

VERDICTS & SETTLEMENTS

FRIDAY, JANUARY 18, 2013

PERSONAL INJURY AUTO V. PEDESTRIAN

VERDICT: \$173,519

CASE/NUMBER:

Erica Landsberg v. Susan Peters Mitchel / BC469262

COURT/DATE:

Los Angeles Superior Central / Dec. 13, 2011

JUDGE: Hon. Michael M. Johnson

ATTORNEYS:

Plaintiff — Steven H. Haney (Haney Law Group, Los Angeles)

Defendant — Kenneth E. Wright (Law Offices of Thomas O'Hagan, Santa Ana).

MEDICAL EXPERTS:

Plaintiff — Jon B. Greenfield, M.D., orthopedics, Los Angeles; **Richard M. Gunsolus, D.C., chiropractic, Bellflower**; Ross Liberman, physical therapy; Emil Soorani, M.D., psychiatry, Santa Monica.

Defendant — Jeffrey Korchek, M.D., orthopedic surgery, North Hollywood.

TECHNICAL EXPERTS:

Plaintiff — Kenneth A. Solomon, Ph.D., P.E., accident reconstruction, biomechanics, Woodland Hills.

FACTS:

Plaintiff Erica Landsberg, 24, was kneeling next to her bicycle to replace a chain that came off the sprocket and was run over by a Lexus SUV driven by defendant Susan Peters Mitchel, 77, as she backed out of the driveway of her home.

PLAINTIFF'S CONTENTIONS:

Plaintiff claimed that Defendant was negligent by failing to look before backing up and struck Plaintiff who was on edge of the street at the base of Defendant's driveway, causing Plaintiff to be pushed on top of her bicycle and then dragged under the Lexus for 3-4 feet in the street.

Plaintiff further claimed that Defendant and her husband laughed and verbally abused her, rather than to offer aid, at the scene of the incident.

DEFENDANT'S CONTENTIONS:

Defendant denied Plaintiff's claim and asserted that she did not hit Plaintiff and that Plaintiff suffered no injuries at the scene of the incident. Defendant further asserted Plaintiff was negligent by choosing to repair her bicycle in the path of Defendant's driveway.

INJURIES: Plaintiff suffered soft tissue injuries in feet, ankles, shin, knees, hips, back, neck and head.

JURY TRIAL:

Length, five days; Poll, 12-0; Deliberation, 1.5 days.

SETTLEMENT DISCUSSIONS:

Plaintiff demanded \$105,000.
Defendant offered \$75,000.

RESULT:

Jury returned in the amount of \$192,799, reduced by 10 percent for Plaintiff's negligence, for a total net verdict of \$173,519.