

# Boserup Mediation

## Recent Mediations

The following is a partial listing of more than  
3,000 cases mediated by Viggo Boserup, Esq.

### COMMERCIAL

	Parties	Initial Claims
Chemical damage to irrigation pipe systems.....	8	\$1.2 mil.
Pilot error versus defect in helicopter crash; lost profits.....	4	\$1.4 mil.
Shareholder dispute; mismanagement of restaurant; minority rights.....	2	\$250,000.
Reasonableness of requirement that Plaintiff guarantee corporate debt .....	2	\$750,000.
Sub-contractors vs. national chain, breach of contract .....	2	\$500,000.
Breach of distribution agreement with multi-level marketing group.....	3	\$750,000.
Breach of partnership agreement, fiduciary duties re sale of interests .....	4	\$2 mil.
Intra-family claims on partnership properties/management .....	6	\$15 mil+.
Conspiracy to embezzle funds, laundering of cash.....	3	\$450,000.
Unfair competition, unlawful use of customer lists, trade secrets .....	3	\$650,000.
Indemnity for environmental clean-up .....	3	\$750,000.
Unfair competition, misappropriation of trade secrets.....	5	\$1.3 mil.
Unfair competition, customer lists, trade secrets.....	3	\$750,000.
Breach of agreement to lend money to developer .....	2	\$2.5 Mil.
Theft of trade secrets. Defamation .....	4	\$575,000.
Unfair competition, theft of trade secrets/customer lists .....	2	\$600,000.
Improper seizure of trust funds by depositor's own bank.....	2	\$120,000.
Unfair competition, trade secrets appropriation.....	5	\$135,000.
Trademark violation, breach of contract of cemetery services provider.....	2	\$1 mil.
Failure to release holds on credit card transactions.....	3	\$550,000.
Breach of contract for failure to maintain residence termite-free .....	2	\$125,000.
Claim by bank depositor for bank's failure to redeem certificate of deposit.....	2	\$50,000.
Breach of contract by provider of services to HMO.....	2	\$550,000.
Breach of contract by builder against department store chain.....	2	\$500,000.
General Agent sells in violation of underwriting guidelines .....	3	\$1.5 mil.
Breach of contract, unjust enrichment in sale of corporate assets .....	2	\$450,000.
Bank's failure to implement affinity credit card program.....	2	\$1.6 mil.
Financial restructuring among physicians' group and hospital chain.....	2	\$5 mil.
Slander, interference with prospective economic advantage.....	2	\$250,000.
Breach of contract to sell/ship olive oil .....	2	\$125,000.
Breach of contract to pay attorneys fees by affiliated business partner.....	3	\$300,000.
Contract negotiation re partnership dissolution .....	2	\$500,000.
Airplane damaged landing on newly painted runway.....	2	\$93,000.
Breach of contract of broadcasting tower lease .....	2	\$3.5 mil.
Breach of contract of credit card flight insurance .....	2	\$700,000.
Violation of Unruh Act re discrimination by restaurant re customers .....	5	\$350,000.
Unfair competition/theft of trade secrets/customer .....	2	\$350,000.
Action to recover unearned commissions paid.....	2	\$116,000.
Misappropriation of trade secrets by medical group .....	2	N/A.
Enforceability of mediated settlement agreement contemplating more detailed "Agreement" .....	2	\$750,000.
Commission claim by mortgage broker under exclusive agent.....	3	\$45,000

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## COMMERCIAL

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	Parties	Initial Claims
Misappropriation of trade secrets customer lists .....	2	\$100,000
Termination of lease, application of liquidated damages for Commercial Real Estate developer .....	4	\$7.0 mil
Failure to pay for manufactured goods, enforcement of personal guarantee .....	2	\$564,000
Internet company bonus to officers versus corporate cash flow .....	2	N/A
Fraud in the inducement re: Auto Lease .....	2	\$60,000
Failure to pay commissions on designer sales to home improvement store .....	2	\$450,000
Liability of joint tenancy property for community debt .....	3	\$240,000
Action against bank by trustee for honoring forged Checks.....	2	\$600,000
Claim by insurer v. broker collected for unpaid premium .....	2	\$2.2 mil
ERISA Plan-failure to invest per "prudent man rule" measure of damages .....	3	\$500,000
Customer v. Bank re: altered Check.....	3	\$600,000
Customer v. Securities Broker re: Churning.....	9	\$537,500
Action to recover value of personal property damaged in apartment fire .....	3	\$250,000

## CONSTRUCTION

Defective infrastructure in mobile home park .....	115	\$4 mil.
Delay and impact caused by owner-residential.....	5	\$800,000.
Defects claim-equipment in industrial construction loss.....	4	\$250,000.
Flood damage from defective foundation .....	2	\$250,000.
Earthquake damaged mobile home unit.....	3	\$450,000.
Special master, construction defects,396-unit project.....	40+	\$10+ mil.
Design professionals' failure to advise re unreinforced masonry.....	5	\$230,000.
Defects claims-failure in pre-stressed concrete girders .....	4	\$1 mil +.
Defects claim-painting contractor .....	3	\$100,000+.
Defects claim-swimming pool builder-design and install.....	3	unspecified.
Defects claim-landscape installation, dangerous conditions.....	3	\$25,000+.
Office building-defective walls and windows .....	6	\$550,000.
Delay and impact-golf course construction .....	2	\$12 mil.
Defects claim-lighting fixtures.....	3	\$25,000+.
Defects claim-masonry contractor for water intrusion .....	3	unspecified.
Defects claim-kitchen tile and other counter facilities .....	3	\$15,000+.
Defects claim-windows, foundation, roofing, insulation, landscape, etc .....	45 +	\$10 mil +.
Defects claim-domestic water supplier, leaks, contamination.....	3	\$100,000+.
Defective foundation, walls, roof etc. of rental units .....	9	\$1.2 mil.
Delay/disruption-improper tile sizes, delayed deliveries .....	3	\$450,000.
Defects claim for faulty roof construction, water and mold damage.....	3	\$1.0mil.
Defects claim-decking, foundation, windows, landscaping etc .....	19	\$3.4 mil.
Bridge project-dispute over bidding process/scope of work.....	2	\$1.25 mil.
Failure to maintain mobile home park .....	78	\$2 mil.
Failure to maintain mobile home park .....	26	\$750,000.
Claim for subsidence caused by water company pumping .....	2	\$1 mil.
Claim for property damage caused by eroded fire sprinkler pipe.....	6	\$3 mil.
Malfunctioning fire, life, safety systems delaying Certificate of Occupancy .....	3	\$500,000
Failure to comply with disability access re Fair Housing Act.....	6	\$2.0 mil
Failure to comply with Fair Housing Act re: Handicapped access .....	7	\$2.8 mil
Breach of contract, denial of access to site, delay & impact damages .....	2	\$450,000
Breach of contract re: balance due cross-complaint for delay .....	2	\$250,000

