Harden Law, Denver, CO



TOP VERDICTS BY CATEGORY

WRONGFUL DEATH						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$25,000,000.00	9/21/2021	UT (Salt Lake County)	Defective blinds fatally strangled 3-year-old girl	Sunny Mahe and Sateki Reno Mahe, individually and on behalf of the heirs and estate of Elsie K. Mahe, deceased v. BlindVision, Century Blinds, Inc., Hunter Douglas, Inc. and Hunter Douglas Fabrication Company*	Alan W. Mortensen (Co-Lead), Dewsnup King Olsen Worel Havas Mortensen; James Corrigan (Co-Lead), O'Leary, Shelton, Corrigan, Peterson, Dalton & Quillin; Christopher J. Cheney, Dewsnup King Olsen Worel Havas Mortensen; Lance L. Milne, Dewsnup King Olsen Worel Havas Mortensen; James D. O'Leary, O'Leary, Shelton, Corrigan, Peterson, Dalton & Quillin, St. Louis, MO
2	\$5,000,000.00	5/26/2021	CA (Stanislaus County)	Speeding truck crossed centerline, causing fatal crash	Rosemary Perkins, individually and as the Successor-in-Interest to the Estate of Paul Perkins, and Maria Consuelo Rosas-Calderon v. Waterworks Industries, Incorporated, William Anthony Borges, Jr. and Does 1 to 30, inclusive	Kevin L. Elder (Lead), Penney & Associates, Rocklin, CA; Garrett M. Penney, Penney & Associates, Rocklin, CA

*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.

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Bar Foundation (ABF). He is repeatedly included in the elite group comprising The Best Lawyers in America® as well as Northern California Super Lawyers®, as compiled in Law & Politics Magazine. Mr. Bergeson is listed among Silicon Valley's Top Attorneys in San Jose Magazine, and has been recognized as a 2020, 2021, and 2022 California Litigation Star by Benchmark Litigation. He has received the highest peer-review rating for ethical standards and legal ability from Martindale-Hubbell.



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\$32.7 Million Settlement in Premises Liability Case – Three-and-a-half years after the Ghost Ship Fires occurred, costing the lives of 36 people and injuring several others, the lawsuit was resolved in the summer of 2020 for \$32.7 million against the City of Oakland. 32 families, along with a survivor who suffered brain damage and burns, agreed to the settlement. The City had 100's of contacts with the Ghost Ship over more than two years, by police and firemen who knew that people lived there, but the City turned a blind eye. Ultimately, a fire occurred that cost dozens of lives, ruined numerous families and injured dozens of other people. Mary was Liaison Counsel for a team of highly skilled attorneys that obtained this tremendous result. The case also resolved against PG&E.

\$21.4 Million Jury Verdict in Benzene Case – Mary Alexander obtained a \$21.4 million jury verdict on behalf of the families of two brothers who died of cancer as a result of their exposure to the known cancer-causing chemical benzene. The trial lasted over four weeks



with the jury deliberating for roughly 3 days. The families of Gary Eaves and his brother Randy Eaves filed a lawsuit against Union Oil which made the benzene-containing rubber solvent the brothers regularly worked with at their jobs in a tire manufacturing plant. The brothers were longtime employees of the plant and exposed to large amounts of benzene in their work. The jury sided with the plaintiffs who contended the oil company knew the solvents they sold contained benzene.

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Helena S. Younossi has extensive experience helping companies ranging from startups to Fortune 500 multinationals with their U.S. business immigration matters, including employee work authorizations, I-9 IRCA Compliance, M&A, LCA Compliance, Immigration Program and Policy development, as well as Consular and Global work visa coordination. She also represents individuals and families in their immigration related needs. Prior to opening her own firm she was a partner at the largest U.S. corporate immigration firm. Ms. Younossi has been invited to speak on immigration and legal ethics by organizations such the American Bar Association (ABA), the Public Law Institute (PLI), the Sixth Annual Statewide Ethics Symposium and the Immigrant Legal Resource Center, to name a few. She is a Former Member of the State Bar Executive Committee of the International Law Section, the AILA National Ethics and Practice Management Committee, has served as the AILA NorCal Ethics Liaison, and is the former Vice Chair of the BASF Ethics Committee. Ms. Younossi has been peer selected for inclusion in The Best Lawyers in America and the Northern California Super Lawyers every year since 2010. She is a three-time recipient of the Wiley W. Manuel Award, is a native speaker of German and Farsi and is conversational in French.



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GUY O. KORNBUM the Principal is Guy O. Kornblum, A Professional Law Corporation with offices in San Francisco, California. He has specialized as a trial and appellate lawyer for over 45 years. The firm specializes in a wide range of civil litigation, including serious injury and wrongful death, financial and physical elder abuse, and all aspects of insurance including "bad faith" claims. Mr. Kornblum himself has handled over 4000 litigated matters to conclusion and has several million dollar plus cases to his credit. He has represented hundreds of clients, small businesses, individuals, and large Fortune 500 corporations during his over 45 years of practice. He is highly regarded for his courtroom and appellate skills, and his representation of his clients in mediations, where he has a strong track record of successful settlements.

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Mr. Kornblum is certified in **Civil Trial Law** and **Civil Pretrial Practice Advocacy** by the prestigious **National Board of Trial Advocacy**, and is a **Charter Fellow, American College of**



Board Certified Attorneys. He is also a **Life Member of the Multi-Million Dollar and Million Dollar Advocate's Forum**, for those attorneys who have achieved multi-million dollar awards or settlements for their clients; is a **Charter Fellow of the Litigation Counsel of America Trial Lawyer Honorary**; and is a **"Top 100" Trial Lawyer**. He is listed in the **"Top 10"** in the **Personal Injury and Insurance Litigation** fields, and is listed in the **23d Edition of "The Best Lawyers in America."** He has been selected as a **Super Lawyer** each year since 2006, and is a **Top Attorney in North America**. Mr. Kornblum is the author of *Negotiating and Settling Tort Cases: Reaching the Settlement*, published by the Thomson West Publishing Company and American Association for Justice, 5th ed, 2021-2022., and co-author of two texts on insurance law and bad faith claims.

Mr. Kornblum has also qualified in both state and federal court as an expert witness on insurance claim handling, settlement value, negotiations, and on the standard of care applicable to lawyers in civil litigation.



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David M. deRubertis, the principal in The deRubertis Law Firm, APC, has a statewide practice focusing on trying employment cases of all types for employees, as well as handling and trying catastrophic injury, wrongful death and contingency business litigation matters. Mr. deRubertis' trial practice includes frequently being asked by other attorneys to serve as last-minute, "eve of trial" trial counsel.

Mr. deRubertis' honors include: "Trial Lawyer of the Year" by the Consumer Attorneys Association of Los Angeles (CAALA) (2014); "Litigator of the Week" by Am Law Litigation Daily (2022); "Employment Law Trailblazer" by National Law Journal (2021); "Best Lawyers - Lawyer of the Year - Employment Law - Individuals" (Los Angeles) (2014 and 2018); California Lawyer of the Year (CLAY Award) in Employment Law (2014); Joseph Posner Award from the California Employment Lawyers Association (CELA) (2011); Top 100 Southern California Super Lawyer from 2011 through 2022; Top Labor & Employment Lawyer by Los Angeles and San Francisco Daily Journal from 2009 through 2022; and two-time Finalist for "Street Fighter of the Year" by Consumer Attorneys of California (CAOC) in 2014 and 2015.

Mr. deRubertis is an active member of the American Board of Trial Advocates (ABOTA) and has frequently participated in its "Masters in Trial" annual program. Having tried dozens of jury and bench trials with experience in both state and federal courts, he has secured multiple record-setting employment jury verdicts as lead trial counsel. One example is his recent \$464.5 million dollar jury verdict in the case of *Martinez/Page v. Southern California Edison, et al.*, the largest employment jury verdict in US history. In



four separate matters before the California Supreme Court.

