

\$10,500,000

Gas Range Tip-Over  
**PRODUCT LIABILITY**

**FACTS:** Ernesto Guerra leased an apartment in a building owned by Defendants. The apartment came with appliances including a free standing gas range. Ernesto, his wife Andrea, and their three young children moved into the apartment. On the day of the accident, Ernesto left for work early in the morning. Andrea was home with the children. In the afternoon, Andrea started cooking soup for dinner. Andrea put a large pot of water on one of the burners on the range. While she was cutting vegetables for the soup at the kitchen sink, Madison, 3 years old, entered the kitchen, opened the oven door on the range, and stepped on the edge of the open oven door and the range tipped forward. As the range tipped forward, the pot containing hot soup slid off the range and spilled onto Madison causing her to sustain burn injury.

**CONTENTIONS:** Plaintiff claimed that the range was manufactured by General Electric with an L-shape bracket called an anti-tip bracket which was to be installed on the range. The bracket is screwed into either the wall or the floor and the range slides into place so that the bracket engages one of the adjustable legs under the range to prevent it from tipping. Plaintiff claimed that there are several warnings on the range and in the installation instructions which advise the installer to make sure that the anti-tip bracket is installed. Plaintiff claimed that Defendants remodeled the kitchen in the apartment shortly before the Guerra family moved into the apartment - and when they reinstalled the range, they did not put the anti-tip bracket back in place. Plaintiff also claimed that Defendants are sophisticated property owners who own and manage numerous apartment buildings and they knew that an anti-tip bracket was required on the range. Defendant contended that the accident was entirely the fault of Andrea (the mother) for failure to watch her child and she allowed a young child to open the oven door on the range and climb on the open oven door as if it were a toy while a pot of hot soup was cooking on the range.

**INJURIES:** Third degree burn injuries to approximately 25% of total body surface area.

**GUERRA v. THE WILLOWS SATICOY ROYALE APARTMENTS, ET AL.**

**CASE NUMBER:** BC 604275

LOS ANGELES COUNTY SUPERIOR COURT