

JURY AWARDS **FULL DEFENSE VERDICT** IN **\$7.4 MILLION** MULTI-CAR ACCIDENT CASE

Tyson & Mendes Law Firm Successfully Defends Chino Hills Ford

RIVERSIDE, Calif. (April 17, 2019) – Following a three-week trial, a San Bernardino County jury on April 10, 2019, found Chino Hills Ford not liable for a serious car accident which allegedly caused seizures to a child. Tyson & Mendes LLP attorneys Kristi Blackwell and Christopher Schon represented Chino Hills Ford and secured a full defense verdict in which the injured plaintiff sought more than \$7.4 million in damages.

The case arose from two separate vehicle accidents that occurred on the evening of April 21, 2014, at the intersection of Kimball Avenue and Euclid Avenue in Chino. Jereme Hsu was driving his Ford F-150 truck westbound on Kimball Avenue when his driver-side, rear tire disengaged from his vehicle and rolled into eastbound Kimball Avenue traffic lanes. Mr. Hsu's wheel hit the front of Ramesh Bandaru's Ford Focus, and Mr. Bandaru quickly stopped his vehicle in the eastbound traffic lane.

Meanwhile, Rene Cervantes and his family were driving a Chevrolet Silverado eastbound on Kimball Avenue directly behind Mr. Bandaru. Mr. Cervantes was able to slow his vehicle and come to a stop without hitting Mr. Bandaru. But Jadah Pointer, who was driving a Honda Civic eastbound directly behind the Cervantes' vehicle, was unable to stop and hit the rear of the Cervantes' Chevrolet Silverado.

Plaintiff Celina Cervantes, who was in the right rear seat of her family's vehicle, sued Chino Hills Ford under the theory that one of its mechanics under-torqued the lug nuts when he put the left rear tire on the back of Mr. Hsu's vehicle, causing his tire to detach. She also claimed she later developed a seizure disorder as a result of the accident and sought more than \$1 million in damages for the future cost of her prescription medications.

According to Tyson & Mendes Partner Kristi Blackwell, the defense team highlighted two major reasons Chino Hills Ford was not liable for the accident. "First, Mr. Hsu had driven more than 550 miles between when his vehicle was serviced at Chino Hills Ford and when the accident occurred. If the Chino Hills Ford mechanic had under-torqued the lug nuts, Mr. Hsu's wheel would have fallen off within a few miles of the service appointment," she said.

The Tyson & Mendes team also successfully argued that the tire coming off of Mr. Hsu's truck did not cause the accident. Instead, Ms. Blackwell said the proximate cause was Ms. Pointer rear-ending the Cervantes' truck after Mr. Cervantes was able to stop in time without hitting Mr. Bandaru's car.



KRISTI BLACKWELL
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While Ms. Blackwell sought a defense verdict, she asked the jury to award \$300,000 should they find the evidence in support of any liability on behalf of Chino Hills Ford. “Plaintiff asked the jury for an award we found to be unreasonable,” Ms. Blackwell said. “We gave the jury a number better supported by the evidence plaintiff brought forth to prove her damages in the event they found our client liable.”

After deliberating for one day, the jury agreed Chino Hills Ford was not liable for either accident and issued a full defense verdict in the case overseen by Judge Donald R. Alvarez.

“There was simply no evidence of negligence by our client,” said Ms. Blackwell. “The jury was able to see that, and at the end of the day, justice prevailed.”

Defendant Jereme Hsu previously settled with plaintiff Celina Cervantes for his \$100,000 policy limits, while defendants Jadah and Nandi Pointer settled with her for their \$50,000 policy limits.

About Tyson & Mendes LLP

Headquartered in San Diego with offices throughout the country, Tyson & Mendes LLP is an AV-rated litigation firm specializing in insurance defense. Firm principals Robert Tyson and Patrick Mendes, seasoned trial attorneys who collectively have a nearly 50-year background, have grown the firm to more than 130 attorneys defending corporations, insurance companies, and their clients in civil litigation matters throughout California, Arizona, Colorado, Nevada, Washington and Florida. The firm is most widely recognized for winning the landmark *Howell v. Hamilton Meats* California Supreme Court case on the “billed vs. paid” medical damages issue, which forever changed the state’s litigation landscape by significantly impacting the damages a plaintiff may recover. Visit www.tysonmendes.com.

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