Mr. deRubertis is currently a member of the Board of

both 2014 and 2016, the Daily Journal recognized two different jury verdicts deRubertis achieved as lead counsel as among the "Top Verdicts" in California for those years. In addition to his trial work deRubertis has personally briefed and argued many appeals in both state and federal courts, including serving as lead appellate counsel for briefing and oral argument in

Governors of the Consumer Attorneys Association of Los Angeles and he previously served on the Executive Boards of the California Employment Lawyers Association, The Consumer Attorneys of California and was a Founding Director of the Los Angeles Trial Lawyers' Charities.

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Thomas C. Knowles, who has been practicing in California for more than 40 years and is rated AV Preeminent by Martindale Hubbell, specializes in product liability, construction site accident, and trucking accident cases. His experience as a former defense lawyer representing an auto manufacturer has provided the knowledge to effectively represent injured persons against manufacturers in product liability cases.

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He has frequently associated with other firms to provide trial and deposition assistance, either on behalf of a separate co-party or as co-counsel, and often serves as local counsel. O'Connor and Associates prides itself on being cooperative, responsive, and efficient.

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Jean M. Lawler, an independent MC3-Certified Mediator and Arbitrator, mediates commercial, insurance and civil litigation matters nationwide, including matters involving data breach, ransomware, privacy violations and cyber insurance. She has extensive experience in conducting online mediations. She serves on the American Arbitration Association's Commercial Panel.

An attorney for 40+ years, Ms. Lawler's legal experience has been diverse and international. Having served as Managing Partner of her former law firm and with a deep knowledge of the insurance industry, insurance policies and the various risks they insure against, she brings a unique perspective to the matters she mediates.

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Steven A. Fabbro has over 30 years of experience specializing in personal injury, product liability, traumatic brain injury, premises liability and wrongful death cases involving individuals who have suffered catastrophic, life-changing injuries.

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Mr. Fabbro has also handled several large mass tort cases involving hundreds of claims of toxic exposure, contaminated food products, defective medical devices, pharmaceutical products and vaccines, and food supplements.

His client base is comprised of individuals from across the Americas, Asia, and Europe. Mr. Fabbro is admitted to practice before the United States Supreme Court, the California Supreme Court, the United States Court of Appeals, the United District Courts for the Northern, Southern and Eastern Districts of California.

Mr. Fabbro accepts cases on a contingency fee basis. Office locations in San Francisco and Modesto serve the San Francisco Bay Area and Central Valley, California.



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PAUL K. SCHRIEFFER

Paul K. Schrieffer is the founding partner of P.K. Schrieffer LLP. He is an active trial lawyer in courts throughout California and has litigated cases in states throughout the United States. Mr. Schrieffer acts as national monitoring counsel for Underwriters at Lloyd's and London companies in multi-district federal court litigation, as well as in state courts. Mr. Schrieffer has tried complex, high exposure cases for many clients during his 25-year career, ranging from insurance bad faith and broker E&O to wrongful termination and catastrophic personal injury, wrongful death and construction. He has also represented event cancellation and contingency insurers nationally and internationally, including legal matters arising from such tours as Michael Jackson's "This Is It" concerts in London, England, Kanye West, Foo Fighters World Tour, Taylor Swift, Madonna, Christina Aguilera, Kings of Leon, Nicki Minaj, The Beastie Boys, YES LLC and Live Earth Concerts. Mr. Schrieffer represents Tech and Cyber insurers throughout the U.S. and in the London market and regularly represents NBC, Universal Studios, AIRBNB, Postmates and other Fortune 500 companies in litigated matters and key companies and individuals in the entertainment industry.



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SOLOMON B. CERA

Mr. Cera, the managing partner, has been litigating complex cases with the Firm for more than thirty years. He has been at the forefront of the Firm's nationwide practice in litigating complex class action and individual cases on behalf of plaintiffs. The Firm's principal areas of practice are antitrust, securities, and consumer litigation. Many of the Firm's cases are class actions. With unwavering commitment to its clients' interests, the Firm establishes a close



working relationship from initial investigation through successful resolution. The Firm's nationwide class action practice, run from its San Francisco and Boston offices, covers a wide range of businesses and industries. The Firm's cases often involve alleged accounting manipulations, misstated financial results, price fixing, monopolization, and/or other restraints of trade. In addition to its class action cases, the Firm also represents individuals and small businesses in high stakes litigation in a variety of areas including ERISA litigation, *qui tam* and whistleblower litigation, churning and unsuitability claims, and for breaches of fiduciary duty by officers and directors and general partners. The Firm also undertakes representation of individuals and businesses in arbitration, and has vast experience in obtaining mediated resolutions of disputes.



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TOP 25 SETTLEMENTS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	65,000,000.00	5/12/2021	MT (Lewis and Clark County)	\$65 Million Awarded To State Montana For Tobacco Companies Settlement Breach	State Of Montana ex rel, Timothy C. Fox v. Philip Morris, Incorporated; RJ. Reynolds Tobacco Co; American Tobacco Corp.; Brown & Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard Tobacco Company; United States Tobacco Company; B.A.T. Industries, P.L.C British American Tobacco Company, LTD; RJR Nabisco Holdings Corp; RJR Nabisco, Inc.; Hill & Knowlton, Inc.; The Council For Tobacco Research - U.S.A., Inc.; and Tobacco Institute, Inc.*	Christopher D. Abbott, Assistant Attorneys General; Mark W. Mattioli, Assistant Attorneys General, Helena, MT; Anne W. Yates, Assistant Attorneys General, Helena, MT; Juan Martinez, Morgan & Morgan, Jacksonville, FL; James D. Young, Morgan & Morgan, P.A., Jacksonville, FL; Paul M. Leisher, Special Assistant Attorneys General, Missoula, MT; David R. Paoli, Special Assistant Attorneys General, Missoula, MT
2	39,500,000.00	2/15/2021	CA (San Bernardino County)	Instructor subjected runner to unsafe conditions	Marissa Freeman, a disabled person, by and through her Guardian ad Litem, Arthur J. Freeman, Jr., v. Board of Trustees of the California State University, a public entity; Angel Castro, individually; and Does 1 through 100, Inclusive	Brian J. Panish (Lead), Panish Shea & Boyle LLP, Los Angeles, CA; Patrick K. Gunning, Panish Shea & Boyle LLP, Los Angeles, CA; Adam K. Shea, Panish Shea & Boyle LLP, Los Angeles, CA; Richard S. Sailer, Sailer Law Firm APC, Whittier, CA
3	17,500,000.00	2/2/2021	CA (Los Angeles County)	School not trained for medical emergencies	Eduardo Giovanni Mendoza, a Minor, by and through his Guardian ad Litem, Rosa Maria Davila Flores v. Compton Unified School District	Arash Homampour (Lead), The Homampour Law Firm PC, Sherman Oaks, CA; Stanley K. Jacobs, Jacobs & Jacobs, LLP, Los Angeles, CA; Scott E. Boyer, The Homampour Law Firm PC, Sherman Oaks, CA
4	16,000,000.00	4/21/2021	CA (San Diego County)	Driver's unsafe turn caused collision	Elleesa Kimberly Chavez v. Elliott Stuart Stiasny and City of San Diego	Louis J. Bertsche, Law Offices of Louis J. Bertsche, San Diego, CA
5	10,000,000.00	9/14/2021	CA (San Diego County)	Speeding motorist caused fiery crash	Giovanna Dominguez; Samantha Munoz; Carmen Felix; A.D.; T.D.; the Estate of Jesus David Dominguez and the Estate of Isaac Felix v. City of San Diego; Detective Raymond H. Rowe and Jeffrey B. Levi	Crystal R. Ellis, Munoz-Munoz & Ellis, Covina, CA; Warren M. Ellis, Munoz-Munoz & Ellis, Covina, CA

6	8,000,000.00	12/20/2021	CA (Los Angeles County)	Estate: Roadway fatality due to lack of guardrail or warning	Maria Kuzminskaia v. State of California*	Arash Homampour (Lead), The Homampour Law Firm PC, Sherman Oaks, CA; Kyle K. Madison, Madison Law Group, Los Angeles, CA; Scott E. Boyer, The Homampour Law Firm PC, Sherman Oaks, CA
7 (tie)	6,000,000.00	2/24/2021	WA (Whitman County)	Pedestrian suffered brain damage in accident	Duy Nguyen v. Robert Lowe*	Michael Kittleson, Edward K. Le, PLLC, Renton, WA; Edward K. Le, Edward K. Le, PLLC, Renton, WA; Lawrence M. Kahn, Lawrence Kahn Law Group, P.S.

