ANGARELLA | LAW

CATASTROPHIC INJURY & PRODUCT LIABILITY

SPECIALIZING IN
CATASTROPHIC PERSONAL INJURY

ANGARELLA LAW

WHY US

Based in Los Angeles, ANGARELLA LAW is a boutique litigation firm specializing in catastrophic personal injury cases involving product liability, high-voltage electrical accidents, propane and natural gas fires, explosions, construction accidents, aviation accidents, trucking accidents and general negligence with an emphasis on brain injury, spinal cord injury, major burn injury and wrongful death cases.

For more than 30 years, founder Steven Angarella has been fighting for his clients and winning multimillion-dollar awards against major national and international corporations, with several results being the largest awards of their kind in California and the nation. He is deeply committed to his clients and prides himself on being personally involved in all aspects of their cases. Angarella Law takes only a limited number of cases in order to provide each client with superior service and representation.

In recognition of his strong legal knowledge and high ethical standards, Steven Angarella has an AV Preeminent Rating from Martindale-Hubbell, a designation held by only 10 percent of the nation's attorneys. Additionally, he has been named a Southern California Super Lawyer in Los Angeles Magazine and a Lawyer of Distinction in CNN and USA Today.

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ABOUT
ANGARELLA LAW

ANGARELLA LAW is a Los Angeles-based boutique litigation firm specializing in catastrophic personal injury cases involving product liability, high-voltage electrical accidents, propane and natural gas fires, explosions, construction accidents, aviation accidents, trucking accidents and general negligence with an emphasis on brain injury, spinal cord injury, major burn injury and wrongful death cases.

STEVEN V. ANGARELLA, ESQ.

Steven Angarella has extensive legal expertise and a strong track record of achieving results for his clients. He is committed to providing personalized legal service and aggressive representation and is involved in every aspect of his clients' cases. Steven Angarella specializes in one thing: catastrophic injury cases, and his work has helped make consumers safer and prevent devastating injuries caused by defective products.

He was a founding partner, in 1987, of Vastano & Angarella LLP, which in 2015 became Angarella Law. Steven Angarella has worn many hats during his lifetime, including a hard hat. Prior to his career as an attorney, he was a union construction worker, an experience that gives him a unique rapport with his clients, many of whom have been injured in industrial accidents.

Steven Angarella graduated with honors from Providence College and Pepperdine University School of Law. He is a member of the nation's leading legal associations, including the American Board of Trial Advocates, the American Association for Justice, Consumer Attorneys of California and Consumer Attorneys of Los Angeles.

Steven Angarella has been recognized numerous times for his litigation skills. He was nominated for the Trial Lawyer of the Year Award in 1998, named a Southern California Super Lawyer in Los Angeles Magazine every year from 2006 to the present, and noted by Trials Digest for having the top verdict and/or settlement in an industrial accident case in both 1998 and 2009. Additionally, Steven Angarella was nominated by the Consumer Attorneys of California for the Attorney of the Year Award for 2010, selected as part of the National Trial Lawyers "Top 100 Lawyers" for 2014 and 2018, selected as America's top 100 personal injury attorneys for 2019, nominated for the 2014 Litigator Award by the Trial Lawyers Board of Regents and recognized in 2014 as one of the "Best Attorneys in America" by Rue Rating. He was listed as a 2017 Lawyer of Distinction in CNN and USA Today.

SIGNIFICANT CASES

$38,200,000

High Voltage Electrical Explosion
PREMISES LIABILITY

FACTS: Plaintiffs were working on a remodel project at a shopping center. Over the years, defendant made numerous changes to the structure. As a result of these changes, the switch to disconnect the electrical power to the foodstore was left in an electrical equipment room, which was in a separate store, under separate management, approximately 750 feet away from the electrical panels for the foodstore. While performing their work, plaintiffs encountered a "jumper wire" in a 480-volt electrical panel. In order to complete their work, plaintiffs needed to remove the jumper wire so they turned off all of the switches in the foodstore and believed the power was off. The power was not off, since, unbeknownst to them, the only switch to disconnect power to where they were working was located next door. While attempting to remove the jumper wire with a screwdriver, a ground-fault explosion occurred, causing an instantaneous fireball.

CONTENTIONS: Plaintiffs contended that defendant was responsible for all of the modifications and changes over the years which resulted in several violations of the National Electrical Code. The Plaintiffs further contended that the electrical panels in the foodstore were not labeled properly nor had any warnings to warn of this unusual condition. The plaintiffs also contended that defendant was responsible for maintaining the entire property, including the electrical systems.

INJURIES: Plaintiff Kolodziey sustained second and third-degree burns to approximately 60 percent of his body. Plaintiff Luczak sustained second and third-degree burns to approximately 40 percent of his body.

ADDITIONAL INFORMATION: Plaintiffs settled with other parties before trial for $3.6 million. The judgment against K-Mart was affirmed in full on appeal. Including interest and costs, Plaintiffs collected over $38.2 million.

