

# TRIALS DIGEST®

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**SETTLEMENT RESULT: \$195,000**

## VEHICLE NEGLIGENCE

**2 TD 14TH 32**

### **Pedestrian struck in crosswalk sustains knee injury**

#### **VEHICLE NEGLIGENCE**

Pedestrian/Crosswalk/Left Turn

VICARIOUS LIABILITY

#### **LOS ANGELES COUNTY SUPERIOR COURT**

*Retana v. HBW Holding Inc.*, Docket number: YC057147, Torrance. Judge: Not reported. Trial type: Settlement. Settlement date: 10/30/2008.

**SETTLEMENT: \$195,000**

#### **COUNSEL**

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

**Defendant:** None.

#### **FACTS/CONTENTIONS**

According to plaintiff: On June 27, 2007, plaintiff Walter Retana was crossing 98th Street while walking along Airport Boulevard in Los Angeles. As the traffic light turned green and plaintiff started to cross, defendant, driving a 2007 Chevrolet Malibu east on 98th Street, made a left turn and struck plaintiff while it was in the crosswalk.

Liability was not disputed, but defendant HBW Holding Inc. disputed the nature and extent of plaintiff's claimed injuries and the need for future surgery. Defendant further contended plaintiff's left knee condition was a result of a long history of active and constant soccer playing.

#### **CLAIMED INJURIES**

According to plaintiff: Tibial spine fracture with anterior cruciate ligament deficiency of the left knee.

Plaintiff's orthopedist advised him he might require an arthroscopically assisted anterior cruciate ligament reconstruction of the left knee in the future.

#### **CLAIMED DAMAGES**

According to plaintiff: \$8,432 past medical; \$24,000 future medical.

#### **SETTLEMENT DISCUSSIONS**

Not reported.

#### **EXPERTS**

None.

#### **COMMENTS**

According to plaintiff: The insurance carrier was Chubb Insurance; the adjuster was Leslie Khodjasarian.

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