

MATRIX OF PARTIAL CASE RESULTS

The Claim	The Injury	The Demand	The Result	Winning Attorney
Veterinary E&O claim. Racehorse jockey was killed when his mount, while leading the field, fractures a foreleg and falls on him and he is trampled by the other horses. Claim of masking the animal's medical problems with drugs and failing to advise the rider.	Wrongful death	\$300,000,000	Confidential settlement (less than \$2,000, shared between 4 party defendants)	Don Wilson
22 year old window and awning maintenance worker fell from a second story extension ladder and alleged that he was pulled off when the defendant's passing maintenance cart snagged his water hose.	Bilateral, comminuted calcaneal fractures (crushed heels), comminuted pelvic fractures and lumbar compression fractures and surgical permanent disability. His wife also sued for loss of consortium. Plaintiff claimed present medical expenses of \$57,200 with future medical expenses of \$150,000 and present wage loss of \$15,000 and future wage loss of \$150,000.	\$1,500,000	Defense verdict (poll 9-3).	Don Wilson
Cleanup construction worker falls through a ducting hole in a concrete floor slab, to his death. Widow claims OSHA required safety covers, railings or other devices were not in place. The underlying case was settled during trial with a	Wrongful death	\$500,000, "plus attorneys fees and costs" on the GC's cross complaint	Motion in limine <u>judgment for our client</u> for \$125,000, plus attorneys fees	Don Wilson

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<p>payment by the GC and HVAC subcontractor defendants of \$500,000 and a \$125,000 payment by the framer (our client). The defendants had mutual cross actions for indemnity. Rejecting our proposal for mutual dismissals of the cross complaints, the GC elected to proceed with the trial on the written contract's express indemnity provision against our client for the settlement costs and attorneys fees and costs incurred.</p> <p>In response, we pressed a total implied indemnity cross action for recovery against the GC of the \$125,000 paid to the plaintiff by our client.</p>				
<p>20 year old Plaintiff, a patron in a nightclub was shot through the spine by the nightclub manager during an altercation. He sued the nightclub owner and the contract security service (our client).</p>	<p>Complete paraplegia with a bullet lodged in the mid-spine.</p> <p>Medical specials were claimed and \$884,000 and loss of earnings of \$690,000</p>	<p>\$1,000,000 prior to trial. Plaintiff's counsel did not ask the jury at trial for any specific figure that suggested that they "do what is right".</p>	<p>Defense verdict (poll 9-3)</p>	<p>Don Wilson</p>
<p>One car roll-over during a 24 hours road rally competition. Rally navigator, a 54 year old CPA, sued his driver for falling asleep and driving off the road and rolling the vehicle.</p>	<p>Traumatic de-gloving and amputation of right/major hand</p>	<p>\$2,000,000 and \$90,000/ year to age 70 and \$70,000/ year to age 90 guaranteed</p>	<p>Defense verdict (poll 12-0)</p>	<p>Don Wilson</p>

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Product defect personal injury claim by a 57-year-old general contractor who was installing a solar water heater in a remodeling project, when a tempering valve allegedly separated, spraying him with scalding water	1st, 2nd and 3rd degree burns on the head, face and torso and subsequently a “massive heart attack” as a result of the stress from the burns. He underwent a four-way bypass and his medical expert testified that he suffered brain damage as a result of the surgery and was permanently disabled. Medical expenses were claimed and \$65,000 with future anticipated medical expenses of \$15,000 per year plus ongoing wage loss of \$40,000 per year.	\$1,200,000	Defense verdict (poll 12-0)	Don Wilson
Head-on collision, when the defendant’s semi-tractor rig admittedly crossed the center line of highway, striking plaintiff’s car head on .	Multiple fractures of facial bones and jaw, the loss 24 teeth, permanent nerve damage to face, multiple broken ribs, nerve damage to right (major) hand and thigh, bilateral hearing loss, loss of equilibrium, brain damage with memory loss	\$780,000	Defense verdict (poll 12-0)	Don Wilson
43 year old HVAC maintenance worker fell from a 2nd story roof, when he allegedly tripped over an “illegal” and not-to-code conduit near the edge of the roof. He claimed inadequate building roof safety devices.	The plaintiff landed feet first, suffering crushed legs, “exploded” ankles , requiring multiple surgeries and pinnings and, subsequently, developed osteomyelitis with a permanent limp and disability	\$750,000	Defense verdict (poll 10-2)	Don Wilson
Man thought to be drunk, found dead in jail cell. Family alleges professional negligence of responding paramedics and EMTs.	Wrongful death	\$3 million	Defense verdict (poll 10-2)	Don Wilson

