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Superior Court, Los Angeles County, California.

Confidential vs. Confidential

TOPIC:

Synopsis: SETTLEMENT -- Woman pinned between two vehicles settles claims with negligent driver and employer company

Case Type: Vehicle Negligence; Pedestrian; Vehicle Negligence; Interstate/Freeway; Vehicle Negligence; Inattention; Vehicle Negligence; Rear-End; Vicarious Liability

DOCKET NUMBER: LC070594

STATE: California

COUNTY: Los Angeles

Verdict/Judgment Date: February 4, 2008

JUDGE: [Stanley M. Weisberg](#)

ATTORNEYS:

Plaintiff: [Marilyn H. Nelson](#), Zukor & Nelson, Beverly Hills; [Abram C. Zukor](#), Zukor & Nelson, Beverly Hills.

Defendant: [Barry Bradley](#), Bradley & Gmelich, Glendale; [William L. Friedman](#), Bradley & Gmelich, Glendale; [Alfred W. Gerisch Jr.](#), La Follette, Johnson, De Haas, Fesler & Ames, Los Angeles; [Paul F. Sullivan](#), Doherty & Catlow, Los Angeles; [Mark M. Williams](#), La Follette, Johnson, De Haas, Fesler & Ames, Los Angeles.

SUMMARY:

Verdict/Judgment: Settlement

Verdict/Judgment Amount: \$1,100,000

Range: \$1,000,000-1,999,999

Trial Type: Settlement

TEXT: CASE INFORMATION FACTS/CONTENTIONS

According to Plaintiff: Plaintiff, a 28-year-old actor and student, was involved in a minor automobile collision on I-405 and pulled over to the shoulder. When plaintiff was standing between the two vehicles, a third vehicle slammed into the rear of plaintiff's vehicle, trapping plaintiff between the two cars.

Plaintiff alleged defendant, the driver of the third vehicle and an employee of defendants, local and national corporations, was inattentive and failed to stay in her lane of travel.

Defendants disputed the nature and extent of plaintiff's injuries.

CLAIMED INJURIES According to Plaintiff: Plaintiff sustained comminuted displaced fractures of her right leg, requiring open-reduction internal fixation surgery. Plaintiff developed an infection that required a subsequent hospitalization and debridement. A third surgery removed the hardware and a fourth lengthened the plaintiff's Achilles' tendon.

CLAIMED DAMAGES According to Plaintiff: Not reported.

SETTLEMENT DISCUSSIONS According to Plaintiff: The parties settled for \$1,100,000 after a second mediation session, subsequent to appeal.

COMMENTS According to Plaintiff: The trial court granted defendants' motions for summary judgment that were appealed. The court of appeal granted plaintiff's appeal, and the California Supreme Court denied defendants' petition for review. Defendants local and national corporations were represented by Barry Bradley, William L. Friedman, Alfred W. Gerisch Jr., and Mark M. Williams. Paul F. Sullivan represented defendant driver. The **insurance** carriers were Mercury and CNA.

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