

# NEW YORK'S TOP 40 VERDICTS & SETTLEMENTS IN 2012

  VERDICT
   SETTLEMENT

#	CASE	V/S	DATE	VENUE	TYPE OF ACTION	PLAINTIFFS COUNSEL	AMOUNT
1	Liberty Media Corp. v. Vivendi Universal S.A.	V	6/25/12	U.S. District Court, SDNY	Fraud: Company's deception marred swap of stock, plaintiffs claimed	Michael L. Calhoun , R. Stan Mortenson & Alexandra Walsh, Washington, DC of Baker Botts, LLP	\$956,556,000
2	Sohl v. Bassett Healthcare Network	V	10/1/12	Otsego Supreme	Failure to Detect: Three doctors overlooked myocardial infarction, suit alleged	Charlene S. Fallon, James D. Linnan, Albany, NY of Linnan & Fallon, LLP	\$144,690,039
3	Martin v. New York City Health and Hospitals Corp.	V	5/25/12	Bronx Supreme	Delayed Treatment: Unchecked allergic reaction led to quadriplegia, suit alleged	Thomas A. Moore, New York, NY of Kramer, Dillof, Livingston & Moore	\$121,000,000
4	Debes v. St. Vincent's Medical Center-Staten Island	V	8/24/12	Richmond Supreme	Failure to Detect: Docs didn't recognize pregnant woman's contractions, suit alleged	Richard J. Sgarlato, Staten Island, NY of Sgarlato & Sgarlato PLLC	\$103,075,618
5	In Re Novartis Wage and Hour Litigation	S	8/10/12	U.S. District Court, SDNY	Pharmaceutical sales reps denied overtime pay: Plaintiffs	David W. Sanford (lead), Katherine M. Kimpel, Deborah Marcuse & Grant Morris of D.C. office & Jeremy Heisler, New York, NY of Sanford Heisler, LLP	\$99,000,000
6	Bliss v. Rowland	V	1/3/12	Monroe Supreme	Assault and Battery: Nightlife altercation ended with student paralyzed	Michael R. Law, Rochester, NY of Phillips Lytle LLP	\$45,527,435
7	Kane v. Galtieri	V	2/15/12	Richmond Supreme	Intentional Torts: Man killed ex-wife to regain pension benefits, suit alleged	Warren F. van den Houten & Matthew Pavis, Staten Island, NY of Warren van den Houten, Esq.; Inga Van Eysden, New York, NY of Assistant Corporation Counsel, Michael A. Cardozo, Corporation Counsel	\$31,736,043
8	Turley v. ISG Lackawanna Inc.	V	6/12/12	U.S. District Court, WDNY	Worker claimed bosses allowed years of racist taunts	Donald B. Eppers & Ryan J. Mills, Buffalo, NY of Brown & Kelly, LLP	\$25,325,000
9	Abreu v. M & M Truck & Body Repair Inc.	V	3/1/12	Bronx Supreme	Speeding: Pedal-to-the-metal trucker toppled other truck, suit alleged	Steven Michelstein & Richard Ashman, New York, NY of Michelstein & Associates, PLLC; Gerard Lucciola, New York, NY of Rosato & Lucciola, P.C.; Robert J. Genis, Bronx, NY of Sonin & Genis, Esqs.	\$21,980,000
10	Zouaoui v. State of New York	V	7/27/12	Court of Claims, White Plains	State ignored road's recurrent icy conditions, claimant alleged	Daniel P. O'Toole, Robyn Brazzil (damages) & Nick Gjelij (liability), New York, NY of Block, O'Toole & Murphy, LLP	\$20,181,484
11	Mullings v. Ibis Yarde	S	3/2/12	Kings Supreme	Failure to Treat: Kidney stone infection ends with multiple amputations	Ira M. Newman (lead) & Edward J. Sanocki, Manhattan, NY of Sanocki, Newman & Turret, L.L.P.; Sanford A. Rubenstein, Brooklyn, NY of Rubenstein & Rynecki	\$17,900,000
12	Tesoriero v. Fisher	V	2/7/12	Suffolk Supreme	Failure to Test: Radiologist misdiagnosed cancerous tumor, plaintiff alleged	Robert V. Fallarino, Lake Success, NY of Pegalis & Erickson, L.L.C.	\$15,000,000
13	Jamindar v. Uniondale Union Free School District	S	5/10/12	Nassau Supreme	Labor Law: Worker suffers permanent loss of legs' use after 30-foot fall	Larry J. Kramer & Joshua D. Pollack, Mineola, NY of Kramer & Pollack, LLP	\$15,000,000
14	Munoz v. Hilton Hotels Corp.	V	9/11/12	New York Supreme	Elevation: Fall from ladder caused brain injury, plaintiff claimed	Joseph P. Carfora & Michael A. Rose, New York, NY of Hach & Rose, LLP	\$13,020,857
15	Wallace v. City of New York	V	5/30/12	Bronx Supreme	Tractor driver's U-turn caused crash, plaintiff claimed	William Schwitzer, New York, NY of Dinkes & Schwitzer	\$11,600,000
16	Loja v. Lavelle	V	1/27/12	Westchester Supreme	Landscaper hit by car while unloading trailer, lost leg	Jonathan Rice, Dobbs Ferry, NY of Grant and Longworth, LLP	\$11,192,399
17	Behringer v. United Cerebral Palsy Assoc. of Niagara County Inc.	V	12/18/12	Erie Supreme	Group home's resident mocked, mistreated, suit alleged	Terrence M. Connors & Joseph D. Morath, Jr., Buffalo, NY of Connors & Vilardo LLP	\$11,100,000
18	Davids v. Novartis Pharmaceuticals Corp.	V	11/2/12	U.S. District Court, EDNY	Design Defect: Drug caused osteonecrosis of jaw, plaintiff claimed	John J. Vecchione, Fairfax, VA of Valad & Vecchione, PLLC; John J. Beins, Chevy Chase, MD of Beins, Goldberg & Hennessey, LLP	\$10,450,000
29	Ordonez v. 346 West 17th Street, LLC	V	3/2/12	New York Supreme	Elevation: Worker's 20-foot fall caused injuries of head, spine	John Dalli, Mineola, NY of Dalli & Marino, L.L.P.; Howard R. Borowick, trial counsel, New York, NY of Sacks & Sacks, LLP	\$10,015,000
20	Grossman v. Mari	V	6/6/12	New York Supreme	Car crash led to seizures, OCD, plaintiff claimed	Thomas P. Giuffra, NY, NY of Rheingold, Valet, Rheingold, McCartney & Giuffra LLP; Adam D. Cahn, NY, NY of Sakkas, Cahn & Weiss, LLP	\$9,000,000
21	Mandel v. Brookler	V	5/31/12	New York Supreme	Misdiagnosis: Ignored infection traveled to pituitary gland, patient claimed	Howard G. Frederick, New York, NY of Silbowitz Garafola Silbowitz Schatz & Frederick, L.L.P.	\$8,600,000
22	Calano v. McCabe	V	1/25/12	Richmond Supreme	Assault: Alcohol fueled brawl at restaurant, plaintiff claimed	George F. Sacco, Staten Island, NY of Purcell & Ingrao, P.C.	\$8,250,400
23	Hagins v. Miller	V	10/3/12	Westchester Supreme	Negligent Treatment: Dentists broke jaw, damaged nerve, patient alleged	Christopher B. Meagher & Merryl F. Weiner, White Plains, NY of Meagher & Meagher, P.C.	\$7,663,260
24	Hagins v. Miller	S	10/3/12	Westchester Supreme	Negligent Treatment: Tooth extraction resulted in broken jaw, plaintiff claimed	Christopher B. Meagher and Merryl F. Weiner, White Plains, NY of Meagher & Meagher, P.C.	\$7,663,260
25	Araujo v. Olin Corp.	S	6/1/12	U.S. District Court, WDNY	Labor Law: Defective scaffold caused fall, brain injury, worker claimed	Kenneth J. Halperin & Philip A. Russotti, New York, NY of Wingate, Russotti, Shapiro and Halperin, LLP	\$7,250,000
26	Sieger v. Zak	V	9/24/12	Nassau Supreme	Breach of Warranty: Company's value understated in stock deal, pair claimed	Kevin Schlosser, Garden City, NY of Meyer, Suozzi, English & Klein P.C.	\$7,200,000
27	Oliver v. American Cargo Express Inc.	V	4/23/12	Bronx Supreme	Man struck by van, claimed spinal injuries will end career	Patrick J. Mullaney, Middle Village, NY of Mullaney & Gjelij, PLLC, trial counsel to Law Office of Michael T. Rldge, Bronx, NY; Mitchell Koval, Hempstead, NY of Zemsky & Salomon, P.C.	\$7,030,008