KOLODZIEY v. K-MART CORPORATION, ET AL.
CASE NUMBER: GC012107
LOS ANGELES COUNTY SUPERIOR COURT

$21,437,000

Aviation Accident
NEGLIGENT MAINTENANCE

FACTS: The Navy was transporting various personnel to Edwards Air Force Base in a Mitsubishi MU-2 twin turbo prop aircraft. The MU-2 aircraft was leased by the Navy from Defendant Flight International. The lease agreement required Flight International to also provide maintenance on the aircraft. Navy pilot Lt. David Garnett was assigned to fly the aircraft. The plane was occupied by a crew of two with seven passengers. Approximately ten minutes into the flight, Lt. Garnett reported to the Edwards Tower that he was 15 miles northeast of the field for landing. Post-accident analysis revealed that when Lt. Garnett made this report, he was actually 8 miles northeast of the field. After several unsuccessful attempts to contact the Edwards Air Force Base Control Tower, Lt. Garnett executed a 360 right turn. The 360 degree turn, however placed the MU-2 directly in front of an F-16 fighter jet also on final approach to Edwards Air Force Base. Although the planes did not collide, the significant force of the wake turbulence generated by the F-16 caused Lt. Garnett to lose control of the MU-2 which crashed.

CONTENTIONS: Plaintiffs claimed the lessor of the aircraft, Defendant Flight International, failed to properly maintain the aircraft, particularly the Distance Measuring Equipment and Lt. Garnett misreported his distance while relying on the inaccurate Distance Measuring Equipment (DME). Defendant argued this flight occurred during daytime, visual flight rules; Lt. Garnett was not relying on the Distance Measuring Equipment; and, pilot error was the sole cause of this accident.

INJURIES: Desrosiers: Traumatic head injuries resulting in cognitive deficits and loss of earning capacity. Rodriguez: Death, age 21; survived by a 6 year-old son.

ADDITIONAL INFORMATION: The judgment was upheld by the Ninth Circuit Court of Appeal. See, 156 F.3d 952.

DESROSIERS v. FLIGHT INTERNATIONAL, ET AL.
CASE NUMBER: CVF9305707OWW
UNITED STATES DISTRICT COURT, FRESNO, CALIFORNIA

$20,375,000

Aviation Gasoline Truck Fire
PRODUCT LIABILITY

FACTS: Plaintiff, a fuel attendant at an airport, was using a 1985 Ford F800 aviation gasoline refueler with a cargo tank capacity of 2400 gallons. While uploading fuel into the cargo tank on the vehicle, Plaintiff received a radio call indicating that there were two additional planes which he needed to fill before ending his shift. Plaintiff filled up the cargo tank on the refueler to maximum capacity. As he was climbing down from the cargo tank, he inadvertently forgot both dome covers on the cargo tank in the open position. He got into the truck and started driving to the airplanes he was asked to fill. As he approached one of the planes, he noticed that the fill hoses on the truck were facing the wrong side of the airplane so he decided to make a u-turn. As he slowed and braked to make his u-turn, fuel in the cargo tank sloshed out of the open dome covers and poured into the cab of the truck through the open driver's window and soaked him. Vapors from the aviation gasoline were ignited by the engine and the truck burst into flames.

CONTENTIONS: Plaintiff conceded that he was negligent. The airport (employer) had a "27 Point Checklist" where Plaintiff was specifically told to make sure that the dome covers were closed and latched after uploading fuel to the truck. Rather, Plaintiff claimed that this was a foreseeable inadvertent misuse of the product. Plaintiff claimed that NFPA 407 Section 2-3.13.1 provided that dome covers shall automatically close and latch with forward motion of the vehicle. Plaintiff argued that if the subject refueler had the dome covers required by NFPA 407 that the accident would have never occurred. Defendants claimed that the refueler was not subject to the NFPA requirements, that the section of the NFPA upon which Plaintiff relied only applied to refuelers which were "top loaded" (filled through the dome covers) and not trucks which were bottom loaded like the subject truck, and that the subject truck was a 1985 Ford F800 which was not subject to NFPA 407. Further, Defendants claimed the accident was entirely the fault of the Plaintiff for leaving the dome covers open.

INJURIES: Second and third degree burns to approximately 40% of his body surface.

MCKAYE v. CHEVRON, ET AL.
CASE NUMBER: MC020183
LOS ANGELES COUNTY SUPERIOR COURT

$20,000,000

High Voltage Electrical Accident

GENERAL NEGLIGENCE

FACTS: Paul William Jones (Jones) is a co-owner of High Voltage Technical Services, Inc. (HVTS). Cal Poly Pomona had a power outage on their campus. It was determined that the cause of the outage was insulators which had failed inside a high-voltage transformer station. Cal Poly Pomona hired HVTS to replace the insulators. An employee of HVTS and two electricians employed by Cal Poly Pomona de-energized the underground lines feeding the transformer station. Jones and two co-employees from HVTS were in the process of changing the insulators in the transformer station when Cal Poly Pomona received a call of a power outage located in a different part of the campus. In attempting to restore the power, an electrician employed by Cal Poly Pomona closed a high voltage switch causing the transformer station where the insulators were being replaced to suddenly become energized.

