

FRIDAY MONDAY TUESDAY WEDNESDAY **TODAY**

[Feedback](#)

[Search >>](#)
[Bookmark](#)

Landlord and Tenant V \$985,925

For the plaintiff:
Philip Shakhnis
Stacey R. Brown
Robert M. Kitson
For the defendant:
Marc S. Shapiro
Jonathan Cyr

L.A. Superior Pomona
Hon. R. Bruce Minto

RESULT DATE: Feb. 4, 2011

Lorena Ramirez, et al. v. Julio Estrada, et al. (KC054526) 11-JV_576

FURTHER DESCRIPTION: Breach of Warranty of Habitability

VERDICT: \$985,925

ATTORNEY: Plaintiff - Philip Shakhnis (Law Office of Philip Shakhnis, Los Angeles); Stacey R. Brown, Robert M. Kitson (Litt, Estuar & Kitson, LLP, Los Angeles). Defendant - Marc S. Shapiro, Jonathan Cyr (Hanger, Steinberg, Shapiro & Ash, Woodland Hills).

MEDICAL: Plaintiff - H. Ronald Fisk, M.D., Ph.D., neurology, Los Angeles; Roger M. Katz, M.D., pediatrics, allergy, immunology, Los Angeles; Gary Richwald, M.D., internal medicine, Venice; Claude A. Ruffalo, Ph.D., neuropsychology, Santa Monica. Defendant - Edwin C. Amos, M.D., neurology, Santa Monica; Alan Szeftel, M.D., F.C.C.P., immunology/allergy/pulmonology, Santa Monica; Kyle Boone, Ph.D., neuropsychology, Torrance.

TECHNICAL: Plaintiff - Owen Seiver, mold investigation, Granada Hills. Defendant - Richard F. Clark, Jr., drug toxicology, San Diego; Brian Daly, C.I.H., P.E., industrial hygiene, Torrance.

FACTS: Plaintiffs, a family of five, resided in defendants' rental property from July 1, 2007 until March 31, 2009. Over time, plaintiffs contend that the subject property was uninhabitable due to a broken heating system, other conditions that resulted in harmful cold indoor air and a mold-growth problem due to a leaking water heater.

CONTENTIONS: PLAINTIFFS' CONTENTIONS: Plaintiffs contended that due to the cold exposure and mold-growth problem, plaintiff Lorena Ramirez developed viral encephalitis and immune complex disease that resulted in a permanent seizure disorder, significant memory loss, and other life-long injuries. Other family members, including three children, developed respiratory and sinus problems due to the uninhabitable conditions.

DEFENDANTS' CONTENTIONS: Defendants contended that mold found at the property was isolated to an exterior water heater closet that did not ventilate to the indoor environment. Further, defendants' contended that the indoor mold levels were at a minimal level and thus could not have caused or contributed to any illness suffered by plaintiffs. With respect to mold, defendants contended that no medical or scientific literature or cases supported plaintiffs' medical causation theories, and that plaintiff Lorena Ramirez's seizures were idiopathic, and more likely the result of depression and stress, or psychogenic in nature. Defendants also contended that plaintiffs' claim of cold exposure was without merit, and that the alleged indoor ambient temperatures could not have substantially contributed to any illnesses claimed by plaintiffs. Finally, defendants contended they had had no notice of any habitability defects at the subject property prior to plaintiffs' injuries.

INJURIES: Permanent seizure disorder and other physical injuries, pain and suffering, and emotional distress.

JURY TRIAL: Length, three weeks; Deliberation, four days

RESULT: Verdict of \$985,925. Prejudgment interest on CCP 998 offer of \$115,057.80. Additional costs to be determined. Defendants' Motion for New Trial pending for reasons of juror averaging/quotient verdict.

Specials Awarded: Past Meds: \$16,000; Future Meds: \$ 261,000; Past LOE: \$17,000; Future LOE: \$14,000.

