

Noteworthy Verdicts for Deserving Plaintiffs

by Bobby Shukla

CASE: EDRO AGUILAR V. HARRY SOUTHWARD

Case Type: General Negligence
Court: Superior Court, County of Kings
Judge: Hon. James LaPorte
Date: November 30, 2016
Verdict: \$575,742.95 (gross verdict), \$345,445.77 (net verdict)

Plaintiff's Attorney(s)
 Marianne Sioson, Law Offices of Brian Larsen; McCall Baugh, Ernest Brown & Company

Defense Attorney(s)
 Jacqueline Yates, Vail & Wells

Facts & Allegations: Plaintiff Pedro Aguilar was jaywalking across a rural highway at dusk when he was hit by defendant Harry Southward, who was driving a car. Plaintiff also had been drinking. Defendant claimed he was not speeding and could not avoid the accident.

Plaintiff suffered multiple fractures to his left knee and ankle. He was forced to undergo surgery on both his left knee and ankle. Following surgery, plaintiff had physical therapy and was bedridden for 4 months. Plaintiff will never be able to run, jump or engage in meaningful sports activities.

Trial lasted 6 days. The jury deliberated for 4 hours.

Comments: This was a difficult case with a very low offer before trial. Plaintiff's attorneys admitted he was drinking and presented an honest, straightforward version of the facts. Plaintiff was believable, while defendant came off as smug. Defendant's most important expert, their accident deconstructionist, was extremely rude

at trial which hurt the defense. Plaintiff's attorneys used all of defendant's calculations to ultimately prove that the defendant was speeding and had he been going the speed limit, he would have avoided the accident.

Plaintiff Expert(s)
 James Hughes, Accident Reconstruction; Agnes Grogan, Medical Billing; D. Lancy Allyn, Treating Doctor

Defense Expert(s)
 Mark Whelchel, Accident Reconstruction; Robert Post, Human Factors; Darrell Clardy, Toxicologist

CASE: ROCIO HENDRIX AND SAMUEL HENDRIX V. JAMESTOWN PROPERTY MANAGEMENT CASE NO CGC-15-549294 (SAN FRANCISCO SUPERIOR COURT)

Case Type: Personal Injury
Court: Superior Court, County of San Mateo
Judge: Hon. Suzanne Bolanos
Date: 7/17/2017
Verdict: \$827,552

Plaintiff's Attorney(s)
 Ashwin Ladva, Ladva Law Firm;

Defense Attorney(s)
 Brian Bonney, Law Offices of Thomas Burns

Facts & Allegations: Plaintiff, a 46 year old registered nurse, suffered a grade 3 sprain which required surgery- her condition is chronic in that her ankle continues to swell after walking for a few miles. The incident took place adjacent to Ghirardelli Square on North Point Street. Plaintiff tripped and fell on an almost two inch deviation between the sidewalk and a defective metal grate.

The defense argued trivial defect and also attempted to confuse the jury with CACI 430 (substantial factor).

The defense also attempted to argue that the defect in the sidewalk was open and obvious and that Plaintiff was not paying attention. Mr. Bonney also attempted to portray Rocio Hendrix as clueless and not really knowing where she fell - at one point he even suggested that maybe her husband somehow pushed her and that's why she fell.

Defendant's offered \$50,000 and suggested that they could go as high as \$100,000 if the plaintiff was interested in exploring numbers close to \$100,000.

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Bobby Shukla, represents plaintiffs in employment litigation at Shukla Law. She currently serves on the Board of SFTLA and the Board of the National Lawyers Guild Foundation. She has been named a Rising Star or a Super Lawyer every year since 2009.