CONTENTIONS: Plaintiff claimed that the electricians employed by Cal Poly Pomona were responsible for de-energizing and locking out the transformer station where the insulators were being replaced. Plaintiff further claimed that it was standard practice that the electricians employed by Cal Poly Pomona were not to conduct any switching of electrical circuits while outside electricians were working on their electrical system. Defendant claimed that Plaintiff and his co-employees were negligent since they did not determine all possible circuits feeding the transformer station where the insulators were being replaced and confirm they had been properly de-energized and locked out. Defendant also claimed that HVTS did not ask Cal Poly Pomona for the electrical plans and/or circuit diagrams showing all sources which fed the transformer station where insulators were being replaced. Defendant also claimed that HVTS did not install "system grounds" on the transformer station and that had system grounds been in place, Plaintiff would have received a minimal electrical shock.

INJURIES: 57 year-old electrician sustained third degree burns to approximately 25% of his body surface requiring complete amputation of his left arm.

JONES v. CALIFORNIA STATE POLYTECHNIC UNIVERSITY, ET AL.
CASE NUMBER: KC051798J
LOS ANGELES COUNTY SUPERIOR COURT

$20,000,000

Range Tip Over
PRODUCT LIABILITY

FACTS: Dinora Campos and her boyfriend purchased a free-standing gas range from a department store. Her boyfriend installed the range in her apartment. The range came with an L-shaped bracket which was to be installed behind one of the rear legs to prevent the range from tipping. The bracket was not installed. Several months later, Dinora was home with her children. She was also watching her sister's children. She was the only adult home with seven (7) young children. The children were watching television in the family room. She went into the bathroom. While in the bathroom, her son and her two nephews, who were all between 30 to 40 months old, went into the kitchen. A pot of stew was simmering on the back burner of the range. The children opened the oven door and either stepped and/or climbed on the open oven door. The range tipped forward with the pot of hot stew spilling on the children.

CONTENTIONS: Plaintiffs claimed that there have been prior incidents of children opening oven doors on ranges and either stepping or climbing on the open door so as to cause the range to tipover. Plaintiffs claimed that the L-shaped bracket was an ineffective solution since the brackets were not being installed in the field. Plaintiffs claimed that there were several feasible alternative designs which were passive in nature and did not require any installation by the consumer, such as breakaway hinges on the oven door, a child-resistant closure on the oven door, and/or counter weights to prevent the range from tipping. Plaintiffs also claimed that in the absence of a passive alternative design, the range should have contained an interlock to prevent it from operating if the bracket was not in place and that a more obvious warning regarding the tip hazard and need to install the bracket should have been used. Plaintiffs also claimed they did not even see a bracket in the box and the store which sold them the range should have specifically advised them about the hazard of the range tipping and the need to install the bracket. Defendants claimed that the bracket is simple to install and could be properly installed in a matter of minutes. Defendants also claimed that if the bracket had been installed, the accident would not have occurred. Defendants also claimed that the alternative designs proposed by Plaintiffs are not feasible or cost effective. Defendants also claimed that the cause of the accident was the failure to properly watch and supervise the young children.

INJURIES: Third degree burn injuries to approximately half the body surface of three children between 30 to 40 months old.

ADDITIONAL INFORMATION: The manufacturer of the range contributed $15 million with the department store contributing $5 million, for a total of $20 million.

CAMPOS v. WHITE CONSOLIDATED INDUSTRIES, ET AL.
CASE NUMBER: BC282606
LOS ANGELES COUNTY SUPERIOR COURT

$13,650,000

Tea Pot Tip-Over
PRODUCT LIABILITY

FACTS: Ariana Gutierrez, 3 years-old, and her family went to a Chinese restaurant. Ariana was with her mother, her aunt, her grandmother, her 10 year-old brother and her 5 year-old sister. They were seated at a round table which had a lazy susan on it. A waiter placed a metal teapot containing hot tea on the lazy susan. Ariana's 10 year-old brother turned the lazy susan and the teapot slid off the lazy susan and fell over onto its side on the table. The cover of the teapot opened and hot tea spilled on Ariana causing her to sustain burn injuries.

CONTENTIONS: The teapot and lazy susan were manufactured in Communist China. The manufacturers of the teapot and lazy susan could not be served and were not parties to the lawsuit. Plaintiff sued the restaurant, the importer of the teapot who had it manufactured for them as a private label item, and the distributors of the teapot and lazy susan. Plaintiff claimed that the restaurant was negligent because their waiter placed a teapot containing hot tea on a lazy susan at a table with several young children. Plaintiff claimed that the lazy susan was defective in design since it had no speed control and turned very easily causing the teapot to slide off the lazy susan. Plaintiff claimed the teapot was defective in design since it has an hourglass shape which effects its stability and it failed to have any type of mechanism to hold the cover in place. Plaintiff claimed that détentes in the lid of the teapot would have prevented the accident. Defendants contended that the accident was entirely the fault of Ariana's mother and the other adults at the table for failure to watch the young children. Defendants contended that Ariana's brother was spinning the lazy susan at a high rate of speed like a toy. Defendants contended that there are no design defects in the lazy susan or teapot since there are millions of them in use in restaurants throughout the world and there has not been any reported prior similar accidents.

