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October 22, 2012

SETTLEMENT RESULT: \$120,000

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MOTOR VEHICLE

42 TD 15TH 30

Porsche strikes in-line skater in parking lot

VEHICLE NEGLIGENCE

Pedestrian/Parking Lot/Weather Conditions

NO COURT/UNFILED SETTLEMENT

Trinh v. Eissa, Docket number: Not reported. Judge: Not reported. Trial type: Settlement. Settlement date: 8/9/2012.

SETTLEMENT: \$125,000

Plaintiff demanded defendant's \$125,000 policy. The carrier assigned the matter to defense counsel and after informal discovery and a statement under oath, defendant tendered its policy limits.

COUNSEL

Plaintiff: Scott J. Corwin, Law Offices of Scott J. Corwin, Los Angeles.
Defendant: John Doherty, Doherty & Catlow, Los Angeles.

FACTS/CONTENTIONS

According to plaintiff: On March 9, 2012, plaintiff Lan Trinh, a 39-year-old Yahoo! Inc. Senior Service Engineer, was inline skating with a group of skaters in Santa Monica, Calif. Plaintiff was reportedly skating through a parking lot toward the bike path when defendant Murad Muhammed Eissa, driving a 2010 Porsche in the wrong direction in the parking lot, struck plaintiff. The accident occurred in the evening when it was dark.

Plaintiff alleged defendant was negligent in the operation of his vehicle and that all of plaintiff's claimed injuries were a result of defendant's negligence. Defendant denied liability and contended plaintiff was skating too fast and in an unsafe manner on the wrong side of the entry way to the parking lot. Defendant relied on the police report, which primarily faulted plaintiff for skating too fast.

CLAIMED INJURIES

According to plaintiff: Plaintiff sustained a commuted left femur fracture requiring an open reduction internal fixation with left femoral rod including proximal and distal interlocking screws.

CLAIMED DAMAGES

According to plaintiff: \$32, 676 past medical (Howell medicals); \$18,600 past lost earnings.

SETTLEMENT DISCUSSIONS

Not reported.

EXPERTS

None.

COMMENTS

According to plaintiff: The insurance carrier was Mercury Insurance and the adjuster was Oliver Chang.

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