OTHER INFORMATION: FILING DATE: Dec. 18, 2008.

NEWS RULINGS **VERDICTS**

This week's cases

Submit verdict

Civil Rights

Gender Discrimination
\$5,000,000 Sacramento Superior

Construction

Construction Defects
\$113,354 Imperial Superior

Consumer Law

Product Liability
\$40,000 U.S. Consumer Product Safety Commission

Product Liability

Defense San Diego Superior

Unfair Business Practices

Dismissal Alameda Superior

Contracts

Breach of Contract
\$1,500,000

Breach of Contract

\$59,192 on the complaint. Defense verdict on the cross-complaint L.A. Superior Norwalk

Breach of Contract

Defense Alameda Superior

Employment Law

Retaliation

\$990,000 L.A. Superior Central

Wrongful Termination

\$500,000 L.A. Superior

FEHA

\$55,000 USDC Northern

Retaliation

\$47,512 Contra Costa Superior

Sexual Harassment

\$10,000, injunctive relief USDC Central

Environmental Law

Environmental Protection

Sonoma Superior

Insurance

Bad Faith

Defense L.A. Superior Van Nuys

Intellectual Property

Copyright Infringement
\$950,000 USDC Central

Patent Infringement

Dismissal USDC Central

Patent Infringement

Dismissal USDC Northern

Personal Injury

Premises Liability

\$5,300,000 San Bernardino Superior

Railroad Accident

\$4,931,549 L.A. Superior Central

Medical Malpractice

\$4,656,236 L.A. Superior Burbank

Litigation and Crisis Communications Seminar

Sponsored by Englander, Knabe & Allen & PRCG

The need for professional litigation public relations has grown as media coverage of court cases has significantly increased. Attorneys, particularly those involved in matters such as litigation, restructurings, bankruptcies and unexpected crises must understand the critical role public relations can play in communicating important messages to their clients' key constituencies.

This free half-day seminar will help litigators about the management of the communication process during litigation from the perspective of top lawyers, public relations professionals and the media. Speakers include, reporters from the **LA Times**, **KNBC-TV**, lawyers **Mark Lanier**, **Robert Shapiro**, **James F. Haggerty**, and many more. Don't miss out on this special event.

Friday, April 29, 2011
8:00 a.m. to 12:00 p.m.

City Club on Bunker Hill, 54th Floor
333 S. Grand Avenue, Los Angeles, CA 90071

COST:

Free, but space is strictly limited, so early reservations are a must. Parking fee not included. Please reserve your spot by April, 22, 2011.

MCLE CREDIT:

Earn each attorney in attendance 1 MCLE credit hour.

REGISTRATION:

Please register with Sheila Kaminski at
LitigationandCrisisSeminar@gmail.com.
For any additional questions please contact
Sheila at 949-351-1826.

\$3,236,455 L.A. Superior Central

Premises Liability

\$545,000 Orange Superior

Truck v. Trailer

\$475,298 San Bernardino Superior

Premises Liability

\$400,000 Glendale Superior

Product Liability

\$350,000 L.A. Superior Central

Auto v. Auto

\$345,000 L.A. Superior Pasadena

Auto v. Truck

\$179,488 San Diego Superior

Auto v. Auto

\$34,300 Ventura Superior

Bus Incident

\$7,044 L.A. Superior Central

Auto v. Truck

\$4,515 Alameda Superior

Premises Liability

Defense Orange Superior

Auto v. Pedestrian

Defense L.A. Superior Santa Monica

Real Property

Declaratory Relief

\$65,000 San Francisco Superior

Securities

Securities Fraud

\$1,523,845 USDC Central

Securities Fraud

Dismissal USDC Northern

Torts

ADA

\$143,000 USDC Northern

Sexual Assault

Defense Ventura Superior

Elder Abuse

Defense L.A. Superior Central

Elder Abuse

Property Deed Santa Clara Superior