## EMPLOYMENT

	Parties	Initial Claims
Gender discrimination/harassment in law enforcement agency.....	5	\$1.75 mil.
Wrongful termination, sexual harassment, sex discrimination .....	3	\$525,000.
Wrongful termination of whistle-blower .....	3	\$400,000.
Wrongful termination following discipline for cash shortages.....	2	\$125,000.
Hour and wage dispute regarding exempt status.....	2	\$115,000.
Gender discrimination and construction termination against franchisee.....	2	\$450,000.
Gender discrimination/harassment during merger activities .....	2	\$375,000.
Age discrimination following merger.....	3	\$1.8 mil.
Hour and wage dispute following termination for unauthorized loan .....	2	\$95,000.
Age and race discrimination against municipality.....	2	\$325,000.
Hour and wage dispute in medical facility .....	2	\$225,000.
Hostile environment, sexual harassment, daily wine tastings .....	2	\$100,000.
Wrongful termination, retaliation.....	2	\$150,000.
Age and gender discrimination in failure to promote .....	2	\$225,000.
Slander following termination of supervisor.....	3	\$500,000.
Retaliatory termination of whistle-blower.....	3	\$350,000.
Retaliatory termination, age discrimination .....	2	\$80,000.
Wrongful termination, age discrimination .....	2	\$125,000.
Wrongful termination, racial discrimination.....	2	\$150,000.
Racial discrimination/hostile environment .....	5	\$325,000.
Wrongful Termination, defamation .....	2	\$400,000.
Wrongful termination, age/gender discrimination .....	2	\$130,000.
Sexual harassment of young female employees.....	3	\$450,000.
Failure to accommodate by not hiring interim worker.....	2	\$350,000.
Failure to accommodate disabled employee.....	2	\$150,000.
Failure to accommodate disabled worker.....	2	\$150,000.
Failure to promote – racial discrimination.....	2	\$350,000.
Racial discrimination and retaliation.....	2	\$125,000.
Gender discrimination among partners in law firm.....	2	\$150,000.
Constructive termination by adding duties and lowering pay .....	2	\$292,000.
Age/sex discrimination in push to change corporate image.....	2	\$50,000.
Failure to promote, racial/ethnic discrimination .....	2	\$250,000.
Sex harassment, retaliation, constructive termination.....	2	\$990,000.
Wrongful termination following extensive medical leaves .....	2	\$685,000.
Retaliation & constructive termination of director .....	2	\$500,000.
Discrimination, wrongful termination of advertising executive.....	2	\$750,000.
Wrongful termination, racial harassment by school district .....	4	\$450,000.
Wrongful termination, violation of public policy .....	2	\$3.6 mil.
Wrongful termination of attorney, gender discrimination .....	2	\$535,000.
Wrongful termination of whistle-blower .....	2	\$850,000.
Wrongful termination re gender discrimination.....	2	\$627,000.
Sexual harassment.....	2	\$350,000.
Wrongful termination re sale of business .....	3	\$600,000.
Wrongful termination- age discrimination .....	3	\$10 mil.
Wrongful termination- sexual harassment with law firm.....	3	\$5 mil.
Wrongful termination-failure to accommodate employee with disability .....	2	\$250,000.
Wrongful termination based on age discrimination .....	2	\$350,000.
Wrongful termination-failure to pay commission to salaried employee.....	2	\$1.5 mil.
Claimed retaliatory termination for DHS filing .....	3	\$450,000.
Harassment and sex discrimination; wrongful termination .....	2	\$1.0 mil.
Sexual Harassment claims by 6 females against restaurant manager .....	3	\$350,000.
Wrongful termination claim by airplane mechanic.....	2	\$500,000.
Sexual Harassment by Supervisor, gender discrimination & retaliation .....	2	\$450,000.
Wrongful termination for alleged failure to follow cash handling procedure .....	2	\$95,000.
Hostile environment; suggestive cartoons, drawings & pictures .....	2	\$175,000.

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## EMPLOYMENT

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	<b>Parties</b>	<b>Initial Claims</b>
Disability, race and age discrimination .....	2	\$430,000
Retaliatory discharge of whistle blower .....	2	\$450,000
Alleged failure to pay prevailing wages on public project.....	11	\$450,000
Exempt employee improperly classified .....	2	\$79,000
Constructive termination-Age discrimination .....	2	\$450,000
Claim based on internal wage dispute constituting a protected activity.....	2	\$10.0 mil
Alleged failure to accommodate disabled employee .....	2	\$850,000
Retaliation discharge for claim of sexual harassment.....	3	\$900,000

## ENTERTAINMENT/INTELLECTUAL PROPERTY

Net-profits participation agreement-video and cable .....	3	\$6 mil.
Partnership dissolution, entertainment client accounts .....	2	\$750,000.
Claim of slander and wrongful termination .....	3	\$2.5 mil.
Wrongful termination of producer contrary to deal memo .....	3	\$1.2 mil.
Joint venture agreement for management of entertainment clients .....	4	\$450,000.
Theme park idea submission claim .....	2	\$9 mil.
Shareholder dispute over rights to high-technology medical services .....	4	\$450,000.
Breach of contract by engine manufacturer; patent/licensing dispute .....	2	\$2 mil.
Feature film rights: prior art issues .....	2	\$5 mil+.
Dissolution of partnership and retention of performance and song rights.....	3	\$450,000.
Feature film rights: prior art, access, and other issues .....	3	\$2 mil+.
Rights to successful television series based on title and other similarities .....	5	\$10 mil.
Trade secrets, unfair competition, libel, & slander .....	6	\$4 mil.
Rights to internationally syndicated television series .....	3	\$12 mil.
Breach of contract for sequel production fees.....	4	\$150,000.
Copyright infringement by architect for state project.....	4	\$4 mil.
Trademark infringement re piano manufacturing/teaching method .....	5	\$1 mil.
Copyright & trademark infringement by distributor of pirated software .....	3	\$850,000.

