

Bad faith

Verdict: \$7,998,000

Owners of a Woodside home at which a landslide occurred during installation of a swimming pool were denied coverage for the extensive damage to their home and property (*Douglas v. Pacific Specialty Insurance Co.*, San Mateo County Superior Court, Plaintiff attorney: Pamela A. Bower).

Student injury

Verdict: \$7,601,045

A 13-year-old student who suffered a seizure while at school is now ventilator-dependent because of the school's negligent response to his medical emergency (*Martinez v. LAUSD*, Los Angeles County Superior Court, Plaintiff attorney: Philip Michels).

Civil rights

Verdict: Defense

A 27-year-old social worker intern sued her university for removing her from her position after she refused to stop proselytizing co-workers regarding her religious views during working hours (*Escobar v. Los Angeles County Department of Children and Family Services*, Central District Federal Court, Defense attorney: Calvin House).

Hot water burns

Verdict: Defense

A mother whose young child sustained second- and third-degree burns from scalding water in a public housing bathtub alleged that the incident was caused by a change in water pressure elsewhere in the building (*Serrano v. Housing Authority of Tulare County*, Tulare County Superior Court, Defense attorney: John K. Ormond).

Motorcyclist injured

Verdict: \$18,680,722

A 23-year-old motorcyclist sustained catastrophic injuries when he collided with an unlicensed driver who made a left turn in his path (*Mallabo v. Wan Hai Lines Ltd.*, Los Angeles County Superior Court, Plaintiff attorney: John C. Taylor).

Elevator shaft fall

Settlement: \$1,250,000

A 54-year-old ironworker at a construction site was injured when he stepped on a plastic tarp placed over an elevator shaft and fell 20 feet to the ground (*Oester v. Martin Brothers/Marcowall Inc.*, Ventura County Superior Court, Plaintiff attorney: Roger E. Booth).

Genetic testing

Verdict: Defense

A woman who sought pre-implantation genetic testing to prevent giving birth to a child with a genetic abnormality for which she was a carrier sued after giving birth to a baby afflicted with the disease (*Rubell v. USC Keck School of Medicine*, Los Angeles County Superior Court, Defense attorney: Patrick E. Stockalper).

Infant brain damage

Arbitration: \$6,000,236

An infant was born severely brain damaged as a result of a failure to perform a timely C-section following signs of fetal distress (*Franco v. Kaiser*, San Bernardino County Superior Court, Plaintiff attorney: Russell S. Kussman).

EDITOR'S NOTE: California Bar Journal publishes this abbreviated summary of important trials in California provided by Trials Digest.

Summary of trials, awards, settlements, arbitrations

Los Angeles	Animals \$22,434	Riverside	Bus. Org. Defense	Stanislaus	Real Property \$38,000
	Aviation \$130,000		Medical Malpractice Defense	Tulare	
	Construct. Accid. Defense		Premises Liability Defense		Premises Liability Defense
	Contracts \$3,317,326		Vehicle Negligence \$18,577	Ventura	
	Contracts \$2,500,000	Sacramento			Construct. Accid. \$1,250,000
	Contracts Defense		Railroad \$3,331,063		Landlord/Tenant Defense
	Elder Abuse Eq. Award		Real Property \$24,945		Medical Malpractice \$50,000
	Employment Defense				Negligence \$2,500,000
	Fraud \$40,000	San Bernardino			Privacy \$155,000
	Intentional Torts \$1,250,000		Banking/Finance \$994,668		Products Liability Defense
	Intentional Torts \$72,270		Medical Malpractice \$6,000,236		Prof. Malpractice Defense
	Landlord/Tenant Defense	San Diego			Real Property Eq. Award
	Medical Malpractice Defense		Contracts \$669,673		Vehicle Negligence \$1,015,000
	Negligence \$7,601,045		Insurance Defense	Central District	
	Personal Property Defense		Medical Malpractice \$138,709		Civil Rights Defense
	Premises Liability \$725,000		Medical Malpractice Defense	Eastern District	
	Premises Liability \$497,831		Real Property \$3,802		Employment \$5,027,376
	Premises Liability \$223,653		Vehicle Negligence \$3,919	No Court	
	Premises Liability Defense	San Luis Obispo			Contracts \$98,253
	Real Property Defense		Vehicle Negligence \$965,870		Insurance \$550,000
	Vehicle Negligence \$18,680,722	San Mateo			Vehicle Negligence \$125,000
	Vehicle Negligence \$3,000,000		Insurance \$7,998,000		
	Vehicle Negligence Defense	Santa Clara			
Orange			Vehicle Negligence Defense		
	Medical Malpractice \$500,000				
	Products Liability \$1,000,000				
	Vehicle Negligence \$350,000				

Civil cases reported in recent issues of Trials Digest. One free case report upon request. To report your case results, go to west.thomson.com/trialsdigest/form.aspx or call 415-344-3952.

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