INJURIES: Third degree burns to approximately half of total body surface.

ADDITIONAL INFORMATION: The restaurant contributed its policy limit of $1 million. The distributor of the lazy susan contributed its policy of $1 million. The distributor of the teapot contributed $1.8 million. The importer of the teapot contributed $9.9 million, for a total settlement of $13,650,000.00.

GUTIERREZ v. CHINESE RESTAURANT
CASE NUMBER: CONFIDENTIAL
LOS ANGELES COUNTY SUPERIOR COURT

$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 over 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. APARTMENT COMPLEX
CASE NUMBER: CONFIDENTIAL
LOS ANGELES COUNTY SUPERIOR COURT

$5,100,000

Portable Gas Can Fire
PRODUCT LIABILITY

FACTS: Steven Diaz had just turned 2 years-old. He was living with his parents and grandparents. They were renting a single family home with an attached garage. A refrigerator, water heater and washer and dryer were located in the garage. While in the garage, Steven knocked over a small plastic gas can which was used for the lawnmower. The gas can had only a few ounces of gasoline in it. The gasoline spilled on the garage floor. The flammable vapors from the gasoline were ignited by the pilot light and/or burner on the water heater which was located nearby, resulting in a fire. Steven was caught in the fire and sustained burn injuries.

CONTENTIONS: Plaintiffs claimed that the portable gas can was defective in design for failure to have a child resistant closure (cap) on it. Plaintiffs claimed that the Poison Prevention Packaging Act required all harmful and/or hazardous household substances to have a child resistant closure, however the manufacturers of portable gas cans found a loophole in the law and have been allowed to manufacture their gas cans without a child resistant closure since the cans do not "contain" any substance when they are manufactured. Plaintiffs further claimed that the water heater was defective in design for failure to have a flame arrestor which would prevent the pilot and/or burner from igniting the flammable vapors. Defendant gas can manufacturer claimed that they are not required to have a child resistant closure on the gas can and that such design was not feasible at the time the can was manufactured. Defendant water heater manufacturer claimed that the source of ignition was not the water heater but rather a gas fueled dryer which was located nearby. Both Defendants claimed that the cause of the accident was not the gas can and/or water heater but rather the failure of the mother to properly watch her son and she allowed him to play in the garage where there were numerous items which were hazardous to a young child.

INJURIES: Burn injuries to approximately 40% of the body surface of a 2 year-old child.

ADDITIONAL INFORMATION: This case was featured on CBS The Early Show (national television). As a result of the response to this case, the United States Congress introduced the Children's Gasoline Burn Prevention Act mandating that all portable gas cans manufactured in the United States have a child resistant closure. Over 40 members of the House of Representatives from a variety of states supported this Bill.

DIAZ v. EAGLE MANUFACTURING, ET AL.
CASE NUMBER: BC292673
LOS ANGELES COUNTY SUPERIOR COURT

$4,800,000

Truck Tire Failure
PRODUCT LIABILITY

FACTS: Plaintiff, a 37 year-old construction worker, was driving a Ford Ranger pick-up northbound on SR14. Plaintiff had several passengers in the truck. The rear of the truck had a camper shell with bench seats. Three passengers were riding unbelted in the rear of the truck inside the camper shell. While traveling approximately 65 mph, the tire on the left rear suddenly separated. Plaintiff lost control of the vehicle, went off the roadway and the vehicle rolled several times. The three passengers were ejected from the vehicle.

CONTENTIONS: Plaintiffs contended that the tire on the subject vehicle was negligently manufactured and contained contaminants which caused the tire and steel belts to separate. Plaintiffs further contended that the loss of tread caused Plaintiff to lose control of the vehicle. Defendant contended that the tire had over 40,000 miles on it without any problems, had no manufacturing defect, and the tread separation was due to prolonged under inflation. Defendant further contended that Plaintiff was speeding and inattentive, otherwise he would have been able to control the vehicle and bring it to a controlled stop when the tread separated.

INJURIES: Orthopedic injuries to Plaintiff driver and one passenger. Death of three passengers who were ejected.

DELATORRE v. FORD MOTOR COMPANY, ET AL.
CASE NUMBER: PC019623W
LOS ANGELES COUNTY SUPERIOR COURT

$4,350,000

Recreational Vehicle Explosion
PRODUCT LIABILITY

FACTS: Husband and wife purchased a used travel trailer. The furnace in the vehicle was not working. The husband removed the furnace from the vehicle. He brought it into a recreational vehicle service center for repairs. The furnace was repaired and returned to the husband. He installed the furnace back into the vehicle. He did not properly reconnect the propane gas line to the furnace. The next day the family went on a camping trip. While they were sleeping in the vehicle, the gas connection to the furnace leaked propane gas which migrated into the interior of the vehicle. The next morning the husband was the first one to get up. He attempted to light the stove to start a pot of coffee. As soon as he struck the match, the vehicle exploded.