*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.



TOP 25 SETTLEMENTS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
7 (tie)	6,000,000.00	4/20/2021	CA (Los Angeles County)	Landlords failed to abate lead-based paint	Margarita Ordonez; Kaitlyn Amerie Perez, a minor; Janice Emma Perez, a minor; Alfredo Perez Gonzalez; Teresa Gonzalez-Vasquez; and Alfredo Perez Rivera v. Shmuel Raigorododsky, Ludmila Raigorodsky, Yeshaya Lowenstein, SNS Realty Inc. and Does 1-20	Grant K. Riley, Riley Ersoff & Shakhnis, Beverly Hills, CA
9	5,900,000.00	4/9/2021	WA (King County)	College student suffered brain damage in pedestrian accident	Najma Sheikh v. Khalid Nawabi and Golden Gate America, LLC*	Michael Kittleson, Edward K. Le, PLLC, Renton, WA; Edward K. Le, Edward K. Le, PLLC, Renton, WA
10	5,750,000.00	5/5/2021	CA (Alameda County)	Rear-ender caused injuries to driver and passenger	Eric Robert Ringseth, by and through his Guardian Ad Litem Rosa Esperanza Ringseth, and Rosa Esperanza Ringseth, individually v. Lea & Braze Engineering, Inc.; Peter Anthony Carlino IV; and Does 1 through 50, inclusive	Brian Leach, Leach & McGreevy, LLP, San Francisco, CA; Richard E. McGreevy, Leach & McGreevy, LLP, San Francisco, CA
11	5,150,000.00	5/26/2021	CA (statewide)	Laborer required multiple rehabilitation facilities after fall	Armando Gaeta v. Casper Company	Tina B. Odjaghian, Odjaghian Law Group, Woodland Hills, CA
12	4,300,000.00	6/8/2021	CA (statewide)	Applicant claimed collision caused traumatic brain injury	William E. Polhemus II v. Seaco Enterprise, Inc.	Tina Eshghieh, The Law Office of Arash Khorsandi, PC, Los Angeles, CA
13	4,200,000.00	5/25/2021	CA (statewide)	Passenger ejected from bus claimed disabling brain injury	Ignacio Centeno v. Coachella Unified School District	Tina B. Odjaghian, Odjaghian Law Group, Woodland Hills, CA
14	3,900,000.00	8/12/2021	CA (Riverside County)	Motorcyclist killed during incident with turning truck	Mario Rodas and Sandra Ines De La Pena v. Performance Team LLC; Luis Miguel Garcia Lopez; and Does 1 to 100	Robert H. Marcereau, Marcereau & Nazif, Foothill Ranch, CA
15	3,480,345.00	1/4/2021	CA (statewide)	On-job head injury aggravated seizure disorder	Anthony Dene v. Costco Wholesale Corp.	Tina B. Odjaghian, Odjaghian Law Group, Woodland Hills, CA

16	3,257,000.00	9/23/2021	WA (Federal)	Policeman needlessly fired at moving vehicle	David Rice, Elizabeth Rice, Seth Donahue v City of Roy, a Washington municipality, Chris Johnson*	Christopher Baldwin Dolan, Dolan Law Firm PC, San Francisco, CA; Jeremy M. Jessup, Dolan Law Firm PC, San Francisco, CA; Douglas Richard Cloud
17	3,250,000.00	5/4/2021	CA (Fresno County)	Motorcyclist alleged officer's unsafe U-turn caused crash	Robert Reyes, II v. California Highway Patrol; Daniel Compomizzo; and Does 1 to 20, inclusive	Warren R. Paboojian (Lead), Baradat & Paboojian, Inc., Fresno, CA; Jason S. Bell, Baradat & Paboojian, Inc., Fresno, CA; Kevin B. Kalajian, Baradat & Paboojian, Inc., Fresno, CA



TOP 25 SETTLEMENTS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
18 (tie)	3,000,000.00	4/1/2021	CA (San Bernardino County)	Hotel's guest developed fatal pneumonia in pool	Carol S. Winfield, an individual; Walter W. Winfield, an individual; Scott A. Winfield, an individual; William O. Winfield, an individual; Elizabeth A. Schneider, an individual; Tamara Winfield-Pace, an individual; Tamara Winfield-Face, an individual; and The Estate of Walter William Winfield, by and through his Successor-in-Interest, Carol S. Winfield v. YTLife Investements, LLC, a business entity; Hotel D'Lins Ontario Airport formerly known as Best Western Plus Ontario, a business entity; Haiziao Lin, an individual; Tao Yue, an individual; and Does 1 to 50, Inclusive	Brian Panish (Lead), Panish Shea & Boyle LLP, Los Angeles, CA; Peter L. Kaufman, Panish Shea & Boyle LLP, Los Angeles, CA; Whitney T. Smith, Panish Shea & Boyle LLP, Los Angeles, CA
18 (tie)	3,000,000.00	7/25/2021	CA (Federal)	Officers' excessive force caused man's death	Charmane Henderson, individually and as successor-in-interest to Decedent Deautry Charles Ross v. City of Torrance, a municipal corporation; Brian McGee, individually and in his official capacity as a police officer for the Torrance Police Department; and DOES 1-10, inclusive, individually and in their official capacity as police officers for the City of Torrance	DeWitt M. Lacy, Law Offices of John L. Burris, Beverly Hills, CA; Julia N. Quesada, Law Offices of John L. Burris, Beverly Hills, CA
20	2,993,931.42	8/3/2021	CA (Kern County)	Auto accident caused injuries of brain, face, spine	Stacey Lee Burton v. Francisco Murillo, individually and dba Murillo Trucking; and Martinez Trucking Logistics, Inc.	Christopher B. Adamson, Adamson Ahdoot LLP, Los Angeles, CA; Mark E. Millard, Adamson Ahdoot LLP, Los Angeles, CA; Arash Nematollahi, Adamson Ahdoot LLP, Los Angeles, CA
21 (tie)	2,500,000.00	2/8/2021	CA (statewide)	Laborer claimed future medical care required after fall	Julian Chavez v. Sunset Construction Company, Inc.	Tina Eshghieh, The Law Office of Arash Khorsandi, PC, Los Angeles, CA
21 (tie)	2,500,000.00	5/21/2021	CA (Orange County)	Older attorneys claimed boss discriminated	Neal Moore and Scott Field v. Michael Gates and the City of Huntington Beach	J. Bernard Alexander, III, Alexander Morrison + Fehr, LLP, Los Angeles, CA

				against them		
23	2,300,000.00	10/15/2021	CA (Los Angeles County)	Auto accident necessitated spinal implant	Claudia Ruiz Munoz v. Margaret Neilson	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
24	2,250,000.00	12/20/2021	CA (Ventura County)	Auto accident caused spinal injury	Alejandro Tonathiu Castro v. Jeffrey Allen Feliciano and John Feliciano	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
25	2,200,000.00	7/23/2021	CA (Solano County)	Harassed by co-workers for sexual orientation	Jay Brome v. California Highway Patrol*	Benjamin J. Bien-Kahn, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Lisa A. Ells, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Gay Crosthwait Grunfeld, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Priyah Kaul, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Eric D. Monek Anderson, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA

*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.