## INSURANCE COVERAGE-FIRST PARTY/BAD FAITH

### Disability Claims

Substance-addicted health care professional .....	2	\$5.2 mil.
Stress-related and other claims.....	6	\$3.15 mil.
Bipolar, mental health professional .....	2	\$750,000.
Psychological impact of indictment/acquittal .....	2	\$1.2 mil.
Stress and neck injuries .....	2	\$750,000.
Psychologist re psychological overlays .....	2	\$650,000.
Felon re bipolar condition .....	2	\$750,000.
Myopia of orthopedic surgeon, bad faith .....	2	\$3 mil.
Health care professional-stress and depression .....	2	\$650,000.
Stress of health care profession, bad faith .....	2	\$750,000.
Stress arising from denial of benefits, bad faith .....	2	\$350,000.
Physical pain from auto accident.....	2	\$450,000.
Physical and psychological impact of auto accident .....	2	\$750,000.

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## INSURANCE COVERAGE-FIRST PARTY/BAD FAITH

### Disability Claims

	Parties	Initial Claims
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Psychiatric condition .....	2	\$2 mil.
Post-traumatic stress disorder .....	2	\$7 mil.
Exposure to toxic materials .....	2	\$80,000.
Post-traumatic stress disorder, bad faith .....	2	\$1 mil.
Attorney for migraines due to vitreous detachment .....	2	\$1 mil.
Attorney for atrial fibrillation/depression, bad faith .....	2	\$2 mil.
Chronic fatigue, immune system dysfunction syndrome .....	2	\$425,000.
Neurosurgeon-glaucoma, bad faith .....	2	\$1.5 mil.
Paranoid schizophrenia, bad faith .....	2	\$550,000.
Cervical radiculopathy, bad faith .....	2	\$850,000.
Law firm controller-carpal tunnel syndrome .....	2	\$575,000.
Dental hygienist for carpal tunnel syndrome .....	2	\$1.1 mil.
Dental hygienist for cervical spondylosis, bad faith .....	2	\$150,000.
Data entry clerk for carpal tunnel syndrome .....	2	\$450,000.
Depression caused by failed surgeries .....	2	\$500,000.
Sales manager for bipolar disorder, bad faith .....	2	\$400,000.
Attorney suffering from Crohn's disease .....	2	\$480,000.
Trial attorney after heart attack, bad faith .....	2	\$2 mil.
Anesthesiologist for stress, bad faith .....	2	\$1.2 mil.
Dentist for side effects of pain medication, bad faith .....	2	\$1 mil.
Memory impairment, induced by pain medication .....	2	\$750,000.
Chronic fatigue immune deficiency syndrome, bad faith .....	2	\$3.5 mil.
Anxiety and depression, bad faith .....	2	\$500,000.
Orthodontist re back injury from auto accident; bad faith .....	2	\$1 mil.
Dental hygienist re shoulder injury, bad faith .....	2	\$475,000.
Depression caused by stress of work; bad faith .....	2	\$3 mil.
Depression, bad faith by carrier re own occ definition, bad faith .....	2	\$6 mil.
Severe depression, bad faith .....	2	\$750,000.
Surgeon re carpal tunnel syndrome .....	2	\$750,000.
Janitor re trance-like seizures; bad faith .....	2	\$2.85 mil.
Manager of insurance agency re major depression .....	2	\$540,000.
Physician re major depression; bad faith .....	2	\$2 mil.
Trial attorney re major depression; bad faith .....	2	\$425,000.
Corporate executive re soft tissue injuries in auto accident .....	2	\$3.5 mil.
Anesthesiologist re bipolar condition; bad faith .....	2	\$3.9 mil.
Lower back injury sustained while golfing .....	2	\$600,000.
Trial attorney re stress & fibromyalgia .....	2	\$1.8 mil.
Trial attorney re post traumatic stress disorder .....	2	\$2.4 mil.

## INSURANCE COVERAGE-FIRST PARTY/BAD FAITH

### Disability Claims

	Parties	Initial Claims
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MD re chronic fatigue vs. sale of business/motivation .....	2	\$1 mil.
Schizophrenia .....	2	\$1,475,000.
Re major depression vs. Illness "first manifestation" defense .....	2	\$1.2 mil.
Back injury, "First Manifest" defense .....	2	\$600,000.
Based on major depression .....	2	\$400,000.

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# INSURANCE COVERAGE-FIRST PARTY/BAD FAITH

## Disability Claims

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	Parties	Initial Claims
Physician based on hypertension, medication impacts.....	2	\$650,000.
Based on injury to hand of court reporter .....	2	\$750,000.
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By physician based on lone atrial fibrillation.....	2	\$1.7 mil.
By physician based on disabling back condition .....	2	\$1.2 mil.
Internist re: arthritis, depression-bad faith .....	2	, \$750,000.
Business development manager re-depression .....	2	, \$250,000.
Major depression from gender & racial discrim. ....	2	\$800,000.
Transplant Supervisor-post traumatic stress disorder.....	2	\$550,000.
ERISA-based on fibromyalgia .....	2	\$300,000.
Based on major depression.....	2	\$175,000.
Based on PTSD & depression.....	2	\$5.0 mil.
Based on migraines-ERISA.....	2	\$300,000.
Claim based on Carpal Tunnel Syndrome .....	2	\$130,000.
Claim based on radiculopathy in dominant hand .....	2	\$380,000.
Chiropractor's claim based on ACL surgery.....	2	\$2.675 mi.
City Worker's claim based on lumbar strain .....	2	\$52,000.
Claim based on cervical/lumbar sprain .....	2	\$750,000.
Chiropractor's claim based on cervical; radiculopathy .....	2	\$3.6 mil.
Litigator re: stress on HPW condition .....	2	\$3.95 mil.
Chiropractor re: injured wrist ligaments.....	2	\$1.27 mil.
Psychiatrist based on loss of hand strength.....	2	\$450,000.
Fibromyalgia & Chronic Fatigue Syndrome.....	2	\$700,000.
Real Estate Agent based on Severe Depression .....	2	\$175,000.
Insurance Agent based on Severe Depression.....	2	\$325,000.
Transactional attorney based on diagnosis of MS .....	2	\$155,000.
Crohn's disease .....	2	\$195,000
Surgeon-Obsessive compulsive bipolar disorder .....	2	\$120,000
Polio shortened leg & residual pain in secondary work environment.....	2	\$195,000
Claim based on physician's depression & post Concussive syndrome .....	2	\$950,000
Claim based on mental nervous & artificial hip surgery .....	2	\$275,000
Claim by Aids patient.....	2	\$5.0 mil
Bladder cancer survivor, major depression, incontinence.....	2	\$5.0 mil
Claim based on back-no general contracting work .....	2	\$500,000
Claim by Dentist based on disc disease.....	2	\$3.0 mil
Claim based on lower back injury to construction superintendent .....	2	\$330,000
Misrepresented health history on application.....	2	\$600,000
Thoracic outlet syndrome & carpel tunnel syndrome of dental hygienist.....	2	\$410,000