CONTENTIONS: Plaintiffs claimed that the vehicle manufacturer was negligent for failure to install an LP Gas Leak Detector in the vehicle as standard equipment. Plaintiffs claimed that if an LP Gas Leak Detector had been present it would have sounded and alerted them to the leak. Plaintiffs further claimed that the connections for the gas line to the furnace should have been located on the exterior of the vehicle so that any leak at the connection would vent to the atmosphere and not into the interior of the vehicle. Plaintiffs also claimed that the service center was negligent for returning a loose furnace to Plaintiff's husband without having a qualified technician reinstall it in the vehicle.

INJURIES: Husband sustained burns to approximately half of his body surface and died 26 days later. Wife sustained burns to approximately 10% of her body. Nine year-old child sustained small areas of minor burns to feet and hands.

ADDITIONAL INFORMATION: The National Fire Protection Association (NFPA) Standards require all recreational vehicles to have LP Gas Leak Detectors. However, this standard did not take effect in California until just a few months after the subject travel trailer was manufactured.

DANCE v. THOR INDUSTRIES, INC., ET AL.
CASE NUMBER: BCV06600
SAN BERNARDINO COUNTY SUPERIOR COURT

$4,000,000

Hot Water Burns
INDUSTRIAL ACCIDENT

FACTS: Plaintiff, a 37 year-old water treatment chemical salesman, sold chemicals on a regular basis to the Defendant for use in its boiler systems. The Plaintiff's responsibility was to test water samples to determine the type of chemicals needed and then make recommendations accordingly. Sometime in early 2001, the Defendant was experiencing problems with a large dairy processing machine. The Plaintiff was given a water sample from the dairy processing machine and he recommended chemicals to be used to clean or "descale" the machine. The Plaintiff also provided a written procedure for "descaling." The Defendant requested the Plaintiff to be present to provide technical support and oversee the process. On March 31, 2001, the machine was descaled. The descaling was proceeding too slowly and the Plaintiff recommended that a steam line be hooked up to introduce heat into the process. The Plaintiff then added steam to help descale the equipment. The Plaintiff was standing near the dairy processing machine when a sudden hot water surge caused a hose to spray the Plaintiff with hot water. The Plaintiff sustained a burn injury as well as orthopedic injuries when he was knocked to the ground.

CONTENTIONS: The Plaintiff contended that the surge was the result of the Defendant's employee turning the equipment on during the descaling process and the Defendant was negligent because they failed to use a lockout/tagout procedure while working on the machine.

INJURIES: Thermal burns to approximately 25 percent of the Plaintiff's total body surface (primarily upper right torso) and C5-6 disc protrusion requiring surgery.

HARRIS v. MORNINGSTAR FOODS, INC., ET AL.
CASE NUMBER: BC261130
LOS ANGELES COUNTY SUPERIOR COURT

$3,635,000

Retail Store Electrical Explosion
GENERAL NEGLIGENCE

FACTS: Plaintiff, a 59 year-old store planner for a retail clothing business, was in the process of opening a new store for his company. The job fell far behind schedule. The date for the grand opening was postponed several times. The job superintendent for the general contractor attempted to provide electrical power to the store so it could open for business by bypassing the electrical meter. An explosion occurred. Plaintiff was standing near the job superintendent at the moment of the explosion and sustained burn injuries.

CONTENTIONS: Plaintiff contended that the job fell far behind schedule due to the actions of the general contractor, that the job superintendent was attempting to bypass the meter to gain power to the store so the store could finally open, and that the superintendent had no electrical training and thereby caused the explosion. Defendant claims that the job superintendent was pressured by Plaintiff to bypass the meter since Plaintiff demanded power to the store and was threatening a lawsuit, that the job superintendent was given permission and instructions as to how to bypass the meter by the Department of Water and Power, and that the explosion was entirely the Plaintiff's fault since he was standing directly behind the superintendent watching him jump the meter when Plaintiff accidentally bumped into the superintendent making him cause the explosion.

INJURIES: Burn injuries to approximately 30 percent of his body surface.

DONLEY v. SEAPORT CONSTRUCTION, INC., ET AL.
CASE NUMBER: BC227517
LOS ANGELES COUNTY SUPERIOR COURT

$3,075,000

Oilfield Explosion
NEGLIGENT JOB PLANNING

FACTS: Herbert Delaney, Jr. (decedent) was working for Pool Well Services Company. Pool was hired by Matrix Oil Corporation to attempt to increase the production of a well owned by Matrix in Whittier, California. Pool had a crew of 5 employees working at the Whittier oil well. Decedent was the crew chief. During their work on the well, Pool employees used a rig (crane) to attempt to pull the tubing from the well which was approximately 9,000 feet deep. The tubing became stuck. At the time of the accident, the Pool employees were setting up the equipment needed to circulate KCL liquid (water with potassium chloride) down the well in order to attempt to free the stuck tubing. While setting up the equipment to circulate the KCL liquid, the well head was left open. Flammable gas and/or vapor was unexpectedly released from the open well head and ignited by the engine on the rig which was located in close proximity to the well. An explosion and subsequent fire occurred.

