

## VERDICTS

JAY S. MCCLAUGHERTY

82 JURY TRIALS; 49 DEFENSE VERDICTS

VERDICT	CASE	SPECIAL FACTORS
<i>Defense</i>	Abramson v. Compton (2013)	Serious brain injury case; brain surgery Cognitive deficits
<i>Defense</i>	Webb v. Baldonado (offered policy limits)	<b><i>Pedestrian brain injury</i></b>
<i>Defense</i>	Villanueva v. Estrada	<b><i>Pedestrian death</i></b> of single mother
<i>Defense</i>	Cervantes v. Arnold	<b><i>Death</i></b> of plaintiff's only son
<i>Defense LA</i>	Voelker v. Morales	<b><i>Hit police officer directing traffic; surgery</i></b>
<i>Defense LA</i>	Ramos v. Koenig	Insured hit a pedestrian while backing out of the driveway; surgery
<i>Defense LA</i>	MacFalls v. Valles	C-3 neck surgery; All unfavorable independent lay witnesses said defendant ran red light
<i>Defense LA</i>	Morales v. Mallari (2013)	Rear end accident with frame damage; \$54,000.00 in medical bills; \$15,000. policy limits; over \$400,000.00 in surgeries recommended; <b><i>Plaintiff attorney won previous 24 verdicts before this loss</i></b>
<i>Defense</i>	Kaplan v. Puga	Car pulled in front of motorcycle; surgery
<i>Defense LA</i>	Santos v. Morales	<b>Offered policy limits before trial</b>

\* **LA INDICATES LA COUNTY VERDICT**

<b>Defense LA</b>	Salerno v. Fountain	Plaintiff had over 2 million dollars in medical bills * severe brain injury * jury out 30 minutes
<b>Defense LA</b>	Verner v. Smith	Multiple surgeries
<b>Defense</b>	Better v. Yearkey	Lost teeth
<b>Defense</b>	Edwards v. Perry	Multiple nasal fractures/ self defense verdict for a fireman who punched mother and daughter in face
<b>Defense</b>	Chapman v. Manley	Claims had this as 100% adverse on liability; defense verdict was based on liability
<b>Defense</b>	Smith v. McCoy	Thoracic surgeries
<b>Defense</b>	Garcia v. Martin	Multiple back surgeries; claims made verdict offset payment in advance of trial of \$300,000.00 anticipating a large verdict; defense verdict on liability; police officer witness to accident testified against insured
<b>Defense</b>	Smith v. Smith	Knee surgery
<b>Defense</b>	Chien v. Macias	Multiple leg surgeries; leg shorter
<b>Defense</b>	Martinez v. Muncy	
<b>Defense</b>	Orozco v. Henson	
<b>Defense LA</b>	Dart v. Salas	
<b>Defense</b>	Wang v. Park	
<b>Defense</b>	Feather v. Disneyland	Hip replacement with more planned
<b>Defense</b>	Lawson v. Parillo	Plaintiff bedridden for life; <b>plaintiff in bed in courtroom</b> throughout 6-week trial
<b>Defense</b>	Higgins v. Nunemaker	
<b>Defense</b>	Vargas v. Perez	

<b>Defense</b>	Padilla	Breach of Contract
<b>Defense</b>	Fillarelli v. Lakes	Leg surgeries
<b>Defense LA</b>	Shewan v. Green	<b>Hit pedestrian</b> ; leg surgeries
<b>Defense</b>	Long v. Hilton	<b>Turned left</b> in front of plaintiff
<b>Defense</b>	Gray v. Patridge	Facial lacerations from boat accident
<b>Defense</b>	Helberg v. McDaniel	
<b>Defense</b>	Durst v. Robinson	
<b>Defense</b>	Dalu v. Yniquez	
<b>Defense LA</b>	Folgiarini v. Palmer Imports	
<b>Defense</b>	White v. Bennett	Crushed ankle surgeries
<b>Defense</b>	Sosa v. Hozen	
<b>Defense</b>	Arceo v. Lawton	
<b>Defense</b>	Chang v. Phillips	
<b>Defense LA</b>	Terrazas v. Collins	
<b>Defense LA</b>	Kishenoff v. Pearl	Insured's passenger testified against defendant
<b>Defense</b>	Helberg v. McDaniel	
<b>Defense</b>	Flores v. Cordero	
<b>Defense</b>	Jensen v. Aguirre	
<b>Defense</b>	Tallon v. Ihrke	Surgery to plaintiff
<b>Defense LA</b>	Florio v. Shulman	Abdominal surgery
<b>Defense</b>	Hartsock v. O'Conner	Dismissed first day of trial
<b>Defense</b>	Gutierrez v. Rosas	