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<p>33-year-old delete rude maintenance worker driving His County Rd., Department dump truck was struck at high speed in a head-on collision by defendant's sem-tractor rig, which had crossed the centerline on freeway. <u>Admitted liability</u></p> <p>On the first day of trial, plaintiff's counsel proposed that the matter be referred to binding arbitration with a retired Superior Court Judge and the defense accepted</p>	<p>Multiple soft tissue injuries, a herniated thoracic disc and traumatic brain damage, with severe residual memory and cognitive deficits, resulting in total, permanent disability.</p> <p>Specials in evidence included medical expenses to date of \$37,000 and future medical expenses of \$788,789; present loss of earnings of \$30,000, with future loss of earnings of \$1.3 million. He also claimed \$500,000 in future household support expenses</p>	\$3 million	After a six day, "full evidentiary presentation" arbitration hearing, the Court awarded the plaintiff \$77,000, the figure suggested in closing argument by the defense	Don Wilson
Structural engineering. E&O . Two ironworker, fall 11 stories on high rise construction site, leaving to widows and five young children as plaintiffs .	Double wrongful death	\$3 million for each family	"Voluntary" dismissal with pending motion for summary judgment	Don Wilson
Worker burned to death by hot, vaporized fuel oil at an oil refinery	Wrongful death	\$2 million	Summary judgment	Don Wilson
Laborer will 55 feet onto a concrete floor. Family claims professional negligence of structural engineer and architect.	Massive brain damage and vegetative coma and quadriplegia	\$8,000,000 each as to structural engineer and architect	"Voluntary" dismissal with pending motion for summary judgment [after dismissal of engineer, hired by architect and obtained dismissal with a pending MSJ a <u>second time</u>]	Don Wilson
Elderly couple fall on escalator at shopping center.	Both fractured spines – both	\$5 million each	"Voluntary"	Don Wilson

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Claim product defect and negligent maintenance.	paraplegic		settlement \$5,000 each plaintiff,-- with pending motions for summary judgment.	
65 year old woman beaten and raped by plumber. Claimed negligent hiring.	Soft tissue, emotional and rape injuries	\$ 1 million	Summary judgment	Don Wilson
Near drowning of 3 year old in swimming pool. Claimed homeowner negligence and failure to provide required safety devices.	Profound brain damage, severe retardation, epileptic seizures, loss of motor functions and total dependence for daily care.	\$5 million	Summary judgment	Don Wilson
14 year old riding on rear of moped, driven by unlicensed 13 year old, who had been drinking, and ran stop sign. Broadsided by an automobile	Profound brain damage, in a coma for six months, extensive psychiatric and physical disability and permanently mentally retarded to the age of a 12 year old, residual memory loss and aphasia and ataxic gait.	\$5,000,000	Settled for \$20,000.	Don Wilson
Total collapse of a hillside home in the 1994 Northridge earthquake. Alleged professional negligence of structural engineer. Grandmother killed and parents injured as house collapsed and slid down the hillside, crashing through the roof of the home below.	Combined construction defect, personal injury, wrongful death and subrogation claims	\$6.5 million	Settled as to our client, the structural engineer, for \$80,000	Don Wilson
Design defect suit by hotel chain vs. architect.	Property damage	\$17 million	Settled for \$0.	Don Wilson
Design defect suit by Metropolitan Water Department vs. structural engineer re: large water project	Property damage	\$20 million	Dismissed	Don Wilson
Workman injured his knee at work site in fall through roof. Claimed structural engineering	Rare bone/cartilage deterioration resulting in nine surgeries, partial	\$5,000,000	Settled 4 days prior to trial for \$15,000 "cost	Don Wilson