CONTENTIONS: Plaintiffs claimed that Briones Oilfield Services was hired by Matrix as the "operator" of the Whittier oil well and that Briones was under a duty to insure that the well was operated according to the terms and conditions of the permits with the City of Whittier. Plaintiffs claimed that the decision to attempt to circulate the well with KCL liquid was a joint decision between Matrix, Briones and Pool and that Briones knew the well head would need to be open during the circulation process which may allow oil and/or natural gas to be vented to the atmosphere in violation of the permits with the City of Whittier. Defendants claimed that the sole cause of the accident was the negligence of decedent and his employer. Defendants claimed that it was Pool's decision as the experts in oil well maintenance to attempt to circulate the KCL liquid with the well head open, that Pool's own written safety policies specifically prohibited wells from being circulated with the well head open, that Pool's job supervisor who was on-site at the time of the accident was terminated after the accident for violation of Pool's safety policies, and that there was no reason to have the well head open while "setting up" the equipment to be used to circulate the well.

INJURIES: Death of a 49 year-old. Plaintiffs are his wife and three children, who at the time of the accident were ages 14, 16 and 17.

DELANEY v. MATRIX OIL CORPORATION, ET AL.
CASE NUMBER: VC046677
LOS ANGELES COUNTY SUPERIOR COURT

$3,015,000

Automobile Accident
INTERSECTION COLLISION

FACTS: Plaintiff, a 36 year-old aircraft mechanic, was a passenger in a co-worker's vehicle. They left the airport to go to lunch. On their way back from lunch, Plaintiff's co-worker was driving. Plaintiff was in the passenger seat. At an intersection near the airport, Plaintiff's co-worker intended to make a left turn. The traffic light for his direction of travel turned yellow. He began to make his left turn. While he was in the process of making his left turn, he was broadsided by a vehicle traveling in the opposite direction.

CONTENTIONS: Plaintiff contended that Defendant was in Los Angeles on business, she was driving a rental car and was not familiar with the area, she was talking with her co-workers in her vehicle, and she was not paying attention. Plaintiff contended that as Defendant approached the intersection, she noticed a large truck and trailer to her right which caught her attention. When she turned her attention back to the road in front of her, she was already entering the intersection. Plaintiff contended that Defendant's vehicle entered the intersection on a red light. Defendant contended that she had the right of way since the other vehicle in which Plaintiff was a passenger was making a left turn at an intersection. Defendant also contended that the driver of the vehicle in which Plaintiff was a passenger was not paying attention or he should not have started his left turn when he saw her vehicle approaching the intersection.

INJURIES: Multiple fractures of pelvis and right hip requiring surgery and surgical hardware. Plaintiff claimed that he developed back pain requiring low back surgery as a result of his pelvis and hip injuries and unusual gait. Plaintiff claimed loss of earnings due to his inability to return to his job as an aircraft mechanic, requiring retraining to a sedentary job position.

ADDITIONAL INFORMATION: Plaintiff's co-worker who was driving at the time of the accident and making the left turn had a $15,000.00 policy limit. Defendant was found to be acting within the course and scope of her employment at the time of the accident and she was covered on her employer's insurance who contributed $3 million.

LANDER v. RODRIGUEZ, ET AL.
CASE NUMBER: BC541586
LOS ANGELES COUNTY SUPERIOR COURT

$3,000,000

Fall Through a Skylight
PRODUCT LIABILITY

FACTS: Decedent, a 45 year-old construction worker, was working on the roof of an industrial building. He was in the process of installing vents for a spray (paint) booth. While on the roof, he stepped on a flush-mounted polycarbonate skylight panel. The skylight gave way. He fell through the skylight hitting the concrete floor approximately 30 feet below, sustaining multiple traumatic injuries. He died shortly after the accident.

CONTENTIONS: Plaintiffs claimed that the skylight was improperly installed by an unlicensed and uninsured contractor who was hired by the occupant of the property, that the installation violated the Uniform Building Code, that the skylight was not properly guarded, and that the occupant had allowed paint overspray to escape through the roof vents and cover the roof with paint so that it was not apparent where the roof ended and the skylight began. Plaintiffs also claimed that the skylight had a manufacturing defect and should not have failed and that the skylight had inadequate installation instructions and warnings. Defendants claimed that decedent was an experienced construction worker and was familiar with being on roofs and that he knew the facility had skylights and should not have stepped on it. Defendants also claimed that decedent was not paying attention at the time of the incident as to where he stepped since he was talking on his cell phone and wearing tinted sunglasses while walking around on the roof. Defendants also claimed that decedent should have worn a safety harness and/or lifeline which would have prevented his injuries even if he fell through the skylight.

INJURIES: Death of a 45 year-old construction worker who was survived by a wife of nine years and two children, ages 9 and 19.

