

VERDICTS & SETTLEMENTS

FRIDAY, DECEMBER 6, 2013

PERSONAL INJURY

Auto v. Pedestrian

Hit and Run

VERDICT: \$25,000,000

CASE/NUMBER: *Mireyli Yamileth Gomez v. Hugo Aguirre* (RIC1112097)

COURT/DATE: Riverside Superior / Nov. 8, 2013.

JUDGE: Hon. Ronald L. Taylor

ATTORNEY:

Plaintiff — Gregory Owen, Susan Owen
(**Owen, Patterson & Owen, Valencia**).

MEDICAL:

Plaintiff — Keith E. Liberman, M.D.,
orthopedics, Beverly Hills.
Defendant — Kendall S. Wagner, M.D.,
orthopedic surgery, Fullerton.

TECHNICAL:

Plaintiff — Timothy Lanning, Ph.D.,
economics, Santa Ana; John M. Muse,

accident reconstruction, Huntington Beach.

FACTS: On June 25, 2010, 18-month-old plaintiff Mireyli Gomez was playing with her siblings outside of the apartment complex where they lived.

At the same time, defendant Hugo Aguirre got into his sports utility vehicle and backed into the area where the children were playing.

Gomez was run over by the rear tire of Aguirre's SUV. Aguirre stopped his vehicle after he drove over Gomez, then shifted into drive and rolled over her a second time, crushing her pelvis and causing her other injuries. Gomez's siblings were able to get away in time and weren't injured.

Aguirre fled the scene following the accident.

PLAINTIFF'S CONTENTIONS: Plaintiff contended that Aguirre was negligent in operating his vehicle. Plaintiff claimed that Aguirre had been drinking alcohol in the apartment complex's parking lot before he got into his large SUV.

INJURIES: Mireyli suffered multiple pelvic fractures, including right acetabulum, as well as internal injuries. She had significant complications and underwent several surgeries during her two-month stay at Loma Linda Medical Center.

SPECIALS IN EVIDENCE: MEDS: \$714,965 Future MEDS: \$1,444,617 Future LOE: \$588,961

JURY TRIAL: Length, four days; Deliberation, one hour

RESULT: The jury returned a verdict for plaintiff in the amount of \$25 million.

The jury found Aguirre to be 100 percent negligent. The court directed a verdict on liability against Aguirre.

OTHER INFORMATION:

Defendant Aguirre was arrested and convicted for the hit-and-run.

FILING DATE: July 20, 2011.

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