<b>\$22,839.85</b>	Cuevas v. Pucci	Head-on collision with <b>surgery</b> ; client <b>admitted liability</b> . Jury awarded plaintiff \$22,839.85 after a <b>50% reduction for comparative negligence (seatbelt)</b> ; We served a 998 for the policy limits of \$100,000 prior to trial, which plaintiff rejected; therefore, Allstate was awarded all costs. <b>Plaintiff net zero after costs.</b>
<b>\$15,000</b>	Coatney v. Reiney	Multiple surgeries; Medical bills exceeded policy limits; <b>net to plaintiff zero</b>
<b>\$4,500</b>	Lee v. Silva	<b>Net to plaintiff zero</b> after costs
<b>\$4,500</b>	Robinson v. Ayyeh	<b>Net to plaintiff zero</b>
<b>\$4,500</b>	Lee v. Hernandez	<b>Net to plaintiff zero</b>
<b>\$4,175</b>	Arriagada v. Sarmiento	<b>Net to plaintiff of zero</b> after cost deduction
<b>\$2,500</b>	Langarica v. Kunihiro	Plaintiff had surgery
<b>\$5,000</b>	Pritchard v. Turman	Drove car through wall of house; fracture
<b>\$5,900</b>	Castro v. Langford	Insured pulled from Stop sign in front of plaintiff on highway. Jury awarded 30% comparative negligence against plaintiff. Total medical bills \$54,000. Net to plaintiff zero; policy limits \$15,000.00
<b>\$12,138</b>	Hanich v. Ramirez	
<b>\$610,000 LA</b>	COLA v. Osterman	Defendant turned left in front of police officer on motorcycle. <b>Police officer was found to be 70% at fault.</b>
<b>\$68,000</b>	Stephens v. Cross	Jury awarded no pain and suffering

<b>\$60,000</b>	Hodge v. Perez	
<b>\$450,000</b>	Kennedy v. Paine	Reduced to Limited Jurisdiction maximum of \$25,000
<b>\$11,963</b>	Spencer v. Peterson	Fracture
<b>\$5,500</b>	Rodriguez v. Onore	Knee surgery
<b>\$3,342</b>	Arche v. Way	
<b>\$20,000</b>	Low v. Schoendorfer	Admitted liability; plaintiff had multiple surgeries and \$181,378 in medical bills
<b>\$25,000</b>	Darcey v. Paul	Same as our pre-trial offer
<b>\$3,095 LA</b>	Collier v. Betkhoodu	
<b>\$100,413</b>	Bault v. Rives	Back surgery
<b>\$61,000</b>	Level v. Elder	
<b>\$6,108</b>	Zorola v. Yi	
<b>\$25,000</b>	Hussakowski v. Matlock	Heart damage
<b>\$2,000,000 LA</b>	Turner v. Wu	Death of motorcyclist; only son of plaintiff; turned left in front of motorcyclist
<b>\$250,000 LA (settled for pre-trial during jury deliberations)</b>	Gomez v. Womack	Drove large motorhome into elderly lady crossing street; multiple leg surgeries; lifetime disability; plaintiff accepted our pre-trial offer of policy limits of \$250,000 on third day of jury deliberations; <b>jury was deadlocked 8-4 for a defense verdict</b>
<b>\$53,640 LA</b>	Bayer-Bel v. Litovsky	<b>Head-on collision</b> ; defendant teenage driver; drove on wrong side of street; defendant had only driven a car once in her life (unlicensed); <b>defendant was only found 16% at fault for accident</b>

<b>\$85,626.00</b>	Devor v. Lovingier	<b>Admitted liability; multiple surgeries</b> to plaintiff Faye Devor. Faye Devor was awarded \$28,229. Plaintiff Toni Devor was awarded 57,398. Neither plaintiff received any money for future pain and suffering or future loss of earnings.
<b>\$86,000 LA</b>	Munoz v. Miller	\$26,000 was awarded in special damages and \$60,000 was awarded in general damages. <b>Surgery.</b>
<b>\$48,830.62</b>	Fisher v. Gaghagen	Jury awarded plaintiff \$48,830.62 after a <b>25% reduction for comparative negligence</b> . Insured was convicted of drunk driving in rear-end accident. Minor plaintiff was a passenger in insured's vehicle.
<b>\$870,000 LA</b>	DeJanette v. Fadillah	Admitted liability; two prior failed back surgeries with two more back surgeries planned
<b>\$1,800,000</b>	Diamond v. Cima	Commercial construction truck totaled plaintiff's vehicle; prior hip surgery; two future hip replacements
<b>\$9,349,169.65 LA</b>	Madrigal v. Tang	Plaintiff claimed insured pulled in front of his motorcycle (jury poll 9-3); plaintiff is a paraplegic

**\* Five trials against Trial Attorneys of the Year (3) or president of Los Angeles plaintiff's bar association: 4 wins; one loss**

**19 LA COUNTY VERDICTS**