

\$2,450,000

Failure of Utility Vault Cover
PRODUCT LIABILITY

FACTS: Plaintiff, age 51, was walking on a public sidewalk in front of his apartment building. He stepped on a cover for an underground utility vault located on the public sidewalk. The vault contained equipment owned by Southern California Gas Company. The cover on the vault was made out of fiberglass reinforced concrete. When Plaintiff stepped on the cover, it broke into several pieces. Plaintiff's foot and leg went down into the utility vault, causing him to fall and sustain neck and back injury.

CONTENTIONS: Plaintiff contended that the broken vault cover was improperly installed, inspected, repaired and maintained. Plaintiff also claimed that the vault cover was improperly manufactured which caused it to fail. Defendants claimed that the cover was manufactured to proper specifications and had been tested before installation. Defendants also claimed that the cover had been inspected recently before the accident and showed no signs of failure. Defendants claimed that a contractor during construction at Plaintiff's apartment building had rolled heavy construction materials over the vault cover causing it to develop fractures which could not have been detected by routine inspection. Defendants filed cross-complaints against the contractors. Defendants disputed that Plaintiff's injuries were related to the accident and claimed that his neck injuries and surgery were related to severe congenital abnormalities in his spine and pre-existing degenerative conditions which would have required surgery even without the subject accident.

INJURIES: Disc protrusion in the cervical spine requiring a cervical fusion.

ROBERTSON v. SOUTHERN CALIFORNIA GAS COMPANY, et al.

CASE NUMBER: SC 111903

LOS ANGELES SUPERIOR COURT