

## TRIAL RESULTS

Decades of strategic case development and trial experience.

### FAVORABLE JURY VERDICT IN ADMITTED LIABILITY MATTER

9.12.22

#### PLAINTIFF SETTLEMENT DEMAND FORCED TRIAL

(Los Angeles). In a case involving an admitted liability matter, jurors returned a favorable damages verdict on behalf of WSHB's client. Trial lawyer Morgan Metzger tried this matter before Judge Ruth Ann Kwan in a case that lasted over 2 weeks.

Plaintiff, a 42-year-old woman, fell through a third-floor walkway and injured her back and foot. Medical bills exceeded \$434k, with claims of another \$480k for future medicals. WSHB's clients were the owner of a budget motel where the injuries were incurred. Plaintiff demanded \$1.7 million, and Morgan limited the award to \$559k. Notably, this is markedly less than any number the plaintiff ever entertained during the life of the case.

The parties also lost three jurors to Covid during trial, and stipulated to a jury of eleven. The parties agreed that they would need eight jurors to agree for a verdict.

"It was exciting to be back in the courtroom trying cases, after the pandemic break where everything pivoted to virtual appearances," said Morgan. "While the pandemic protocols had the jurors socially distant, the jurors were able to cut to the chase and appropriately value the case despite the defense being unable to admit any evidence of the reasonable market value of what is paid for the medical treatment that the plaintiff received." The high bar set from the orders made by Judge Kwan included rulings that prevented the defense from admitting into evidence what the lien arrangements were, whether the treaters ever accept negotiated reduced rates as full and final payment, and that medical bills are rarely paid at face value and the reasons why.

"Some cases you try because the plaintiff's demands leave you no choice," said Morgan. "In this case, we secured a verdict that was in line with expectations despite having several pretrial rulings that limited the evidence the defense could present."

#### PROFESSIONALS

Morgan A. Metzger