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professional negligence.	and total knee prosthesis failed		of defense"	
Minor falls from a wind turbine at citrus orchard water pump tower. Alleged property owner negligence and failure to provide proper locks and safeguards.	Wrongful death	\$ 1,500,000	Dismissed with pending motion for summary judgment.	Don Wilson
Female physician taken hostage raped and beaten in home invasion. Alleged negligent security services.	Gang raped and beaten, emotional distress.	"Several million dollars".	Dismissed	Don Wilson
Construction worker falls into trench at construction site. Claims mass grader E&O	Thoracic spine fractures with resultant paraplegic, head trauma, fractured ribs and collapsed lung. Special damages approaching \$2 million	\$6 million	Settled for \$40,000, under threat of a defense motion for summary judgment	Don Wilson
Plaintiff's husband and father of two minor children, a home fumigation worker, fatally electrocuted while using a fan to vent fumes from under a house. Plaintiffs allege the fan was defective in design and manufacture	Wrongful death / Products	\$1 million	Settled for \$1,500, after a defense <i>in limine</i> motion granted precluding testimony of plaintiff=s expert	Don Wilson
Veterinary E&O claim for death of a prized quarter horse breeding stallion	Property damage and lost profits	\$1,500,000	12-0 defense verdict	Don Wilson
60 year old woman's SUV is struck by runaway fully loaded semi tractor-trailer on the steep downhill grade of Interstate 5 "Grapevine", demolishing and rolling it several times. Defendant claimed to have no insurance coverage [Plaintiff case]	Cervical fractures of C2 and C4, multiple facial and nasal fractures, front parietal severe laceration and multiple blunt head trauma, multiple fractures of hand and ribs and contusions and abrasions entire body.	\$1,050,000	Obtained plaintiff settlement of \$1,050,000	Don Wilson
Two plaintiffs, ages 31 and 32, allege multiple physical injuries, disabling psychiatric injuries (post	Multiple physical injuries, disabling psychiatric injuries (PTSD) and	Plaintiff 1 - \$700,000	12-0 defense verdict	Don Wilson

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traumatic stress disorder) and violation of their civil rights at the hands of defendant nightclub's security guards who ejected them from the club.	violation of civil rights	Plaintiff 2 - \$1.4 million		
30 year old resident alien Australian woman and her 8 month old baby (American citizen) were detained upon reentry into the US at Los Angeles International Airport by Immigration and customs enforcement [ICE]. The adult mother is held for five days at various federal detention facilities for five days before ultimately being released by ICE. Plaintiffs alleged they were mistreated and assaulted by the defendant's security guards, contracted by ICE, held in dirty, uninhabitable conditions, delayed in being provided required medical care, food and other necessities for the infant.	The adult plaintiff claims that she was physically assaulted by one of the defendant security guards and suffered from posttraumatic stress disorder as a result of the detention and the conditions in which she and her child were held. She also presented a claim of physical injury and PTSD on behalf of the infant.	\$750,000	9-3 defense verdict on the negligence claim 10-2 defense verdict on the assault claim	Don Wilson
30-year-old oilfield worker injured in wellhead blowout, while working to abandon the well	Fractured jaw and disfiguring "tattooing" of his entire face from hot oil and water mix which was injected under his skin from the well blowout. Severe and disabling injuries and disfigurement. Has undergone 17+ the reconstruction facial surgeries	\$3.2 million	Settled for \$950,000 with contribution of \$150,000 from our client	Don Wilson
As a result of a scaffolding "blowout" in a large excavation, a construction worker is knocked from the scaffolding, falls 30 ft and is impaled through the buttocks, entire abdomen and neck on an unprotected steel rebar rod . Sues various parties, including our client, the structural engineer	Severe, life threatening lacerations and tears of the rectum, bladder, kidney, liver and multiple punctures of the colon and arteries	\$6,000,000	Dismissal just prior to hearing on our MSJ	Don Wilson
Claim of inadequate premises security, arising from	Multiple gun shot wounds to the	None	Dismissal just prior to	Don Wilson