## Other Claims

Residual benefits for Aids patient.....	2	\$900,000.
Coverage: Bad faith regarding 1994 earthquake claim.....	2	\$700,000.
Claim of Stockbroker manager based on heart attack resulting in depression .....	2	N/A
Conversion of premium advances by broker/service corporation .....	3	\$180,000.
Coverage: Buss claim for reimbursement of uncovered defense fees .....	3	\$900,000.
Bad Faith-property loss investigation and appraisal proceeding.....	2	\$250,000.
Bad Faith-recovery by bonding agency from underlying cast insurer .....	2	\$1.6 mil.
Bad faith-death benefit denial for failure to disclose on application .....	2	\$2 mil.
Universal Life Insurance, misrepresentation re vanishing premium .....	3	\$900,000.
Inter-carrier dispute -reimbursement of attorneys' fees and indemnity paid .....	3	\$280,000.

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## INSURANCE COVERAGE-FIRST PARTY/BAD FAITH

### Other Claims

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	Parties	Initial Claims
Denial of disability benefits alleged to lead to "suicide by cop" .....	2	\$350,000.
Universal Life, misrepresentation as to increased premiums.....	2	\$350,000.
Bad faith failure to notify insured of lapse in coverage.....	3	\$800,000.
Rescission of health coverage due to misrepresentations on application .....	2	\$900,000.
Bad faith for failure to cover child's nutritional product medication .....	2	\$2.5 mil.
Bad faith alleged re post-claim underwriting on life insurance policy.....	2	\$425,000.
Bad faith refusal to provide health care per stipulated settlement agreement .....	2	\$2 mil.
Bad faith refusal to provide health care .....	2	\$30 mil.
Denial of health care benefits-Proton Beam Treatment .....	2	\$800,000.
Claim for accidental death benefits v. sickness/stroke.....	2	\$880,000.
Bad faith-death benefits life ins. coverage-death while traveling .....	2	\$300,000.
Bad Faith: Rescission of fire policy re: misrepresentation .....	2	\$2.5 mil.
Bad Faith-Refusal by carrier to pay for experimental cancer treatment.....	2	\$224,000.
Coverage: Hospital Claim for reimbursement for Heart Transplant .....	2	\$320,000.
Claim by garage keeper for theft of stored vehicle .....	7	\$399,000.
Denial of benefits re: physical therapy by HMO .....	2	\$200,000.
Denial of life insurance coverage where insured hospitalized prior to signing .....	3	\$1.2 mil
Insurer v. Insurer on express indemnity & additional Insured endorsement .....	2	\$2.75 mil

## PERSONAL INJURY

More than 500 soft tissue injury cases .....	2-10	\$5,000 +.
Auto/pedestrian accident involving elderly lady.....	4	\$1.8 mil.
Motorcycle/auto accident .....	2	\$1.1 mil.
Auto versus stalled truck, resulting explosion .....	4	\$2.4 mil.
Construction worker injured by falling crane .....	3	\$750,000.
Mass tort settlement division .....	134	\$2.5 mil.
Burn victims of exploding electric fuses at industrial plant .....	3	\$2.5 mil.
Brain Damaged victim of Crane/Truck accident .....	6	\$8.5 mil.
Brain Damaged victim of Beating in Retail Establishment .....	2	\$4.0 mil.
Auto versus truck, severed ligaments/nerve damage .....	2	\$350,000.
Construction site accident during demolition.....	3	\$1.5 mil.
Leg, chest, and other injuries from failure to yield ROW to motorcyclist.....	2	\$300,000.
Improper installation of brakes resulting in serious personal injuries.....	3	\$650,000.
Slip-and-fall in service bay of gas station .....	2	\$750,000.
Failure to treat injured camper following biking accident .....	2	\$450,000.
Loading dock worker injured by forklift and roll-down door .....	3	\$1.75 mil.
Motorcyclist injured in construction zone.....	2	\$250,000.
Unsafe lane change forcing driver off road .....	2	\$3.5 mil.
Horseback rider injured while on mounted patrol, safe place to work.....	4	\$1.2 mil.
Construction worker injured, multiple violations of OSHA regs.....	5	\$750,000.
Sexual assault by security officer .....	3	\$750,000.
Customer injured at shooting in restaurant/night club.....	2	\$450,000.
Auto accident claimed to have caused multiple sclerosis .....	2	\$450,000.
Failure to administer appropriate medical treatment in convalescent home.....	2	\$300,000.
Injuries sustained at construction site explosion at petroleum tank farm.....	4	\$3.5 mil.
Waiter injured by falling prop platform stage wall.....	4	\$460,000.
Auto accident, brain damage and other injuries.....	2	\$15 mil.
Slip-and-fall on rain mats at entrance to apartment building/marble floor.....	3	\$450,000.
Camper mauled by bear .....	2	\$300,000.
Claim by shoppers against retailer for false imprisonment, assault.....	2	\$75,000.
Propane tank explosion at baseball field, multiple burn victims .....	9	\$5.5 mil.