TOP SETTLEMENTS

ANIMALS						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$1,300,000.00	1/12/2021	CA (San Diego County)	Rescue dogs not properly overseen, bitten woman claimed	Esther Cervantes, Israel Cervantes and Israel Cervantes, Jr. v. Donna Ruth Tavakkoly, Happy Hearts German Shepherd Rescue, Lore Besch Taylor as Trustee of The Lore Besch Taylor Revocable Trust, Taylor Made Working Dogs, Kristopher Patrick Taylor and Lore Besch Taylor	Otto L. Haselhoff, Law Offices of Otto L. Haselhoff PC, Santa Monica, CA
2	\$1,299,999.00	11/3/2021	CA (statewide)	Woman attacked by pit bull, developed severe infection	Jane Fulton v. American Automobile Association and Safeco Insurance Cos.	Christopher C. Watters, Miles, Sears & Eanni, Fresno, CA

CONSTRUCTION						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$5,150,000.00	5/26/2021	CA (statewide)	Laborer required multiple rehabilitation facilities after fall	Armando Gaeta v. Casper Company	Tina B. Odjaghian, Odjaghian Law Group, Woodland Hills, CA
2	\$2,500,000.00	2/8/2021	CA (statewide)	Laborer claimed future medical care required after fall	Julian Chavez v. Sunset Construction Company, Inc.	Tina Eshghieh, The Law Office of Arash Khorsandi, PC, Los Angeles, CA
3	\$2,198,986.00	5/6/2021	CA (statewide)	Welder claimed he became disabled from ladder fall	Juan Moreno v. Blue Diamond Materials	Tina Eshghieh, The Law Office of Arash Khorsandi, PC, Los Angeles, CA

DANGEROUS CONDITION OF PUBLIC PROPERTY						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$8,000,000.00	12/20/2021	CA (Los Angeles County)	Estate: Roadway fatality due to lack of guardrail or warning	Maria Kuzminskaia v. State of California*	Arash Homampour (Lead), The Homampour Law Firm PC, Sherman Oaks, CA; Kyle K. Madison, Madison Law Group, Los Angeles, CA; Scott E. Boyer, The Homampour Law Firm PC, Sherman Oaks, CA

EMPLOYMENT

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$2,200,000.00	7/23/2021	CA (Solano County)	Harassed by co-workers for sexual orientation	Jay Brome v. California Highway Patrol*	Benjamin J. Bien-Kahn, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Lisa A. Eills, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Gay Crosthwait Grunfeld, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Priyah Kaul, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Eric D. Monek Anderson, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA



TOP SETTLEMENTS

EMPLOYMENT						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
2	\$725,000.00	5/12/2021	CA (Federal)	Construction workers claimed racial harassment at work site	U.S. Equal Employment Opportunity Commission v. Hathaway Dinwiddie Construction Co.	Derek W. Li, U.S. Equal Employment Opportunity Commission, Los Angeles, CA; Anna Y. Park, U.S. Equal Employment Opportunity Commission, Los Angeles, CA
3	\$425,000.00	1/4/2021	CA (San Diego County)	Plaintiff claimed city failed to accommodate her disability	Rebecca Limon v. City of San Diego and San Diego Police Department	Suzy C. Moore, Law Offices of Suzy C. Moore, La Mesa, CA; Melissa R. Rinehart, Law Offices of Suzy C. Moore, La Mesa, CA
4	\$162,000.00	9/7/2021	CA (Federal)	Fitness director not rehired because of age, lawsuit alleged	Michael Andrews v. Equinox Holdings, Inc., a Delaware corporation; and Does 1 to 10, inclusive	Adrienne P. Harrold, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Sanford J. Rosen, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA; Jenny S. Yelin, Rosen Bien Galvan & Grunfeld LLP, San Francisco, CA

GOVERNMENT						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$16,000,000.00	4/21/2021	CA (San Diego County)	Driver's unsafe turn caused collision	Elleesa Kimberly Chavez v. Elliott Stuart Stiasny and City of San Diego	Louis J. Bertsche, Law Offices of Louis J. Bertsche, San Diego, CA
2	\$3,257,000.00	9/23/2021	WA (Federal)	Policeman needlessly fired at moving vehicle	David Rice, Elizabeth Rice, Seth Donahue v City of Roy, a Washington municipality, Chris Johnson*	Christopher Baldwin Dolan, Dolan Law Firm PC, San Francisco, CA; Jeremy M. Jessup, Dolan Law Firm PC, San Francisco, CA; Douglas Richard Cloud
3	\$3,000,000.00	7/25/2021	CA (Federal)	Officers' excessive force caused man's death	Charmane Henderson, individually and as successor-in-interest to Decedent Deautry Charles Ross v. City of Torrance, a municipal corporation; Brian McGee, individually and in his official capacity as	DeWitt M. Lacy, Law Offices of John L. Burris, Beverly Hills, CA; Julia N. Quesada, Law Offices of John L. Burris, Beverly Hills, CA

					individually and in his official capacity as a police officer for the Torrance Police Department; and DOES 1-10, inclusive, individually and in their official capacity as police officers for the City of Torrance	Beverly Hills, CA
4	\$2,500,000.00	5/21/2021	CA (Orange County)	Older attorneys claimed boss discriminated against them	Neal Moore and Scott Field v. Michael Gates and the City of Huntington Beach	J. Bernard Alexander, III, Alexander Morrison + Fehr, LLP, Los Angeles, CA
5	\$1,700,000.00	7/27/2021	CA (San Diego County)	Man struck by car, blamed intersection's configuration	Ruben Abagyan and Margarita Abagyan v. City of San Diego and Joel Linden	Geoffrey S. Wells, Greene Broillet & Wheeler, LLP, Santa Monica, CA
6	\$545,000.00	7/1/2021	CA (statewide)	Assistant claimed chief made her translate for housekeeper	Luz Elena Barrett v. City of Upland	Bradley C. Gage, Goldberg & Gage, Woodland Hills, CA

*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.



TOP SETTLEMENTS

GOVERNMENT						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
7	\$450,000.00	2/22/2021	CA (Federal)	Woman fatally shot by officers during welfare check	Delia McElfresh v. City of South Pasadena, Arthur Miller, Christopher Perez, Gilberto Carrillo, Avick Manukian, Spencer Louie, Arthur Burgos, and Does 1-10, inclusive	Vicki I. Sarmiento (Lead), Law Offices of Vicki I. Sarmiento, Alhambra, CA; Dale K. Galipo, Law Offices of Dale K. Galipo, Woodland Hills, CA; Paul L. Hoffman, Schonbrun Seplow Harris & Hoffman LLP, Los Angeles, CA; John C. Washington, Schonbrun Seplow Harris & Hoffman LLP, Los Angeles, CA
8	\$100,000.00	9/28/2021	CA (San Francisco County)	Woman fell on sidewalk, claimed knee and shoulder injuries	Nadezhda Oshmansky v. City and County of San Francisco; AT&T, Inc.; and Does 1 through 50, inclusive	Ronald P. Schneider, Law Offices of Ronald P. Schneider, San Francisco, CA

