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April 9, 2012

SETTLEMENT RESULT: \$185,000

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COMMON CARRIER

15 TD 15TH 20

Retiree injured in trip-and-fall on cracked sidewalk

COMMON CARRIER

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

NO COURT/UNFILED SETTLEMENT

Plotkina v. City of Los Angeles, Docket number:LC092500, Van Nuys. Judge: Not reported. Trial type: Settlement. Settlement date: 2/17/2012

SETTLEMENT: \$185,000

COUNSEL

Plaintiff: Scott J. Corwin, Law Offices of Scott J. Corwin, Los Angeles.
Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On March 1, 2010, plaintiff Zhanna Plotkina, a 71-year-old retired woman, was walking southbound on Noble Street toward Valley Vista Boulevard when she tripped and fell over a crack in the pavement and fell in the road.

Plaintiff alleged that defendant homeowner Charlene O'Brien and defendant City of Los Angeles jointly and severally were liable for plaintiff's injuries because they failed to remediate the broken sidewalk that resulted from roots from a tree on defendant homeowner's property.

Both defendants disputed liability, contending that there was no liability, that the cracked sidewalk was a trivial defect, and that it was an open and obvious condition. Both defendants also disputed the nature and extent of plaintiff's claimed injuries.

CLAIMED INJURIES

According to plaintiff: Plaintiff sustained severe fractures/dislocation in her right wrist and a fractured left elbow.

CLAIMED DAMAGES

According to plaintiff: \$95,710 medical (\$20,000 *Howell* medical).

SETTLEMENT DISCUSSIONS

Not reported.

EXPERTS

Not reported.

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