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SETTLEMENT RESULT: \$100,000

PREMISES LIABILITY

39 TD 9th 18

SETTLEMENT—Plaintiff injures knee after trip and fall in pothole

PREMISES LIABILITY

Slip/Trip & Fall : Paved Surface/Curb/
Residential Property

NO COURT/UNFILED SETTLEMENT

Sandoval v. Huang. Settlement date: 11/3/1997.

SETTLEMENT RESULT: \$100,000

COUNSEL

Plaintiff: **Scott J. Corwin, Law Offices of Scott J. Corwin, Los Angeles.**

Defendant: Jack Daniels, Daniels, Barratta & Fine, Los Angeles.

FACTS/CONTENTIONS

According to plaintiff: On January 21, 1997, plaintiff, a 49-year-old unemployed man, was visiting defendant apartment complex in Compton where his friend resided. While walking through the parking lot at the apartment complex, he tripped and fell on a pothole/broken asphalt, injuring his knee.

Plaintiff alleged the pothole was a hazardous condition on the premises and the cause of his injuries.

Defendant contended no hazard existed and that the pothole was an open and obvious condition. Defendant disputed the nature and extent of plaintiff's claimed injuries and contended that plaintiff did not require any future surgeries as a result of this accident.

CLAIMED INJURIES

According to plaintiff: Plaintiff alleged a ruptured patellar tendon and fractured patella of his left knee, requiring hospitalization, a partial patellectomy, and repair of the patellar tendon. Plaintiff claimed an additional patellectomy surgery was indicated.

CLAIMED DAMAGES

According to plaintiff: \$37,065 past medical; \$18,000 future medical.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff made a settlement demand for \$150,000. Defendant made an offer of \$20,000, increased to \$90,000.

EXPERTS

None.

COMMENTS

According to plaintiff: The settlement was reached before the case was filed.

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