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Motorcycle v. Tractor- V \$6,445,550
Trailer Accident

For the plaintiff: Kings Superior
Brian J. Panish Hon. Thomas DeSantos
Robert Glassman
For the defendant:
Lawrence E. Dewitt, Jr.
J. David Petrie

RESULT DATE: Nov. 2, 2010

Robert Crenshaw v. Land O'Lakes Inc., et al. (09 C 0254) 10-JV_2204

FURTHER DESCRIPTION: Left turn collision

VERDICT: \$6,445,550

ATTORNEY: Plaintiff - Brian J. Panish, Robert Glassman (Panish Shea & Boyle LLP, Los Angeles).
Defendant - Lawrence E. Dewitt, Jr., J. David Petrie (Petrie, Dorfmeier & Morris, LLP, Fresno).

MEDICAL: Plaintiff - Deniz Baysal, M.D., orthopedic surgery, Fresno; Robert Julian, D.D.S., M.D., general dentistry, oral pathology, Fresno; John F. Kirby, M.D., physical medicine and rehabilitation, Fresno; Lawrence S. Miller, M.D., pain management and physical rehabilitation, Beverly Hills; Jan Roughan, R.N., life care planning, Monrovia. Defendant - Donald R. Huene, M.D., orthopedic surgery, Fresno.

TECHNICAL: Plaintiff - Peter Formuzis, Ph.D., economics, Santa Ana; Steven D. Koobatian, Ph.D., vocational rehabilitation, Visalia; Alvin Lowi, III, P.E., El Segundo. Defendant - Stephanie Rizzardi-Pearson, M.B.A., economics, San Marino; Rick A. Sarkisian, Ph.D., vocational rehabilitation, Fresno.

FACTS: On July 20, 2009, at 8:15 p.m., plaintiff Robert Crenshaw, 55, was riding a motorcycle when a Land O'Lakes tractor-trailer truck turned left in front of Crenshaw's motorcycle at Kansas Avenue and State Route 43 near Hanford and crashed head-on with Crenshaw's motorcycle.

Crenshaw was a prison guard at Corcoran State Prison. He had worked there for 16 years at the time of the accident and can no longer work as a prison guard.

Crenshaw's motorcycle was demolished.

CONTENTIONS: Defendant Land O'Lakes claimed that Crenshaw was driving in excess of the speed limit on his motorcycle at the time of the collision. Land O'Lakes eventually admitted liability on the eve of trial, but continued to dispute the nature and severity of Crenshaw's injuries and required future care.

INJURIES: Plaintiff suffered permanent and severe orthopedic injuries, including a broken left femur, broken left ankle, broken left hand, and broken jaw. He also suffers from chronic pain syndrome.

DAMAGES: The jury awarded 100 percent of plaintiff's claimed economic damages.

SPECIALS IN EVIDENCE: MEDS: \$328,550 Future MEDS: \$1.35 million LOE: \$111,000 Future LOE: \$1,314,000

JURY TRIAL: Length, seven days; Deliberation, three hours

SETTLEMENT DISCUSSIONS: Plaintiff demanded \$5 million from Land O'Lakes, which refused to pay that amount. Land O'Lakes made a CCP 998 offer of \$2.5 million 10 days prior to the start of trial, increased its offer to \$2.75 million during the trial, and finally offered plaintiff an additional \$250,000 for a total of \$3 million while the jury was deliberating.

RESULT: Plaintiff's verdict for a total of \$6,445,550 (\$3,195,550 economic; \$3.25 million non-economic)

OTHER INFORMATION: The Kings County Superior Court jury's award to Robert Crenshaw against the Minn.-based dairy giant Land O'Lakes marks the largest personal injury verdict ever in the central California county. The county's previous record verdict was \$1.6 million.

The attorneys at Panish Shea & Boyle, who tried the case on behalf of plaintiff Robert Crenshaw, were associated into the case less than 30 days prior to the start of trial on October 25, 2010.

FILING DATE: Aug. 17, 2009.

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