

TRIALS DIGEST[®]

THE COMPREHENSIVE SOURCE FOR CALIFORNIA CIVIL TRIAL RESULTS

DECEMBER 6, 2010

Vol. 13, No. 48

SETTLEMENT RESULT: \$365,000

VEHICLE NEGLIGENCE

48 TD 13TH 30

Elderly woman struck in crosswalk sustains brain damage

VEHICLE NEGLIGENCE

Pedestrian/Crosswalk/Intersection

LOS ANGELES COUNTY SUPERIOR COURT

Yarema v. Suisman, Docket number: SC106047, Santa Monica. Judge: Not reported. Trial type: Settlement. Settlement date: 2/25/2010.

SETTLEMENT: \$365,000

The case went into litigation when it was discovered that defendant was an architect who owned a home in Santa Monica with approximately \$800,000 in equity. A mediation was held before Mediator Jeffrey Krivis, Esq. that resulted in the \$365,000 settlement, with defendant personally contributing \$115,000 towards the settlement. Defendant, though an architect, had an annual income of under \$80,000 per year, a wife and two minor children to support, and total life savings of less than \$250,000. The parties and their families came to an understanding and reconciliation during the mediation.

COUNSEL

Plaintiff: Scott J. Corwin, A Professional Law Corporation, Los Angeles.

Defendant: Arthur Chapman, Chapman, Glucksman & Dean, Los Angeles. Tom Dowling, Hager & Dowling, Santa Barbara.

FACTS/CONTENTIONS

According to plaintiff: On September 26, 2009, plaintiff Anna Yarema, a 77-year-old retired woman, crossing in the crosswalk at Idaho and Ocean Avenue in Santa Monica, California, was struck by defendant, driving a 1993 Honda south on Ocean Avenue.

Plaintiff alleged that defendant was negligent in the operation of a motor vehicle and that all of plaintiff's claimed injuries were a direct result of the subject motor vehicle accident.

Defendant Suisman claimed he was momentarily blinded by the sun and could not see plaintiff. He immediately accepted liability and tendered his insurance policy limits.

CLAIMED INJURIES

According to plaintiff: Plaintiff was thrown 20 feet from the impact, and her head struck the ground. Plaintiff sustained an open-head injury, traumatic brain injury, and multiple leg and knee fractures and a degloving injury of the leg fractures.

CLAIMED DAMAGES

According to plaintiff: \$1,259,015 past medical; unspecified future medical.

SETTLEMENT DISCUSSIONS

Not reported.

EXPERTS

None.

Trials Digest, a Thomson Reuters business, 425 Market Street, 4th Floor, San Francisco, CA 94105
415-344-6000 (ph) 415-344-4950 (fax) trialsdigest@thomson.com west.thomson.com/trialsdigest/