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## PERSONAL INJURY

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	Parties	Initial Claims
Personal injuries sustained while operating "man lift .....	2	\$500,000.
High-speed, head-on collision .....	2	\$500,000.
Slip and fall in restaurant due to poor lighting .....	2	\$467,500.
Injuries sustained by truck wheel flying into oncoming traffic.....	4	\$6 mil.
Injuries sustained by student on school premises.....	2	\$100,000.
Child injured by treadmill, third degree burns.....	3	\$225,000.
Multiple automobile collision.....	4	\$750,000.
Slip and fall in dark restaurant.....	2	\$300,000.
Serious injuries-fall from defective scaffolding .....	2	\$1 mil.
Model injured by falling wall during photo shoot.....	2	\$1 mil.
Lack of hotel security, guest stabbed .....	2	\$750,000.
Refinery explosion, death and other critical injuries .....	11	\$7.5 mil.
Severe injuries, left-turning armored car .....	2	\$1.5 mil.
Pedestrian injured by speeding auto .....	2	\$100,000.
Motorcyclist injured by auto driver making illegal u-turn .....	2	\$8 mil.
Wrongful detention & arrest, slander by rental car agency .....	3	\$450,000.
Seizures resulting from beating in bar; failure to warn of dangers .....	2	\$650,000.
Injuries from bicycle hitting speed bump-brain injury-life support .....	2	\$1 mil.
Injuries sustained by blown plug from refinery fan header bank .....	6	\$850,000.
Chest, facial, & nerve damage in front end collision .....	2	\$1.5 mil.
Assault by gang member; cross-complaint for construction work.....	2	\$350,000.
Injuries sustained from public utility lines' failure to ground .....	5	\$250,000.
Injuries sustained from falling pipe in poorly constructed apartment .....	2	\$300,000.
Severe head and neck injuries to older truck driver from rear-end collision .....	2	\$750,000.
Pedestrian vs. motor vehicle, serious hip/leg injuries.....	2	\$85,000.
Injuries sustained by exposure to sulfuric acid left in boiler .....	3	\$275,000.
Severe injuries-semi truck v. auto-rollover .....	2	\$1 mil.
Serious injuries to face and mouth falling off school slide.....	2	\$1 mil.
Crushing injuries to both hands while operating lathe.....	3	\$2.25 mil.
Head trauma after falling backwards off school slide.....	2	\$6 mil.
Blind mind injured at airport security checkpoint.....	2	\$150,000.
Disfiguring burns from die-casting machine .....	6	\$2.25 mil.
Elderly Passenger-soft tissues injuries-life altering changes .....	2	\$500,000.
Power punch press severs finger & injures hand .....	3	\$750,000.
Failure to diagnosis and treat torsioned testicle in summer camp .....	2	\$225,000.
Worker injured on building scaffolding .....	5	\$1.3 mil.
Falling forklift paralyzes worker .....	5	\$11.0 mil.
High speed head on motor vehicle injury-major injuries .....	3	\$550,000.
Dancer electrocuted while performing lift maneuver .....	2	\$100,000.
4-yr old injured falling from the monkey bars .....	2	\$180,000.
Paraplegic injured in catastrophic truck v. auto accident .....	3	\$20.0 mil.
Slip & fall in fast food restaurant.....	2	\$275,000.
Slip & fall at gas station-multiple surgeries.....	2	\$900,000.
Injuries sustained in roll-over accident-road rage .....	2	\$225,000.
Severe injuries sustained by electrician when ladder slipped.....	4	\$2.3 mil.
Injuries sustained disembarking boat.....	3	\$1.5 mil.
Downs syndrome child negligently locked on school bus 7 hours .....	2	\$250,000.
Seriously injured claimants in roll-over collision avoiding oncoming traffic.....	2	\$400,000.
Knee injury caused to vehicle owner by the repossession company.....	2	\$400,000.
Slip & Fall in fast food restaurant.....	2	\$35,000.
Negligent supervision of children at play in commercial Gymnasium .....	2	\$600,000.

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## PERSONAL INJURY

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	Parties	Initial Claims
Longshoreman struck by truck while operating forklift .....	3	\$2.0 mil
Paraplegic allegedly in "Course & Scope" for landlord v. civil action .....	3	\$4.5mil
Slip & Fall in theatre-discectomy, laminectomy & fusion of discs .....	2	\$650,000
Loss of earnings, emotional distress, & medical specials arising from crane falling through roof .....	2	\$650,000
Head on MVA; cervical fusion 3 levels; pain management .....	2	\$1.3 mil
Actress bitten on thigh by dog-loss of earnings.....	2	\$100,000
Injury alleged to have been caused by mold infestation.....	6	\$1.1 mil
Claim by HIV positive passenger v. taxi company re:bath house trip.....	3	\$450,000
Gunshot wounds to head of trucker & passenger .....	3	\$5.0 mil
Alleged mold infestation.....	55	\$2.0 mil
Auto v. Auto .....	2	\$500,000
Slip & Fall in common area of apartment house .....	2	\$400,000
Amusement park operator-amputation resulting from unguarded ride machinery.....	3	\$3.0 mil
Rear end collision by drunk driver at speed in excess of 60 mph.....	3	\$650,000
Injuries sustained while sparring with Karate Instructor .....	2	\$150,000
Alleged sexual exploitation of patient by physician .....	2	\$500,000
Injuries sustained by bicyclist riding over speed bump .....	2	\$175,000
Teenage Female dog bit on breast.....	2	\$250,000
Child injured from fall from unprotected 3rd floor window .....	2	\$75,000

