

TRIALS DIGEST®

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SETTLEMENT RESULT: \$110,000

VEHICLE NEGLIGENCE

1 TD 14TH 32

Elderly passenger falls from runaway vehicle

VEHICLE NEGLIGENCE

Runaway Vehicle/Passenger

NO COURT/UNFILED SETTLEMENT

Zinner v. Lohmann, Trial type: Settlement. Settlement date: 11/29/2009.

SETTLEMENT: \$110,000

Plaintiff demanded and defendant tendered her \$50,000 insurance policy limits. Plaintiff also recovered an additional \$50,000 policy limits from her underinsured motorist carrier and an additional \$10,000 in medical payments from both her carrier and defendant's carrier.

COUNSEL

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

Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On March 22, 2009, plaintiff Christa Zinner, an 88-year-old retired artist, was getting into the passenger side of a 1996 Volkswagen GTI with the assistance of defendant Lohmann. Plaintiff was almost entirely in the vehicle when it started to roll backwards. Defendant slipped backwards and grabbed plaintiff to catch herself, causing plaintiff to be pulled from the vehicle, landing on the ground.

The left front tire of the vehicle rolled over plaintiff's left leg.

Defendant accepted liability.

CLAIMED INJURIES

According to plaintiff: Multiple fractures to left ankle, resulting in an open-reduction and external-fixation surgery.

CLAIMED DAMAGES

According to plaintiff: \$10,548 past medical expenses.

SETTLEMENT DISCUSSIONS

Not reported.

EXPERTS

None.

COMMENTS

According to plaintiff: The insurance carriers were State Farm Insurance and Auto Club of Southern California; the insurance adjusters were Jimmy Range and Richard Brogiere, respectively.

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