

Personal Injury
WRONGFUL DEATH
Bus v Pedestrian

SETTLEMENT: \$1,900,000.

CASE / NUMBER: Jorge Hasbun, Irma Martinez, Julia Santamaria v. Los Angeles County Metropolitan Transportation Authority / BC391333

COURT / DATE: Los Angeles Superior Central / March 14 2009.

JUDGE: Hon. John S. Wiley Jr.

ATTORNEYS: Plaintiff – James P. Carr, Tyler J. Barnett (Yuhl, Stoner & Carr, LLP, Los Angeles)

Defendant – Stuart E. Rissman (Law Offices of Stuart E. Rissman, Encino)

TECHNICAL EXPERTS: Plaintiff – Robert W. Johnson, M.B.A., economics, Los Altos.

FACTS: On Feb 5, 2008 at 5:30 a.m. Vilma Hasbun, a 56-year-old housekeeper was attempting to catch the LACMTA bus on Los Angeles Street after being passed up at Union Station in Los Angeles. She was at the northeast corner of Los Angeles Street and Arcadia Street (a one-way street) when the bus came to a complete stop at a red light. Vilma Hasbun entered the crosswalk and walked across Arcadia Street to the southeast curb directly in front of the stopped bus, and stood within five feet of the driver while waiting for the signal to change. When the light for the bus turned green, she ran across Los Angeles Street in violation of Vehicle Code section 21955 where there was no crosswalk and clearly posted

universal do not walk pedestrian signs. The bus struck Vilma Hasbun who was pronounced dead on the scene.

PLAINTIFF'S CONTENTIONS:
The plaintiffs contended that the bus driver negligently operated the bus by failing to keep a proper lookout for human activity in the immediate area.

DEFENDANT'S CONTENTIONS:
The defendant contended that the bus driver acted reasonably under the circumstances an plaintiff was in violation of statutes.

DAMAGES: Jorge Hasbun was the surviving spouse of the decedent. Irma Martinez was the adult daughter of the decedent from a prior marriage, living in San Salvador. Julia Santamaria was the mother of the decedent also living in San Salvador. The decedent had been providing financial support to her adult daughter and mother for the past 25 years. During this 25-year-period decedent had seen her daughter and mother about five times.

RESULT: The case settled for \$1.9 million at a mediation before Michael Moorhead of Judicate West.