## PRODUCTS LIABILITY

Construction site burn victim using asphalt spreader.....	6	\$2 mil.
Faulty tank liners-property damage and lost profits claim .....	3	\$550,000.
Auto gas tank explosion upon rear-end impact.....	6	\$1.2 mil.
Pressure relief valve malfunction causing gas storage tank explosion.....	4	\$150,000.
Chemical in circuit board causing out gassing .....	5	\$550,000.
Airbag malfunction, failure to warn/inadequate warning .....	2	\$1.2 mil.
Faulty design of construction equipment, inadequate warning .....	2	\$750,000.
Defective lumber damaging furniture manufacturer .....	4	\$3 mil.
Inadequate warning on paint compressor-carbon monoxide death .....	3	\$1 mil.
Defective playpen—strangulation death of infant.....	2	\$1 mil.
Exploding lubricant, failure to warn, third degree burns .....	2	\$1 mil.
Exploding boiler, negligent design, failure to warn, business interruption .....	6	\$960,000.
Negligent design, failure to warn-skip-loader .....	3	\$950,000.
Defective design for failure to specify run-flat technology .....	3	\$2 mil.
Injuries to longshoreman by alleged defective design of yard tractor .....	3	\$800,000.
Aerosol can explosion near barbecue .....	3	\$1.1 mil.
Defective design, failure to warn of box manufacturing machine.....	2	\$1.5 mil.
Closed head injury caused by defective gas spring in auto trunk .....	2	\$275,000.
Stroke allegedly caused by herbal products.....	2	\$1mil.
Defective hardware used in hip replacement .....	2	\$2.5 Mil.
Hand injuries caused by lack of safety gates on plastic molding machinery .....	4	\$300,000.
Hand injuries caused by lack of protection on start switch on lathe.....	4	\$250,000.
Injuries and scars, fibromyalgia, caused by auto accident.....	2	\$700,000.
Injuries sustained from faulty lifeline on construction worker .....	3	\$925,000.
Injuries sustained form exploding nail gun using oxygen tank.....	6	\$2 mil.
Injuries sustained by infant with fingers caught in treadmill .....	2	\$600,000.

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## PRODUCTS LIABILITY

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Burns & other injuries from exploding chemicals in dye plant.....	6	\$6.5 mil.
Injuries sustained from wheel chair—failure to warn, negligent design .....	3	\$700,000.
Power saw guard malfunction...lacerations of fingers .....	3	\$600,000.
Failure of drug pump catheter leading to additional pain & suffering.....	3	\$250,000
Alleged defect in nail gun causing eye injury .....	2	\$2.5 mil
Failure of seat belts & airbag in parked car in head on collision .....	3	\$11. mil
Roll over of SUV allegedly caused by tire detreading .....	3	\$700,000

## PROBATE/TRUSTS/ESTATES

	Parties	Initial Claims
Re-structuring of principal of trusts to settle claims.....	12	\$7 mil.
Division of personal injury proceeds among survivors and estates .....	6	\$350,000.
Sale of estate assets to resolve claims against fiduciary .....	4	\$750,000.
Trustee's failure to diversify investments in real estate during slump .....	2	\$485,000.
Undue influence, forged changes to copy of will .....	3	\$200,000.
Claim against caregiver for return of property and instructions.....	2	\$275,000.
Claim for attorneys fees due trustee's counsel & trustee.....	3	\$85,000.
Claim for Reimbursement by trustee of premature distribution.....	4	\$45,000.
Undue influence v. breach of contract.....	2	\$605,000.
Action for constructive trust on property where title not transferred to partner .....	2	\$365,000
Will contest between niece and sons of decedent .....	3	\$3 mil.

## PROFESSIONAL MALPRACTICE

### MEDICAL MALPRACTICE

Medical-burn injuries during routine surgical procedure .....	8	\$22 mil.
Legal-for failure to properly advise client borrower .....	2	\$1.2 mil.
Labor and delivery .....	3	\$1.1 mil.
Dental-extractions and implants .....	2	\$250,000.
Hospital, surgical team, instrument manufacturer .....	4	\$500,000.
Hospital, medical center, physicians .....	5	\$1 mil.
Brain damage, paralysis, blindness, death.....	8	\$12 mil.
Implant technology below standard of care.....	2	\$450,000.
Medical-failure to provide surgery at earlier date .....	2	\$250,000.
Broker-premiums paid for duplicate coverages.....	3	\$750,000.
Failure to diagnose cancer early .....	2	\$250,000.
Failure to diagnose heart defect; inadequate surgical intervention.....	4	\$254,000.
Hip replacement (ball larger than socket).....	3	\$250,000.
Failure to diagnose sentinel bleed (intracerebral hemorrhage) .....	2	\$300,000.
Childbirth, shoulder distocia, Erbs Palsy, Klemke's Palsy .....	2	\$625,000.
Delayed diagnostic testing for colon cancer.....	2	\$120,000.
HMO failure to diagnose and treat.....	3	\$827,000.
Failure to diagnose adenocarcinoma vs. endometriosis.....	2	\$800,000.
Shoulder distocia, Erb's Palsy .....	3	\$350,000.
Shoulder distocia, Erb's Palsy .....	3	\$500,000.
Failure to diagnose and treat cardiac condition.....	2	\$200,000.
Failure to diagnose acidosis/hypoxia, profound brain injury .....	3	\$2 mil.
Failure to diagnose and treat severe arteriosclerosis .....	2	\$600,000.
Failure to read ct scan & detect pancreatic mass .....	2	\$1.2 mil.
Invasive testing without informed consent.....	4	\$5 mil.

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# PROFESSIONAL MALPRACTICE

## MEDICAL MALPRACTICE

(continued from previous page)