INTENTIONAL TORTS						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$65,000,000.00	5/12/2021	MT (Lewis and Clark County)	\$65 Million Awarded To State Montana For Tobacco Companies Settlement Breach	State Of Montana ex rel, Timothy C. Fox v. Philip Morris, Incorporated; R.J. Reynolds Tobacco Co; American Tobacco Corp.; Brown & Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard Tobacco Company; United States Tobacco Company; B.A.T. Industries, P.L.C British American Tobacco Company, LTD; RJR Nabisco Holdings Corp; RJR Nabisco, Inc.; Hill & Knowlton, Inc.; The Council For Tobacco Research - U.S.A., Inc.; and Tobacco Institute, Inc.*	Christopher D. Abbott, Assistant Attorneys General; Mark W. Mattioli, Assistant Attorneys General, Helena, MT; Anne W. Yates, Assistant Attorneys General, Helena, MT; Juan Martinez, Morgan & Morgan, Jacksonville, FL; James D. Young, Morgan & Morgan, P.A., Jacksonville, FL; Paul M. Leisher, Special Assistant Attorneys General, Missoula, MT; David R. Paoli, Special Assistant Attorneys General, Missoula, MT
2	\$6,000,000.00	4/20/2021	CA (Los Angeles County)	Landlords failed to abate lead-based paint	Margarita Ordonez; Kaitlyn Amerie Perez, a minor; Janice Emma Perez, a minor; Alfredo Perez Gonzalez; Teresa Gonzalez-	Grant K. Riley, Riley Ersoff & Shakhnis, Beverly Hills, CA

					Vasquez; and Alfredo Perez Rivera v. Shmuel Raigorododsky, Ludmila Raigorodsky, Yeshaya Lowenstein, SNS Realty Inc. and Does 1-20	
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MOTOR VEHICLE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$10,000,000.00	9/14/2021	CA (San Diego County)	Speeding motorist caused fiery crash	Giovanna Dominguez; Samantha Munoz; Carmen Felix; A.D.; T.D.; the Estate of Jesus David Dominguez and the Estate of Isaac Felix v. City of San Diego; Detective Raymond H. Rowe and Jeffrey B. Levi	Crystal R. Ellis, Munoz-Munoz & Ellis, Covina, CA; Warren M. Ellis, Munoz-Munoz & Ellis, Covina, CA
2	\$6,000,000.00	2/24/2021	WA (Whitman County)	Pedestrian suffered brain damage in accident	Duy Nguyen v. Robert Lowe*	Michael Kittleson, Edward K. Le, PLLC, Renton, WA; Edward K. Le, Edward K. Le, PLLC, Renton, WA; Lawrence M. Kahn, Lawrence Kahn Law Group, P.S.

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TOP SETTLEMENTS

MOTOR VEHICLE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
3	\$5,900,000.00	4/9/2021	WA (King County)	College student suffered brain damage in pedestrian accident	Najma Sheikh v. Khalid Nawabi and Golden Gate America, LLC*	Michael Kittleson, Edward K. Le, PLLC, Renton, WA; Edward K. Le, Edward K. Le, PLLC, Renton, WA
4	\$5,750,000.00	5/5/2021	CA (Alameda County)	Rear-ender caused injuries to driver and passenger	Eric Robert Ringseth, by and through his Guardian Ad Litem Rosa Esperanza Ringseth, and Rosa Esperanza Ringseth, individually v. Lea & Braze Engineering, Inc.; Peter Anthony Carlino IV; and Does 1 through 50, inclusive	Brian Leach, Leach & McGreevy, LLP, San Francisco, CA; Richard E. McGreevy, Leach & McGreevy, LLP, San Francisco, CA
5	\$4,300,000.00	6/8/2021	CA (statewide)	Applicant claimed collision caused traumatic brain injury	William E. Polhemus II v. Seaco Enterprise, Inc.	Tina Eshghieh, The Law Office of Arash Khorsandi, PC, Los Angeles, CA
6	\$4,200,000.00	5/25/2021	CA (statewide)	Passenger ejected from bus claimed disabling brain injury	Ignacio Centeno v. Coachella Unified School District	Tina B. Odjaghian, Odjaghian Law Group, Woodland Hills, CA
7	\$3,900,000.00	8/12/2021	CA (Riverside County)	Motorcyclist killed during incident with turning truck	Mario Rodas and Sandra Ines De La Pena v. Performance Team LLC; Luis Miguel Garcia Lopez; and Does 1 to 100	Robert H. Marcereau, Marcereau & Nazif, Foothill Ranch, CA
8	\$3,250,000.00	5/4/2021	CA (Fresno County)	Motorcyclist alleged officer's unsafe U-turn caused crash	Robert Reyes, II v. California Highway Patrol; Daniel Compomizzo; and Does 1 to 20, inclusive	Warren R. Paboojian (Lead), Baradat & Paboojian, Inc., Fresno, CA; Jason S. Bell, Baradat & Paboojian, Inc., Fresno, CA; Kevin B. Kalajian, Baradat & Paboojian, Inc., Fresno, CA
9	\$2,993,931.42	8/3/2021	CA (Kern County)	Auto accident caused injuries of brain, face, spine	Stacey Lee Burton v. Francisco Murillo, individually and dba Murillo Trucking; and Martinez Trucking Logistics, Inc.	Christopher B. Adamson, Adamson Ahdoot LLP, Los Angeles, CA; Mark E. Millard, Adamson Ahdoot LLP, Los Angeles, CA; Arash Nematollahi, Adamson Ahdoot LLP, Los Angeles, CA

						ANDOOT LLP, LOS Angeles, CA
10	\$2,300,000.00	10/15/2021	CA (Los Angeles County)	Auto accident necessitated spinal implant	Claudia Ruiz Munoz v. Margaret Neilson	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
11	\$2,250,000.00	12/20/2021	CA (Ventura County)	Auto accident caused spinal injury	Alejandro Tonathiu Castro v. Jeffrey Allen Feliciano and John Feliciano	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
12	\$2,000,000.00	5/6/2021	CA (Los Angeles County)	Broadside crash exacerbated neck injury	John Anderson v. Raymond Patrick Carreon and R&R Transportation, Inc.	Robert Glassman (Lead), Panish Shea & Boyle LLP, Los Angeles, CA; Joseph S. Nourmand, Law Offices of Joseph S. Nourmand, Los Angeles, CA; Jon H. Davidi, Panish Shea & Boyle LLP, Los Angeles, CA

*VerdictSearch did not complete their report at the time of publication. Content is based on preliminary information provided.



TOP SETTLEMENTS

MOTOR VEHICLE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
13	\$1,750,000.00	6/4/2021	CA (Sonoma County)	Bicyclist fatally struck by tractor-trailer	Rosario Estrada, an individual; Martha Rodriguez, an individual; Luz Nita Estrada, an individual; Pilar M. Estrada an individual; David A. Estrada, an individual; Jorge A. Estrada, an individual; and Valerio A. Estrada, an individual v. Clover Stornetta Farms, Inc., a California corporation; and Mike Auradou	Erik F. Harper, Wilshire Law Firm, PLC, Los Angeles, CA; Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
14	\$1,715,000.00	11/29/2021	CA (Los Angeles County)	Plaintiff claimed she was hit by car, injured spine and knee	Digna Maria Meza v. Seeta Stacie Nanoo and Ram Bajaj	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
15	\$1,675,000.00	1/25/2021	WA (King County)	Motorist claimed multiple injuries in rear-end collision	Ryan Knudson v. Scott Hunt and Stericycle, Inc.*	Jean Jorgensen, Edward K. Le, PLLC, Renton, WA; Edward K. Le, Edward K. Le, PLLC, Renton, WA
16	\$1,625,000.00	6/8/2021	CA (San Diego County)	Man struck by car while rescuing trapped motorist	Victor Angel Ruvalcava v. Carey of San Diego; Limousine Chauffeur & Guide; Curtis Ramon White; Ramon J. White; and Evan Santiago Zuleta	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
17	\$1,600,000.00	5/20/2021	CA (Sacramento County)	Drunken driver solely to blame for fatally striking pedestrian	Hailey Zanetta; Josie Rau and Emmalee Rau, minors, by and through their guardian, Patricia Jensen; and the Estate of Shelly Rau v. Dean Marvin Barbera, an individual; Softcom Internet Communications Inc., a California corporation; Carl Rau, an individual and nominal defendant; and Does 1-20, inclusive	John C. Fowler, Fowler Hesel Vogt, Sutter Creek, CA
18	\$1,535,000.00	11/8/2021	CA (Los Angeles County)	Motorist's unsafe turn caused fatal crash	Gabriel Ramirez, Nadia Ramirez, Efrain Ramirez, Alex Ramirez, Livier Ramirez and Jason Andrew Ramirez v. Asuncion Garcia, Expert Plant Care, Inc., Willdan Engineering, City of Paramount, State of California and Does 1-50	John S. Hinman, Hinman Law Group, Long Beach, CA; Seth E. Workman, Hinman Law Group, Long Beach, CA; Benjamin T. Ikuta, Hodes Milman Ikuta LLP, Irvine, CA