CHACON v. ROYAL TRUCK BODIES, INC., ET AL.
CASE NUMBER: TC018439
LOS ANGELES COUNTY SUPERIOR COURT

$2,900,000

Titanium Fire
NEGLIGENT SAFETY SURVEY

FACTS: Two workers at a grinding facility were cleaning a tank containing titanium metal shavings. One of the workers was using a pitchfork to pick up the shavings. When the pitchfork struck the bottom of the tank, a spark occurred causing the contents of the tank to catch fire, burning both workers.

CONTENTIONS: Plaintiffs contended that an independent company who was hired by their employer to establish an OSHA safety training program had conducted an inadequate survey of the facility and failed to advise their employer that spark proof (non-ferrous) tools needed to be used to clean the subject tank. Defendant claimed that evaluation of the subject tank was not part of its responsibility, that it provided a safety manual which contained proper confined space procedures and that the employer failed to train its own employees on such procedures.

INJURIES: One worker sustained burn injuries to approximately 25% of his total body surface. The other worker sustained burn injuries to approximately 75% of his body surface and later died from his injuries.

ADDITIONAL INFORMATION: Plaintiffs settled for the total sum of $2,900,000.00. The Plaintiff-In-Intervention waived its worker's compensation lien of approximately $600,000.00 due to employer negligence.

SZPOJDA v. SAFETY COMPLIANCE INSTITUTE, ET AL.
CASE NUMBER: VC035521
LOS ANGELES COUNTY SUPERIOR COURT

$2,600,000

Fall at a Retail Store
PREMISES LIABLITY

FACTS: Marissa Herrera, 11 years-old, was with her family shopping at a clothing store for back to school clothes. While walking from the fitting room to the cashier, she stepped on a loose clothing tag on the floor which caused her to slip and fall. She was taken by the paramedics to a nearby hospital. X-rays indicated that she had a pre-existing congenital condition called Slipped Capital Femoral Epiphysis (SCFE). As a result of her SCFE, her left hip joint slipped and was unstable. Marissa underwent surgery on her left hip wherein cannulated screws were used to pin her hip in proper position. Over the next 7 years, Marissa developed significant problems with her left hip and underwent two major surgeries including her hip being dislocated and realigned with multiple pins and screws. She is now 20 years-old and her left leg is shorter than right leg and she walks with a limp.

CONTENTIONS: Plaintiff contended that the clothing store knew it was going to be an extremely busy day since it was the day before school started for the local school district. The store had a policy where they would assign employees to "recovery" in their store and their sole job was to pick up any debris on the floor. Plaintiff contended that no one had been assigned to recovery on the day of the accident. Plaintiff relied on Ortega v. Kmart wherein the failure to inspect the premises within a reasonable period of time prior to the accident establishes an inference that the defective condition existed long enough for a reasonable person exercising ordinary care to have discovered it. Defendant claimed that their employees were constantly walking the store and checking for any debris on the floor and therefore one of the store employees would have been in the area of the tag on the floor shortly before the accident. Defendant also contended that Plaintiff did not slip on the tag but rather her pre-existing SCFE caused her hip joint to slip out of place on its own and the tag on the floor played no role with regard to her fall. Defendant also claimed that Plaintiff's mother was negligent for not seeking medical treatment for her daughter's pre-existing hip condition before the incident since a simple x-ray of the hip would have caused Plaintiff to immediately have surgery to pin her hip in place before it slipped out of place on its own.

INJURIES: Injury to left hip resulting in a leg length discrepancy and premature degenerative arthritis in the hip requiring future total hip replacement surgery.

HERRERA v. CLOTHING STORE
CASE NUMBER: CONFIDENTIAL
RIVERSIDE COUNTY SUPERIOR COURT

$2,540,000

Motorhome Rollover
PRODUCT LIABILITY

FACTS: Eight Plaintiffs were traveling in a motor home manufactured and sold by Defendants. While on the Freeway, Plaintiffs were struck in a rear end collision by a drunk driver. After the impact, the motor home went out of control, struck the center divider, and rolled over..

CONTENTIONS: Plaintiffs contended that the motor home was defective in design since it was unstable, had an inadequate center of gravity, and it was likely to rollover in a foreseeable rear end collision of this type. Plaintiffs also contended that the motor home was uncrashworthy. Defendants contended that the motor home was not defective in that the center of gravity was in an appropriate location and when manufactured, the motor home met all state and federal regulations. Defendants also contended that the accident was the fault of the drunk driver who was speeding and driving under the influence; and plead guilty to gross vehicular manslaughter, driving under the influence, and felony hit-and-run. Defendants further contended that the driver of the motor home was negligent in failing to brake, over-steering the vehicle, and allowing it to strike the center guardrail. Defendants also claimed that the motor home was overloaded and Plaintiffs were negligent for failure to wear seat belts.

INJURIES: The death of a 12 year-old minor; multiple fractures and crush injury to a 16 year-old; 40 year-old adult sustained 2 cervical disc herniations (disputed) with no surgery; 11 year-old minor sustained a fractured hip; abrasions and soft tissue to a 9 year-old minor and a 46 year-old adult; and a fractured ankle to a 74 year-old adult.