	<b>Parties</b>	<b>Initial Claims</b>
Failure to treat supraventricular tachycardia .....	2	\$4.1 mil.
Misread of mri scans, resulting tumor growth, wrongful death of infant.....	3	\$150,000.
Failure to diagnose breast cancer .....	2	\$1 mil.
Failure to properly set broken finger.....	2	\$250,000.
Failure to keep radial nerve protected during surgery.....	2	\$1 mil.
Failure to assess and treat cardiac abnormalities .....	2	\$650,000.
Baby dropped on delivery floor at birth.....	2	\$150,000.
Failure to diagnose warning signs of impending stroke .....	2	\$1.1 mil.
Failure to diagnose colon cancer.....	2	\$190,000.
Failure to perform c-section when indicated.....	2	\$1 mil.
Anoxic event in recovery causes brain injury .....	3	\$4.0 mil.
Erb's palsy .....	2	\$850,000.
Cerebral Palsy resulting from Hypoxia during childbirth .....	4	\$9.0 mil.
Failure to diagnose subgaleal bleed-cerebral palsy.....	2	\$2.0 mil.
Failure to diagnose cancerous tumor .....	2	\$750,000.
On sponge left in patient during surgery .....	2	\$190,000.
Arthroscopy on wrong knee.....	2	\$275,000.
Failure to diagnose renal failure .....	3	\$3.0 mil.
Wrongful death in hospital due to asphyxiation from vomit.....	2	\$937,000.
Wrongful death failure to diagnose cancer .....	2	\$875,000.
Wrongful Death post-cerclage infection .....	2	\$250,000.
Sexual abuse between patient and therapist .....	4	\$1.5 mil.
Failure to supervise elderly patient/slip & fall .....	2	\$277,000.
Failure to administer test for Down Syndrome .....	2	\$4.0 mil.
Discectomy performed at wrong lumbar level .....	2	\$425,000.
Unauthorized use of sperm by fertility clinic .....	2	\$250,000.
Resection of non-cancerous portion of colon .....	2	\$250,000.
Spastic quad cerebral palsy caused by hypoxia at birth .....	3	\$3.0 mil.
Brain damage caused by late diagnosis of meningitis .....	2	\$3.75 mil.
Loss of hearing, infection delayed referral to ENT .....	2	\$375,000.
Delay in diagnosis gangrene, amputated leg .....	2	\$244,000.
2 year delay in diagnosis of colon cancer .....	2	\$850,000.
Lumpectomy with no malignant mass .....	2	\$225,000.
Over prescription of narcotic pain killers .....	2	\$225,000.
Late diagnosis of breast cancer.....	2	\$500,000.
Failure to diagnosis cancer of the thyroid.....	3	\$1.0 mil.
Switched biopsy results lead to double mastectomy on healthy woman .....	2	\$900,000
Failure to diagnose infection leading to damaged femoral head.....	2	\$499,000
Damage to head of newborn due to misuse of forceps.....	2	\$750,000
Failure to diagnose lung mass experimental treatment costs .....	2	\$650,000
Negligence re: use of dialysis machine-compartment syndrome.....	2	\$1.2 mil
Brachial Plexus injury sustained by shoulder dystocia.....	2	\$550,000
Post hip surgery drain-failure to take culture.....	2	\$480,000
Negligent administration of spinal anesthesia-permanent vegetative state .....	2	\$16.0 mil
Alleged failure to reposition patient leading to sores, infection & amputation.....	2	\$425,000
Failure to timely treat aortic aneurysm wrongful death.....	2	\$800,000
Alleged brain damage re:delayed c-section post distress signs .....	2	\$600,000
Failed rectocell procedure .....	2	\$75,000
Negligent screening of sperm donor resulting in child with hereditary disease .....	4	\$4.0 mil
Failure to read decedent's cancerous lesion on x-ray & follow up with CT scan.....	2	\$870,000
Failure to diagnose rectal cancer .....	2	\$425,000
Injury to back caused by epidural injections.....	2	none
Failure to diagnose post-operative bleed-wrongful death .....	5	\$2.5 mil

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# PROFESSIONAL MALPRACTICE

## MEDICAL MALPRACTICE

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	Parties	Initial Claims
Negligent prenatal evaluation Cerebral palsy lifetime care .....	2	\$5.0 mil
Negligent removal of appendix, recurrent appendicitis .....	2	\$185,000
Late diagnosis of appendicitis-small bowel obstruction .....	2	\$750,000
Vegetative state re: hypoxic event from alleged premature extubation .....	2	\$1.825 mil
Failure to Diagnose tethered spinal cord resulting in atrophy .....	2	\$75,000
Failure of radiologist to read x-ray on stat basis-Cerebral palsy .....	2	\$175,000
Failure to order c-section delivery; ischemic hypoxic incident .....	3	\$2.3 mil
Delayed diagnosis of detached retinal .....	2	\$550,000
Surgical sponge remaining after surgery .....	2	\$250,000
Gall Bladder surgery followed by sepsis & death .....	3	\$500,000
Alleged lab error-brain damaged newborn .....	3	\$5.5 mil
Shoulder dystocia- Erb's Palsy .....	3	\$790,000
Anesthesiologist re: repair of mitral valve severe hypoxic brain damage .....	2	\$4.5 mil
Failure to prevent air bubbles entering blood stream during repair of aortic aneurysm....	2	\$25 mil
Failure to monitor post thyroidectomy patient-brain damage .....	2	\$1.175 mil
Negligent removal of wrong tissue from mouth & Cheek .....	2	\$1.9 mil
Brain damaged infant injured by medication at birth .....	2	\$6.0 mil

## LEGAL MALPRACTICE

Failure to advise developer on loan guarantees .....	2	\$3 mil.
Failure to include non-disturbance clause in lease .....	5	\$1.2 mil.
Improper advice on security agreement, lost business .....	3	\$1.9 mil.
Breach of fiduciary duty among real estate partners .....	5	\$800,000.
Legal: Alleged failure to advise client of settlement offers .....	2	\$34,000
Legal: Corporate Counsel's representation of one shareholder v. another .....	5	\$250,000
Legal: Alleged failure to work up workers comp case properly .....	2	\$900,000
Negligent drafting of joint venture agreement .....	2	\$350,000.
Negligence in handling of residential title dispute litigation .....	2	\$95,000.
Negligent representation re bankruptcy of client .....	4	\$800,000.
Failure to bring to trial within 5 years .....	2	\$5.5 mil.
Failure to appeal adverse ruling .....	2	\$100,000.
Failure to perfect judgment by filing memo of costs .....	4	\$89,000.
By firm with partner in business with client .....	3	\$300,000.
Failure to advise re settlement offer .....	2	\$1 mil.
Failure to call competent experts, prepare properly for trial .....	3	\$850,000.
Failure to advise non-profit organization re conditions for exemption .....	8	\$1.4 mil.
Failure to properly advise re non-compete clause .....	2	\$1.3 mil.
Failure to properly document merger and acquisition agreement .....	2	\$1 mil.
Failure to defend convicted murderer .....	2	\$65,000.
Failure to avoid terminating sanctions in disability litigation .....	2	\$850,000.
Slander of title by alleged improper lis pendens recordation .....	2	\$500,000.