					California and Does 1-50	William Ibarra, LLP, Irvine, CA
19	\$1,500,000.00	11/4/2021	CA (Alameda County)	Rear-ender caused need for continued spinal treatment	Luis Salazar Camarillo, Glenda Zelada, Itati Salazar and Annette Salazar v. Scott Richard Kobyluk	Christopher B. Adamson, Adamson Ahdoot LLP, Los Angeles, CA
20	\$1,400,000.00	4/23/2021	CA (Los Angeles County)	Pedestrian struck while vehicle exited driveway	Diana Grijalva Calderon v. Bernards Brothers, Inc., a corporation; Perlite Plastering Co. Inc., a corporation; and John Tracy Heck, an individual	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
21 (tie)	\$1,250,000.00	3/3/2021	CA (Sacramento County)	Motorcyclist claimed accident led to spinal surgery	John Paul Evans v. Michael Stanton Coyle and Does 1 to 20	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
21 (tie)	\$1,250,000.00	4/14/2021	CA (Fresno County)	Motorcyclist suffered four fractures in collision with car	Alexis Loya, an individual v. Christopher Matthew Ellis, an individual; Joshua Mettee, an individual; and Does 1 through 50, inclusive	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA



TOP SETTLEMENTS

MOTOR VEHICLE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
21 (tie)	\$1,250,000.00	8/6/2021	CA (Los Angeles County)	Plaintiff claimed motorist ran red light, caused accident	Jose A. Rogel Velasquez v. Glenn Russell	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
21 (tie)	\$1,250,000.00	10/20/2021	CA (Stanislaus County)	Crosswalk not safe for pedestrians	Oralia Ibarra Dorado and Veronica Dorado v. City of Modesto and Dennis Ruloph*	Arturo J. Gonzalez, Morrison & Foerster LLP, San Francisco, CA; Jessica L. Grant, Morrison & Foerster LLP, San Francisco, CA
21 (tie)	\$1,250,000.00	11/8/2021	CA (Orange County)	Plaintiff claimed crash caused need for spinal surgeries	Ana Maria Ciuca v. Christine Merie Milucky	Alin Ghayvandian, JT Legal Group, Glendale, CA; Daniel E. Hoffman, JT Legal Group, Glendale, CA
21 (tie)	\$1,250,000.00	11/29/2021	CA (San Diego County)	Auto accident led to spinal fusion	Tammy Ann Finley v. Corbie Polk Jr.	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
27 (tie)	\$1,200,000.00	7/12/2021	CA (Los Angeles County)	Motorcyclist claimed driver crossed line, caused collision	Ronnie Kahululani Solis v. Gorman Health Group, LLC and Roshan Desai	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA
27 (tie)	\$1,200,000.00	10/6/2021	WA (King County)	Dual crashes caused permanent brain damage	Tom Ofstie v. Margaret Klein Silcock and Logan Grantham*	Jean Jorgensen, Edward K. Le, PLLC, Renton, WA; Edward K. Le, Edward K. Le, PLLC, Renton, WA
29 (tie)	\$1,100,000.00	8/12/2021	WA (King County)	Plaintiff alleged brain, spinal injuries in broadside crash	Nelya Gurnik v. Bernadette Haskins*	Michael Kittleson, Edward K. Le, PLLC, Renton, WA; Edward K. Le, Edward K. Le, PLLC, Renton, WA
29 (tie)	\$1,100,000.00	12/13/2021	CA (Los Angeles County)	Intersection collision caused need for surgeries	Franklin Amilcar Aragon-Gomez v. Ariella Nicole Hedvat and Kamran Rahmani	Daniel S. DeSantis, Wilshire Law Firm, PLC, Los Angeles, CA
29 (tie)	\$1,000,000.00	1/4/2021	CA (Sonoma County)	Defendant crossed center line, causing	Sheila Carr v. Johann Jaramillo	Jesse B. Crisp, Law Offices of J. Crisp, Clearlake, CA

				crash		
29 (tie)	\$1,000,000.00	9/23/2021	CA (Imperial County)	Farm bus's excessive speed caused fatal crash	Ana Ochoa Valdez; Jazmin Martinez; Luis Valdez; Martha Leticia Rangel De Diaz; Juan Ricardo Diaz Rangel; Francisca Diaz Rangel; and Aldo Arath Diaz Rangel, by and through his Guardian Ad Litem, Martha Leticia Rangel De Diaz v. Gildardo Salazar Romero; Lucila G. Arizmedni; Star Sanitation Services; and Tanimura & Antle, Inc.	Daniel S. DeSantis, Wilshire Law Firm, PLC, Los Angeles, CA
29 (tie)	\$1,000,000.00	12/15/2021	CA (Monterey County)	Back injuries immediate after collision	Jonathan Gerard v. Luis Ramirez / Gerard v. Travelers Casualty Insurance Company of America*	Michele C. Kennedy, Swartz & Kennedy, Monterey, CA
34	\$976,900.03	4/14/2021	CA (Santa Clara County)	Auto accident caused injury of spinal disc, plaintiff claimed	Candelario Ahumada, an individual v. Blue Sky Towing Inc., a corporation; Charles Jordan Sawyer, an individual; and Does 1 through 50, inclusive	Colin M. Jones, Wilshire Law Firm, PLC, Los Angeles, CA

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TOP SETTLEMENTS

MOTOR VEHICLE						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
35	\$930,000.00	9/22/2021	CA (statewide)	Claimant alleged crush injury left her with ongoing pain	Joan Hood v. State Farm Insurance Cos. and Nationwide Mutual Insurance Co.	Otto L. Haselhoff (Lead), Law Offices of Otto L. Haselhoff, P.C., Santa Monica, CA; Guy Levy, Guy Levy Law, San Diego, CA; Marianne M. Malek, Guy Levy Law, San Diego, CA
36	\$350,000.00	7/12/2021	CA (statewide)	Hit and run resulted in multiple injuries to pedestrian	Shelley Gallagher v. USAA Insurance*	Michele C. Kennedy, Swartz & Kennedy, Monterey, CA
37	\$250,000.00	7/15/2021	CA (Monterey County)	Woman suffered foot injuries in auto accident	Ashley Scott v. Ryan Nash*	Michele C. Kennedy, Swartz & Kennedy, Monterey, CA
38 (tie)	\$100,000.00	3/18/2021	CA (Monterey County)	Plaintiff claimed ongoing wrist limitations caused by crash	Victoriya Hidalgo v. Bichloan Thi Nguyen, Dao D. Nguyen, Bichlien Huynh	Michele C. Kennedy, Swartz & Kennedy, Monterey, CA
38 (tie)	\$100,000.00	4/9/2021	CA (Monterey County)	Future concussion care required	Salome Patricia Cupp v. Jared M. Sivertson / Salome Cupp v. State Farm Insurance	Michele C. Kennedy, Swartz & Kennedy, Monterey, CA