ABU-HIJLEH v. BROUGHAM, INC., ET AL.
CASE NUMBER: SC025182
LOS ANGELES COUNTY SUPERIOR COURT

$2,450,000

Failure of Utlilty 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: SC111903
LOS ANGELES COUNTY SUPERIOR COURT

$2,400,000

Automobile Accident
COUNTY BEACHES AND HARBOR PATROL

FACTS: Plaintiff was on vacation. On the last day of her vacation, she went to the 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. 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
CASE NUMBER: CONFIDENTIAL
LOS ANGELES COUNTY SUPERIOR COURT

$1,950,000

Oil Refinery Explosion
NEGLIGENT JOB SET UP

FACTS: Plaintiff was working as a welder at an oil refinery. A crude oil line had been taken out of service for improvements. An approximate 20 foot section was cold cut from the line. Balloon-type pipe plugs were inserted into the open ends of the line. The line had not been steam cleaned. Torch cutting (hotwork) on one end of the line was taking place when hydrocarbon vapors inside the line were ignited causing one of the pipe plugs to blow out the end of the line. Plaintiff was standing near the open end of the line and was struck by the flames as the pipe plug blew out of the line.

CONTENTIONS: Plaintiff contended that the Defendant refinery was responsible for authorizing hotwork to take place without the line being steam cleaned and for failure to use the proper pipe plug for adequate isolation. Defendant refinery contended that Plaintiff was negligent for standing in the zone of danger while the hotwork was taking place on the subject line and that Plaintiff's employer installed the pipe plug and was negligent for failure to inflate the plug to the manufacturer's recommended air pressure.

INJURIES: Plaintiff sustained burns to approximately 15% of his body with the majority being second degree and approximately 1% being third degree.

ADDITIONAL INFORMATION: Plaintiff settled with Defendant refinery for the total sum of $1,950,000.00 with the Plaintiff-In-Intervention waiving its lien of approximately $270,000.00 due to employer negligence.

LAMBERT v. CHEVRON, ET AL.
CASE NUMBER: BC282234
LOS ANGELES COUNTY SUPERIOR COURT

$1,500,000

Propane Explosion
INSURANCE BAD FAITH

FACTS: Plaintiff homeowner was the named insured on a homeowners' policy provided by the Defendant insurer. The entire structure and all of its contents were destroyed in a propane gas explosion that occurred following repair work on a gas line by an uninsured plumber. None of the occupants were home at the time of the loss. Although never directly accusing the Plaintiffs for what it referred to as the suspicious origins of the fire, the Defendant insurer reserved its right to contest coverage and sought rescission of the applicable insurance policy. Defendant insurer denied coverage to the homeowner's family for their lost personal property, claiming that they were not members of the household.

CONTENTIONS: Plaintiffs contended that the insurer's refusal to provide coverage was in violation of the terms of the contract, that the coverage defenses were specious, and that the insurer was acting in bad faith by raising these defenses and refusing to pay the policy benefits. Defendant insurer contended that coverage was excluded because of "faulty or inadequate construction, repair or remodeling" in connection with the plumbing work on the gas line, the failure to submit proofs of loss within 60 days of the loss, and the Plaintiffs' refusal to provide certain financial documents. The Defendant insurer also contended that the Plaintiffs could not have physically placed in the house the quantity of personal property to have been destroyed, and that the Plaintiffs did not have the economic ability to purchase said items.

INJURIES: Loss of home and contents.

TOULET v. AMEX ASSURANCE COMPANY, ET AL.
CASE NUMBER: CIV160914
LOS ANGELES COUNTY SUPERIOR COURT

$1,000,000

Apartment Fire
PREMISES LIABILITY

FACTS: Plaintiff, a 27 year-old dressmaker, and her two children, ages 4 years and 6 weeks, were living in an apartment which they rented from defendant. Plaintiff heated a bottle of milk for her baby in a pot on the stove. Plaintiff forgot the stove on. Plaintiff and her children fell asleep in the bedroom which was adjacent to the kitchen. The pot overheated and started a fire in the kitchen. Plaintiff and her children were rescued by the fire department. All three suffered smoke inhalation injuries.

CONTENTIONS: Plaintiffs contended that the smoke detector in the subject apartment failed to sound at the time of the fire. Plaintiffs contended that the smoke was sufficient enough that if the smoke detector had been operating properly, it would have sounded and alerted Plaintiff and her children before they sustained smoke inhalation injuries. Plaintiffs further contended that the only reason the smoke detector would not have sounded is if it was improperly installed by defendant or if it was not properly checked by defendant at periodic intervals. Defendant contended that its employees checked the smoke detector regularly and it worked fine, that it had sounded several days before the subject fire, and that if it did not sound at the time of the fire it was because Plaintiff had disconnected it because the smoke detector kept going off while she was cooking.

INJURIES: Smoke inhalation injuries to three Plaintiffs.

RIVERA v. LORENZO FAMILY TRUST, ET AL.
CASE NUMBER: BC232517
LOS ANGELES COUNTY SUPERIOR COURT

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