



# VERDICT SEARCH CALIFORNIA

Vol. 4 Issue 48 | December 19, 2005

ALM

## VERDICT *of the* WEEK

### Employment

**EEOC was pawn in attorneys' plan to destroy former firm**

### Defense

*EEOC v. Robert L. Reeves & Associates*

U.S. Dist. Ct. Los Angeles

**Plaintiffs Attorneys** Samantha Blake, Dana C. Johnson, Gregory L. McClinton, Anna Y. Park, EEOC, Los Angeles

**Defense Attorneys** Linda Miller Savitt, Ballard Rosenberg Golper & Savitt, Universal City

Full report on page 17

## CASES *of* NOTE



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ICY FALLS  
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## Asked & Answered

*How do you overcome or fan the flames of juries who have become decidedly less sympathetic over time?*

Answers on page 35

SOUTHERN CALIFORNIA  
RAILROAD

Wrongful Death

Unmarried son was a source  
of comfort to his parents

**DECISION** \$2,670,000

**CASE** Kenneth Sorenson and Lilian Sorenson v. Burlington Northern Santa Fe Railroad, No. JC 4268

**COURT** Superior Court of Orange County, Orange, CA

**JUDGE** Ronazo Bauer

**DATE** 5/7/2005

**PLAINTIFF ATTORNEY(S)** Kevin R. Boyle, Panish, Shea & Boyle, LLP, Los Angeles, CA  
Brian J. Panish, Panish, Shea & Boyle, LLP, Los Angeles, CA

**DEFENSE ATTORNEY(S)** Wayne R. Sims, The Sims Law Firm, Newport Beach, NY

**FACTS & ALLEGATIONS** On April 23, 2002, plaintiffs' decedent Larry Sorenson, a 48-year-old, unmarried computer engineer, was a passenger on a westbound commuter train that was standing in a Placentia train station when it was struck head-on by an eastbound Burlington Northern Santa Fe Railroad freight train. Sorenson was killed instantly.

Sorenson's parents, Kenneth and Lilian Sorenson sued Burlington Northern for wrongful death damages.

Before trial, Burlington Northern admitted liability in exchange for the plaintiff agreeing not to seek punitive damages.

**INJURIES/DAMAGES** *death*

Sorenson's parents, both in their 70s, claimed loss of love and companionship damages.

Plaintiffs' counsel argued that when parents get into golden years they are more in need of their children and depend on them, and that their son, who lived an hour away from his parents home in Riverside County, was a help to them, driving them to medical appointments and helping them with other errands. Ms. Sorenson, for example, suffered from heart complications and was unable to drive to see her doctor, she claimed. Mr. Sorenson had vision problems, which limited his driving, he contended.

While the Sorensons had three other children, the decedent lived closest and, because he did not have a family of his own, was the most consistently available to them, plaintiffs' counsel argued.

In addition, father and son shared a love of cars and model-

cars. Plaintiffs asked for \$3 million for the loss of love and companionship.

The defense claimed that the plaintiffs were entitled to no more than \$100,000 to \$300,000 per parent, based on their life expectancy of 5 to 7 years and the fact that they had three other children and were not financially independent on the decedent. The defense also contended that the parents visited Larry infrequently.

**RESULT** The jury awarded the Sorensons a total of \$2.67 million.

**DEMAND** \$3 million  
**OFFER** \$1.7 million

**INSURER(S)** Lexington Insurance for Burlington Northern Santa Fe Railroad

**EDITOR'S NOTE** Defense counsel did not respond to a faxed draft of this report and a phone call.

-Andrew Ragouzeos

SAN BERNARDINO COUNTY

MEDICAL MALPRACTICE

Failure to Communicate — OB-GYN — Wrongful Death

Opportunity for selective  
termination missed: plaintiff

**MEDIATED SETTLEMENT** \$2,605,000

**CASE** Jane Doe, on behalf of Baby Doe 1, Baby Doe 2 and Baby Doe 3 v. Unnamed HMO, No.

**COURT** Superior Court of San Bernardino County, San Bernardino, CA

**NEUTRAL(S) DATE** Troy Roe  
9/28/2005

**PLAINTIFF ATTORNEY(S)** Nathaniel J. Friedman, Law Office of Nathaniel J. Friedman, Beverly Hills, CA

**DEFENSE ATTORNEY(S)** Counsel not disclosed

**FACTS & ALLEGATIONS** In July 1999, the mother of the three infant plaintiffs became pregnant with quadruplets. At ten weeks she discussed fetal reduction with her Ob-Gyn, and he