PREMISES LIABILITY						
RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$3,480,345.00	1/4/2021	CA (statewide)	On-job head injury aggravated seizure disorder	Anthony Dene v. Costco Wholesale Corp.	Tina B. Odjaghian, Odjaghian Law Group, Woodland Hills, CA
2	\$3,000,000.00	4/1/2021	CA (San Bernardino County)	Hotel's guest developed fatal pneumonia in pool	Carol S. Winfield, an individual; Walter W. Winfield, an individual; Scott A. Winfield, an individual; William O. Winfield, an individual; Elizabeth A. Schneider, an individual; Tamara Winfield-Pace, an individual; Tamara Winfield-Face, an individual; and The Estate of Walter William Winfield, by and through his Successor-in-Interest, Carol S. Winfield	Brian Panish (Lead), Panish Shea & Boyle LLP, Los Angeles, CA; Peter L. Kaufman, Panish Shea & Boyle LLP, Los Angeles, CA; Whitney T. Smith, Panish Shea & Boyle LLP, Los Angeles, CA

					Successor in interest, Carol J. Wheeler v. YTLife Investments, LLC, a business entity; Hotel D'Lins Ontario Airport formerly known as Best Western Plus Ontario, a business entity; Haiziao Lin, an individual; Tao Yue, an individual; and Does 1 to 50, Inclusive	
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PRODUCTS LIABILITY

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$197,000.00	6/29/2021	CA (Los Angeles County)	Buyback sought because vehicle not safe to operate	Todd Handel v. Mercedes-Benz USA, LLC*	Joseph A. Kaufman, Joseph Kaufman & Associates, Inc., Pasadena, CA

SLIPS, TRIPS & FALLS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$1,600,000.00	4/22/2021	CA (San Francisco County)	Plaintiff not told of modified gate in loft prior to fall	Tadayuki Furui v. Georgia Rew, dba The Pretty Pretty Collective and Does 1 through 10	Frank S. Moore, Law Offices of Frank S. Moore, APC, San Francisco, CA



TOP SETTLEMENTS

TORTS

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$300,000.00	10/29/2021	CA (statewide)	Mother claimed son shot while being handed semi-automatic rifle	Angela Kannenberg v. Joseph Michie and Hazeline Jackson	Christopher B. Adamson, Adamson Ahdoot LLP, Los Angeles, CA; Eean L. Boles, Adamson Ahdoot LLP, Los Angeles, CA

WORKER/WORKPLACE NEGLIGENCE

RANK	TOTAL	DATE	STATE	HEADLINE	CASE NAME	ATTORNEY(S)
1	\$39,500,000.00	2/15/2021	CA (San Bernardino County)	Instructor subjected runner to unsafe conditions	Marissa Freeman, a disabled person, by and through her Guardian ad Litem, Arthur J. Freeman, Jr., v. Board of Trustees of the California State University, a public entity; Angel Castro, individually; and Does 1 through 100, Inclusive	Brian J. Panish (Lead), Panish Shea & Boyle LLP, Los Angeles, CA; Patrick K. Gunning, Panish Shea & Boyle LLP, Los Angeles, CA; Adam K. Shea, Panish Shea & Boyle LLP, Los Angeles, CA; Richard S. Sailer, Sailer Law Firm APC, Whittier, CA
2	\$17,500,000.00	2/2/2021	CA (Los Angeles County)	School not trained for medical emergencies	Eduardo Giovanni Mendoza, a Minor, by and through his Guardian ad Litem, Rosa Maria Davila Flores v. Compton Unified School District	Arash Homampour (Lead), The Homampour Law Firm PC, Sherman Oaks, CA; Stanley K. Jacobs, Jacobs & Jacobs, LLP, Los Angeles, CA; Scott E. Boyer, The Homampour Law Firm PC, Sherman Oaks, CA
3	\$367,500.00	10/21/2021	CA (statewide)	Hairstylist's failure to perform scalp test resulted in burns	Gianna Tozi v. Marcy Gilman dba Tangle Salon and Tiffany Messier	John C. Fowler, Fowler Helsel Vogt, Sutter Creek, CA

TOP MEDIATED SETTLEMENTS

Rank	Total	Case Type	Date	State	Headline	Case	Attorney(s)
1	\$11,000,000.00	Government	3/5/2021	CA (San Diego County)	Lack of dedicated bike lane caused accident	Roberta Walker and John Paul Walker v. The City of Encinitas, The County of San Diego and The State of California	Edward Susolik, Callahan & Blaine, Santa Ana, CA
2	\$9,000,000.00	Landlord and Tenant	11/2/2021	CA (Los Angeles County)	Landlords failed to remediate rental home	Marina Martinez Luis; Mia Hernandez Martinez, a minor; Jacob Hernandez Martinez, a minor; Chelsey Hernandez Martinez, a minor; Izzac Hernandez, a minor; Agustin Hernandez Martinez; and Jaime Melesio Hernandez v. Golden Western LLC and Robinson Nejat Haïem	Victoria L. Ersoff, Riley Ersoff, Beverly Hills, CA; Tara L. Mitcheltree, Riley Ersoff, Beverly Hills, CA; Grant K. Riley, Riley Ersoff, Beverly Hills, CA

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TOP MEDIATED SETTLEMENTS

Rank	Total	Case Type	Date	State	Headline	Case	Attorney(s)
3	\$5,300,000.00	Government	3/26/2021	CA (Federal)	Officer shot unarmed man suffering mental crisis	Amanda Sommers and Richard Sommers v. City of Santa Clara and Colin Stewart	Matthew D. Haley, Haley Law Offices, Oakland, CA; Fulvio F. Cajina, Law Office of Fulvio F. Cajina, Oakland, CA
4	\$2,750,000.00	Premises Liability	4/12/2021	CA (Santa Clara County)	Improperly stored tables caused child's head injury	Jesus Garnica, a minor, by and through his guardian ad litem, Alejandro Garnica; Catalina Juarez; Fabiola Garnica, a minor; Alexis Garnica, a minor; Kathlyna Garnica, a minor; each a minor by and through their Guardian ad litem, Alejandro Garnica v. Santa Clara Police Athletic League, Inc.; Jason Heldt; Santa Clara Unified School District; and Does 1 to 25	Timothy D. McMahon, Corsiglia, McMahon & Allard, LLP, San Jose, CA; Mark A. Sigala, Corsiglia, McMahon & Allard, LLP, San Jose, CA; Ben H. Stoddard, Corsiglia, McMahon & Allard, LLP, San Jose, CA
5	\$2,500,000.00	Wrongful Death	6/17/2021	CA (San Bernardino County)	Roadway's condition caused drowning in flash flood	K.W., a minor, by and through her Guardian ad Litem, Thelia Marques v. City of Victorville, a government entity; County of San Bernardino, a government entity; State of California, a government entity; and Does 1 to 100, inclusive	Bradley S. Wallace (Lead), The Wallace Firm, PC, Encino, CA; Britany M. Engelman, Engelman Law, Beverly Hills, CA; Rodney S. Diggs, Ivie McNeill Wyatt Purcell & Diggs, Los Angeles, CA; Jubin J. Niamehr, Jacoby & Meyers, Los Angeles, CA
6	\$2,000,000.00	Government	5/4/2021	CA (Los Angeles County)	Inattentive bus driver dragged man across intersection	Fernando E. Gomez v. Los Angeles County Metropolitan Transportation Authority and Alberto P. Fred	Hazel S. Chang, Wilshire Law Firm, PLC, Los Angeles, CA
7	\$1,800,000.00	Motor Vehicle	6/2/2021	CA (statewide)	Collision caused injuries to spin and knee	Jaime Monroy, Jr. and Jonathan Campos v. Farmers Insurance Group of Cos.	Michael Avanesian, JT Legal Group, Glendale, CA; Daniel E. Hoffman, JT Legal Group, Glendale, CA
8	\$1,375,000.00	Motor Vehicle	4/22/2021	WA (King County)	Multi-impact collision caused	Francisco Fernandez Avila v. Billy Kemp and HealthPoint*	Jeffrey Caffee, Caffee Accident & Injury Lawyers;