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the shooting of a young innocent bystander by a gang member, while security personnel were attempting to escort the latter off of the premises.	abdomen with permanent colostomy and disability, medical special damages in excess of \$540,000 and ongoing loss of income for life		hearing on our MSJ	
Claim of inadequate premises security, arising from the claimed assaults of 3 plaintiffs by other patrons of a bowling alley/bar.	The female plaintiff claimed a fractured nose and pinky finger, multiple facial and scalp lacerations and lumbar disc injuries; the 2 male plaintiffs claimed bruises and lacerations. All 3 claimed emotional distress and PTSD.	\$150,000 for the woman and \$50,000 each for the 2 men	Settled for \$22, 250 for the woman and \$1250 each for the men	Don Wilson
Claimed assault by undercover shoplifting loss prevention agents during handcuffing and detention	Torn rotator cuff injury and biceps tendon rupture in one shoulder and bilateral wrist injuries, all claimed to require surgery with likely permanent sequella	\$200,000	Dismissed on first day of trial prior to jury selection, based upon a defense Evidence Code 402 motion, arguing no remaining triable issues.	Don Wilson
Insurance subrogation suit for claimed product and construction defects in the fire sprinkler system causing widespread water damage to a high end custom ranch home, art, clothing and contents.	Personal property damage	\$240,000	Settled for \$2,500 just prior to trial, when faced with a defense Evidence Code 402 motion, arguing no remaining triable issues.	Don Wilson
47 year old man died of a massive heart attack during a party at his home, attended by numerous physicians. Widow sued claiming the MD's and the responding EMT/Paramedics were negligent in providing life saving measures	Wrongful death / EMT E&O	\$6,000,000	Dismissed as to the client EMT's	Don Wilson

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65 year old man died of a heart attack at his home. Family sued the responding EMT's and County Paramedics for negligence in providing life saving measures.	Wrongful death / EMT E&O	\$1,500,000	Dismissed as to the client EMT's	Don Wilson
Destruction of the product inventory in the plaintiff wholesale grocer's large refrigerated frozen food warehouse due to claimed product and installation defects in the glycol/water fire sprinkler system, causing glycol contamination and widespread water damage.	Total loss of frozen food inventory	\$230,000	Dismissal prior to trial	Don Wilson
Personal injury claim arising from a claim by a patrolling security guard aboard ship who was crushed when a massive steel water tight door unexpectedly closed on him as he was passing through, due to an allegedly defective operating mechanism	Multiple crush injuries with \$300,000+ in medical and other special damages	\$1,300,000	Dismissed on motion	Don Wilson
31 year old aspiring actress alleged disfiguring injuries when she bit into a nail in the salad served to her at the defendant's cafeteria style restaurant	dramatic injury to the TMJ joints of her jaw, requiring surgery, four fractured teeth and damage to several previously installed veneers. Claimed \$36,500 in present and future medical expenses	\$200,000	12-0 Defense verdict	Don Wilson
Building engineer called defendant plumbers and defendant backhoe operator to repair a broken water main. After a 7-8 foot deep hole was dug, while the backhoe was maneuvering in tight quarters, the plaintiff came over to "inspect" the work and claimed that the backhoe knocked him into the hole.	Multiple fractured ribs, aggravation of prior back surgeries, chronic depression and total permanent disability	\$300,000	10-2 Defense verdict	Don Wilson