

\$2,400,000

Automobile Accident

COUNTY BEACHES AND HARBOR PATROL

FACTS: Plaintiff was in Los Angeles on vacation. On the last day of her vacation, she went to Venice beach. She went for a walk on the beach. After her walk on the beach, she placed her towel on the sand near the edge of the water. She laid face down on her towel. She was relaxing on the beach before her flight back to Switzerland. Defendant works for the County of Los Angeles Division of Beaches and Harbors. He was driving a Nissan Xterra four-wheel drive truck. He received a dispatch call concerning debris which had washed up on the beach. Defendant drove his truck on the beach sand in order to inspect the debris. After doing so, Defendant was on his radio informing his supervisor about the debris while he was making a right turn and “felt a bump”. Defendant ran Plaintiff over while she was on her towel resting on the beach.

CONTENTIONS: Plaintiff contended that the County should have prohibited its employees from driving vehicles on the beach sand. Plaintiff also contended that Defendant was not paying attention and was on his radio with his supervisor while he was driving on the beach. Defendant contended that Plaintiff was comparatively negligent for laying on the beach in the area where the debris had washed up and for not seeing or hearing his vehicle on the beach near her. Defendant disputed the extent of the injuries, Plaintiff’s medical treatment in Switzerland, and her loss of earning claim. Defendant claimed that as a public entity, under California law, it was not responsible for any of Plaintiff’s special damages since all of her medical expenses and her loss of earnings (past and future) were fully covered by Swiss government sponsored health and disability insurance benefits.

INJURIES: Fractured ribs, collapsed lung and fractured clavicle requiring surgery. Plaintiff also claimed a frozen shoulder causing her to be able to work only part-time as a janitor.

STORTI v. COUNTY OF LOS ANGELES, ET AL.

CASE NUMBER: BC 552462

LOS ANGELES SUPERIOR COURT