					neck, shoulder surgeries		Jean Jorgensen, Edward K. Le, PLLC, Renton, WA; Edward K. Le, Edward K. Le, PLLC, Renton, WA
9	\$1,300,000.00	Motor Vehicle	5/7/2021	CA (Los Angeles County)	Crash caused need to work sedentary job	Sara Medina Moscoso v. Rodney Carl Gustafson	Michael Avanesian, JT Legal Group, Glendale, CA; Daniel E. Hoffman, JT Legal Group, Glendale, CA
10	\$1,250,000.00	Premises Liability	5/19/2021	CA (Fresno County)	Plaintiff claimed ongoing knee pain after fall in store	Rosario Soto v. Garcia's Supermarket; and Does 1 to 25, inclusive	Nolan C. Kane, Baradat & Paboojian, Inc., Fresno, CA; Warren R. Paboojian, Baradat & Paboojian, Inc., Fresno, CA
11	\$755,000.00	Motor Vehicle	10/20/2021	CA (Los Angeles County)	Rear-ender caused need for three neck surgeries	Nina M. Garcia v. Light It LLC and George S. Ball	Mark J. Leonardo, of counsel, Kuzyk Law, LLP, Lancaster, CA
12	\$500,000.00	Government	3/19/2021	CA (Federal)	Motorcyclist injured in collision with postal truck	Charles Shirley v. Noah James Arthur Garibay; United States Postal Service; and Does 1-10, inclusive	Michael D Waks, Law Office of Michael D. Waks, Long Beach, CA

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TOP MEDIATED SETTLEMENTS

Rank	Total	Case Type	Date	State	Headline	Case	Attorney(s)
13	\$487,500.00	Premises Liability	11/23/2021	CA (Sonoma County)	Property's owner and tenants failed to maintain sidewalk	Jean M. Burnett v. Antonio Santana Bustamonte, Maria G. Santana, Jorge Santana and Diana C. Santana, each individually and doing business as North Bay Café, LLC; Encina Investment Group, Inc., a California Corporation doing business as Petaluma Town Center, LLC; and Does 1 to 20	Haig A. Harris, Jr., Scampini, Mortara & Harris, San Francisco, CA; Neil S. Turner, Scampini, Mortara & Harris, San Francisco, CA
14	\$175,000.00	Motor Vehicle	4/6/2021	CA (Monterey County)	Intersection crash aggravated prior medical issues	Yung Kyung Gieser v. Anders Karl Dahlstrom	Michele C. Kennedy, Swartz & Kennedy, Monterey, CA
15	\$115,000.00	Government	1/4/2021	CA (San Francisco County)	Plaintiff claimed elbow and toe injuries from fall in park	Jose Parra v. City and County of San Francisco, and Does 1 to 20	Samuel M. Lasser, Law Office of Samuel Lasser, Burlingame, CA

TOP DECISIONS

Rank	Total	Case Type	Date	State	Headline	Case	Attorney(s)
1	\$834,012,000.00	Consumer Protection	2/15/2021	HI (Federal)	Plavix manufacture failed to disclose drug's reduced effectiveness among certain population	State Of Hawai'i, Ex Rel. Clare E. Connors, Attorney General v. Bristol-Myers Squibb Company, Sanofi-Aventis U.S. LLC, Sanofi US Services Inc., formerly known as Sanofi-Aventis U.S. Inc., Sanofi-Synthelabo Inc. and Doe Defendants 2 to 100*	Dan Alberstone, Baron & Budd, P.C., Encino, CA; Peter Klausner, Baron & Budd, P.C., Encino, CA; Elizabeth G. Smiley, Baron & Budd, P.C., Encino, CA; Evan Zucker, Baron & Budd, P.C., Encino, CA; L. Richard Fried, Jr., Cronin, Fried, Sekiya, Kekina & Fairbanks, Honolulu, HI;

							Patrick F. McIernan, Cronin, Fried, Sekiya, Kekina & Fairbanks, Honolulu, HI
2	\$23,720,996.00	Motor Vehicle	2/10/2021	CA (Los Angeles County)	Motorcyclist claimed crash resulted in leg amputation	Steeve O. Rojas, an individual, and Sandra E. Acevedo, an individual v. Hajoca Corporation, a Maine corporation; Kevin Anthony Henderson, an individual; and Does 1 to 50, inclusive	Brian J. Panish (Lead), Panish Shea & Boyle LLP, Los Angeles, CA; P. Ryan Banafshe, Banafshe Law Firm PC, Los Angeles, CA; Thomas A. Schultz, Panish Shea & Boyle LLP, Los Angeles, CA; John W. Shaller, Panish Shea & Boyle LLP, Los Angeles, CA; Matthew J. Stumpf, Panish Shea & Boyle LLP, Los Angeles, CA; James M. Trotter, Panish Shea & Boyle LLP, Los Angeles, CA
3	\$113,131.35	Motor Vehicle	4/9/2021	WA (King County)	Rear-ender caused multiple injuries	Darlene Scott v. Alexander M. Robinson*	Mark O'Halloran, Gosanko, O'Halloran, Lepore, PLLC, Mercer Island, WA

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TOP ARBITRATIONS

Rank	Total	Case Type	Date	State	Headline	Case	Attorney(s)
1	\$2,051,175.00	Wrongful Death	3/29/2021	CA (Los Angeles County)	Doctor should have sent decedent to a hospital	Li Tong v. Po-Long Lew, D.O.	John P. Blumberg, Blumberg Law Corporation, Long Beach, CA; Fred S. Bongard, Blumberg Law Corporation, Long Beach, CA
2	\$1,294,714.69	Discrimination	6/23/2021	CA (Los Angeles County)	Plaintiff claimed retaliation due to reporting race favoritism	Sherri Adams v. Access Services	N. Nick Ebrahimian, Lavi & Ebrahimian, LLP, Beverly Hills, CA; David M. deRubertis, The deRubertis Law Firm, APC, Beverly Hills, CA
3	\$1,011,800.00	Motor Vehicle	5/27/2021	CA (statewide)	Underinsured motorist caused ongoing pain	Renzo Tarazona v. Indian Harbor Insurance Company	Jonathan C. Teller, Wilshire Law Firm, PLC, Los Angeles, CA
4	\$532,521.00	Medical Malpractice	4/19/2021	CA (statewide)	Surgeon failed to diagnose necrotizing fasciitis	Michael Brun and Susan Brun v. Southern California Permanente Medical Group	Bradley J. Walkon, Walkon Law Firm, San Juan Capistrano, CA
5	\$508,826.46	Motor Vehicle	10/12/2021	WA (King County)	Intersectional crash caused brain, spinal injuries	Oranee Pierce v. Bishal Allay and MetLife Insurance Company*	Edward K. Le, Edward K. Le, PLLC, Renton, WA
6	\$300,000.00	Employment	5/17/2021	CA (Los Angeles County)	Human resources had grudge against Hispanic employee	Marisol Carrillo v. Renfro Corporation dba K Bell Socks, a North Carolina corporation	Scott E. Schutzman, Law Offices of Scott E. Schutzman, Huntington Beach, CA
7	\$146,400.00	Motor Vehicle	3/15/2021	CA (statewide)	Intersection crash aggravated prior herniated disc	Ryan Mitchell v. Mercury Insurance Company	Jonathan E. Howell, Pocrass & De Los Reyes LLP, Los Angeles, CA

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Minimizing Risk in Lateral Partner Hiring: Effective Due Diligence

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