## OTHER PROFESSIONAL MALPRACTICE

Pharmacy-negligent Filling of Prescription .....	3	\$450,000.
Accounting-advice to sell based on miscalculation of tax .....	2	\$750,000.
Accounting-sale/lease of real property .....	2	\$800,000.
Broker-inadequate fire coverage .....	3	\$125,000.
Pharmacy-vocal cords damaged .....	2	\$600,000.
Architect-defective designs and drawings .....	2	\$500,000.
Engineering-boundary dispute-engineer's mistaken survey .....	4	\$150,000.

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## **OTHER PROFESSIONAL MALPRACTICE**

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	<b>Parties</b>	<b>Initial Claims</b>
Pharmacy-negligent filling of prescription.....	2	\$80,000.
Insurance broker-re tax treatment of insurance; embezzlement.....	26	\$15,000,000.
Broker-failure to disclose exclusion for battery.....	3	\$7 mil.
Design Professionals-Violation of ADA & Fair Housing Act.....	6	\$1.5 mil.
Professional: Broker's failure to disclose previous loss record.....	2	\$920,000

## **REAL ESTATE**

Landlord/tenant dispute over living conditions .....	116	\$1.1 mil.
Property line dispute among residential neighbors .....	5	\$250,000.
Racial discrimination in housing .....	3	\$350,000.
Multi-party family claims on jointly-owned real estate .....	12	\$17 mil.
Seller/broker liability in sale of commercial business facility .....	3	\$350,000.
Broker dispute over lease commission.....	2	\$280,000.
Intra-family claims on loans and partnership interests in real estate .....	3	\$850,000.
Claim against broker for misrepresenting value of improved property.....	3	\$250,000.
Procuring cause-financing unavailable and change from lease to sale/lease .....	3	\$325,000.
Withdrawal from family partnership and valuation of realty interests.....	3	\$7 mil.
Purchase of mini-mart, non-compliance with Subdivision Map Act.....	2	\$150,000.
Breach of fiduciary duty by broker .....	2	\$1.2 mil.
Breach of lease re CAM charges following vacation of premises .....	2	\$95,000.
Nondisclosure of noise/vibration by seller of condo .....	2	\$600,000.
Breach of contract, duty of good faith by broker/developer.....	2	\$280,000.
Trees obstructing view/violation of CC&R's .....	2	\$75,000.
Sale of residence-failure to disclose history of water intrusion .....	2	\$750,000.
Sale of residence, failure to disclose landslide.....	2	\$750,000.
Sale of residence, failure to disclose in Spanish lead paint, asbestos.....	2	\$1 mil.
Dangerous condition injures tenant: depression, suicide.....	3	\$650,000.
Incorrect public records cited as source for lot/house size .....	2	\$175,000.
Mistaken boundary line re purchase of house, vs. seller of house .....	2	\$70,000.
Mistaken boundary, adverse/prescriptive rights .....	2	\$1 mil.
Failure to disclose landslide/geologic defects .....	6	\$750,000.
Failure to protect limited partner's interest in hotel project.....	3	\$4.75 mil.
Sale of residence-Breach of sale of residence by sellers .....	2	N/A.
Sale of Apartment Building-Failure to disclose code violations.....	2	N/A.
Exchange of partnership interest among family members .....	2	\$2.8 mil.
Mold causing health & related problems .....	2	\$676,000.
Failure of Seller in not disclosing roof not to code.....	2	\$36,000.
Landslide caused by leaking city storm drain.....	3	\$720,000
Mold infestation, water intrusion, asthma exacerbation .....	2	\$1.0mil
Right to deposit where contingencies not satisfied .....	2	\$55,000
Claim by seller of property v. broker for error in property valuation .....	2	\$250,000
Claim by one neighbor re: destruction of oak tree, loss of value .....	4	\$185,000
Damages alleged to be caused by mold .....	4	\$1.5 mil

## WRONGFUL DEATH

	Parties	Initial Claims
Consecutive drowning cases in same facility .....	3	\$2 mil.
Pedestrian child killed by trash truck .....	3	\$650,000.
Auto versus truck stalled in freeway lanes .....	4	\$2.5 mil.
Death of brain damaged child caused by medical malpractice .....	6	\$12 mil.
Truck versus auto "parked" in freeway lane .....	7	\$750,000.
Student killed on school outing .....	3	\$3.5 mil.
Construction worker killed while supervising traffic .....	4	\$3.5 mil.
Motorist stranded on freeway exiting car into traffic lanes .....	2	\$1.5 mil.
Student killed crossing swift stream .....	4	\$1.0 mil.
Tractor-trailer swerving into oncoming traffic, double fatality .....	5	\$5.5 mil.
Painting contractor killed by carbon monoxide poisoning .....	2	\$1 mil.
Volunteer worker killed in public parking lot by pizza delivery truck .....	4	\$1 mil.
Woman killed by drunk driver .....	3	\$500,000.
Inadequate traffic control at construction site .....	7	\$550,000.
Inadequate traffic control at construction site, failure to inspect .....	8	\$2 mil.
Traffic spotter killed by backing truck .....	3	\$1.25 mil.
Truck driver killed by adjacent truck in crowded loading area.....	5	\$1.5 mil.
Negligence of nurse in monitoring child on ventilator.....	4	\$500,000.
Drowning in hotel pool with inattentive lifeguards .....	3	\$1 mil.
Adult child killed by negligent driver failing to yield at stop sign.....	2	\$1.3 mil.
Passenger ejected from convertible; alcohol suspected .....	5	\$5.4 mil.
Failure to provide adequate security at mini-mart resulted in beating.....	2	\$450,000.
University student dies from alcohol/drug overdose.....	2	\$4.1 mil.
Multiple fatalities-bus v. parked and attended auto .....	2	\$14 mil.
Bicyclist killed by inattentive driver .....	2	\$750,000.
Shooting by "unarmed" security guard .....	3	\$265,000
Husband & father of 3 killed by truck backing into traffic lanes.....	2	\$3.5 mil.
Elder Abuse: failure of convalescent home re: dehydration .....	2	\$595,000.
Drowning of 4-yr old at babysitters home-coverage question .....	3	\$200,000
Mother & grown Daughter killed by airport shuttle .....	4	\$14.0 mil
Custodial neglect in skilled nursing facility .....	2	\$750,000
Crash of commercial airline, death to father and son.....	2	\$4.4 mil