

Confidential Report For Attorneys CRA NA

Vol. 34 No. 9
September 30, 1997

Assault & Battery/Negligent Security

Altercation arises at surfing contest; Male, 45, concussion, post-traumatic stress disorder - \$49,599 13

Boating Accidents

Boat collides with jet ski on Pyramid Lake; Male, 21, death - \$1.363 million 22

Passenger is hit on the head by sailboat's boom; Female, 31, herniated disk at C5-6 - Defense 25

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Bus Passenger Accident

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Civil Rights Violation

Child forcibly removed from family home by County; Female, 9, Emotional distress - \$1.1 million 1

Construction Site Accidents

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Student crossing street adjacent to school is struck by car; Female, 13, permanent brain injury - \$1.947 million . . . 50

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Dental Malpractice

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Dentist extracts all teeth, then hits nerve with implants; Female, nerve damage with paresthesia - \$83,500/\$9,999 . . . 34

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Carrier denies theft claim after tenant vandalizes property prior to vacating; \$94,000 loss - \$275,000 40

Insurance claim is delayed and repeatedly low-balled; Female, 29, emotional distress - Defense 43

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Attorney fails to include shoulder injury in WC matter; Female, permanent shoulder injury - \$80,000 16

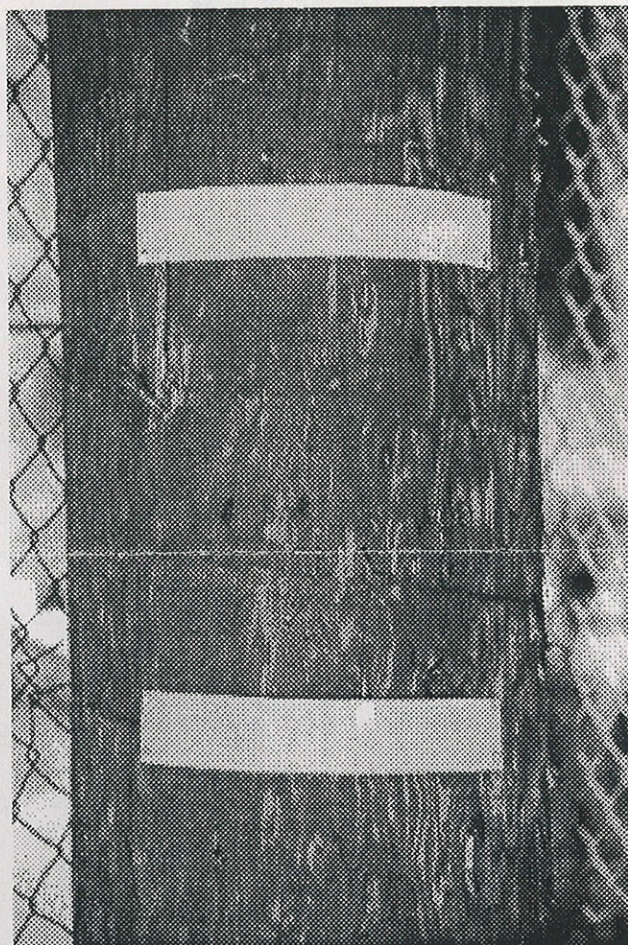
Medical malpractice claim is not filed timely by attorneys; Female, 56, repeat cardiac bypass surgery - \$70,000 8

Medical Malpractice

Patient doesn't get IV penicillin as ordered; Male, 48, sepsis leading to death - Defense 40

Medical Center fails to timely diagnose abdominal infection in gunshot victim; Male, 19, death - Defense 14

Continued on Inside Cover



A UTILITY POLE is called dangerous when bees nesting in it cause a lineman to fall. The jury, agrees with Deft that there's no dangerous condition -- it's all in a day's work (pg 15).

Verdict & Settlement Research Service

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ISSUE: Cervical soft tissue injury requiring chiropractic care for two months. Pltf's property damage claim of \$1,102 was resolved prior to litigation.

DEFENSE: Contended that this was a minor impact accident involving too low a force to have caused Pltfs' all injuries; that Pltf's car did not even rock from the impact.

SPECIALS: \$2,260 past medical for Judit; \$1,868 past medical for Sophia.

VERDICT: Defense: Deft requested costs of \$2,874 pursuant to §998 and §1141.21.

JURY POLL: 9-3 **TRIAL TIME:** 2½ days **JURY OUT:** 6 hours

DATE: 6/20/97

PRIOR ARB'T: \$1,500 to Judit and \$1,000 to Sophia; Pltfs denooved.

JUDGE: Barry Taylor **COURT:** L.A. Municipal Court, Van Nuys **CRA #**

CASE TYPE: Vehicles **COUNTY:** Los Angeles
RESULT: \$3.2 million **REPORT TYPE:** Settlement

SUMMARY: Pedestrian in crosswalk is struck by MTA bus; Female, 21, brain injury with mild cognitive deficits; facial fractures

CASE: Carolyn Staley v. Los Angeles Metropolitan Transit Authority (MTA)
CASE NO. BC 143 888
PLTF ATTY: Greene, Broillet, et al., By: Brian J. Panish and Frank J. O'Kane, *Santa Monica*
DEFT ATTY: Ivie, McNeil & Wyatt, By: Ricky Ivie, *Los Angeles*
PLTF MED'L: Paul Vespa, M.D., Neurologist, *Los Angeles*
Malcom Lesavoy, M.D., Plastic Surgeon, *Los Angeles*
DEFT MED'L: Barry Ludwig, M.D., Neurologist, *Los Angeles*
Paul Rosenthal, M.D., Neurologist, *Van Nuys*
PLTF TECH'L: Jeffrey Schaeffer, Ph.D., Neuropsychologist, *Los Angeles*
David Hovda, Ph.D., Neuropsychologist, *Los Angeles*
Richard Andersen, Vocational Rehab, *Huntington Beach*
Peter Formuzis, Ph.D., Economist, *Santa Ana*
DEFT TECH'L: Robert Sbordone, Ph.D., Neuropsychologist, *Laguna Beach*
Gene Bruno, Vocational Rehab, *Marina del Rey*
David Toppino, Vocational Economist,
Gerald Udinsky, Ph.D., Economist, *Palo Alto*

FACTS: On October 5, 1995 Pltf, a 21 year-old student at UCLA, was in a crosswalk at the corner of Gayley and Westwood in Los Angeles when she was struck by an MTA bus and thrown to the ground.

PER PLTF: That Deft was responsible for the accident and Pltf's serious injuries.

INJURIES: Traumatic brain injury with mild cognitive deficits; broken jaw; fractured facial bones and multiple cuts/bruises. Residuals include problems with memory, concentration, processing information and judgment.

DEFENSE: Admitted liability; disputed extent of brain damage.

SPECIALS: \$194,000 past medical; disputed future medical; \$487,155 L.E.

SETTLEMENT: \$3.2 million

DATE: 5/29/97

COURT: L.A. County Superior Court, Los Angeles **CRA # 8654**