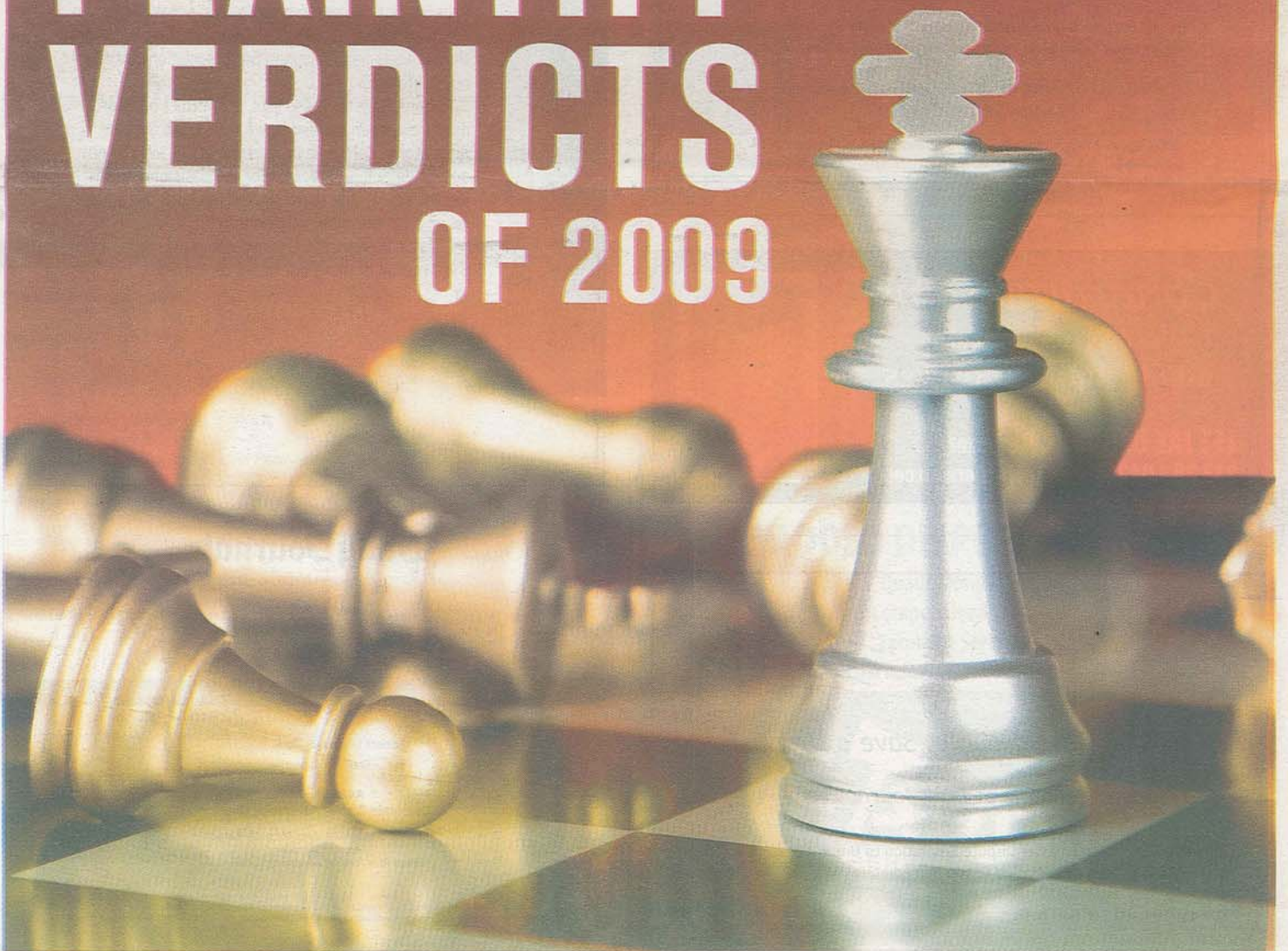


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**Daily Journal**

JANUARY 27, 2010

# TOP PLAINTIFF VERDICTS OF 2009





Randall H. Scarlett

S. TODD ROGERS

# \$ 49.1 Million

## *Drew Dakota Bianchi v. Michael Demma, Gordon Trucking Inc., Samuel Ortega Bimbela*

**Cause:** A 21-year-old college student alleged a big rig driver using a cell phone hit a flatbed truck, causing it to veer into on-coming traffic. A collision left the student severe brain injuries, requiring around-the-clock medical care. He sued both truck companies, and the California Department of Transportation alleging poor road conditions.

**Result:** CalTrans agreed to a \$10 million settlement two weeks before trial. Salazar Entities, the owner of flatbed, settled for \$2 million. A Santa Clara jury awarded Bianchi \$27.6 million for future medical costs, \$3.4 million for past medical bills, \$13.5 million for general damages, and \$4.5 million for future lost wages.

**Plaintiffs' trial team:** Randall H. Scarlett, Scarlett Law Group in San Francisco; Thomas W. Malone, Malone Law in Atlanta

**Defense:** Hardy Erich Brown & Wilson, Sacramento; Carlson, Calladine & Peterson, San Francisco, Cholakian & Associates, San Francisco; California Department of Transportation legal department; Hayes Davis Bonino Ellingson McLay & Scott, Redwood City

**Judge:** Carrie Zepeda, Santa Clara County Superior Court

**Update:** Defendants who went to trial are in settlement talks.

*'I told the jury, if you do not fund Drew's life care plan, he will die. That much is certain.'*

— Randall H. Scarlett