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28	Estate of Benoit v. Interfaith Medical Center	V	7/20/12	Kings Supreme	Misdiagnosis: Wrong diagnosis led to fatal surgery, suit alleged	John Bonina, Brooklyn, NY of Bonina & Bonina, P.C.	\$7,000,000
29	Russo v. Scheidt & Bachmann USA Inc.	S	6/19/12	Orange Supreme	Pedestrian: Man hit by car during aftermath of highway accident, lost leg	Scott E. Rynecki, Brooklyn, NY of Rubenstein & Rynecki	\$7,000,000
30	Reyes v. Marketing Werks Inc.	V	6/15/12	Queens Supreme	Plaintiff claimed knockdown by SUV caused brain damage	Harlan A. Wittenstein, Forest Hills, NY of Wittenstein & Associates, P.C.	\$6,721,102
31	Rivera v. Guzman	S	3/20/12	Nassau Supreme	Failure to Detect: Obstetrician, nurse overlooked fetus's hypoxia, mother claimed	Danielle George, New York, NY of Levy Phillips & Konigsberg, LLP (now at Phillips & Paolicelli, LLP, NYC)	\$6,500,000
32	Cromer v. Hank Starr Builder, LLC	V	8/1/12	Ulster Supreme	Elevation: Foot is useless since fall from ladder, painter claimed	Richard Wedinger & Laurel Wedinger, Edison, NJ of Barry, McTiernan & Wedinger	\$6,153,638
33	Vasquez v. Urbahn Associates Inc.	V	2/15/12	New York Supreme	Elevation: Building's collapse ended career, laborer claimed	Christopher J. Gorayeb, New York, NY of Gorayeb & Associates, P.C.	\$6,092,000
34	LaPera v. Gabrielli Truck Sales Ltd.	S	1/24/12	Nassau Supreme	Products Liability: Design Defect: Worker burned when truck spilled hot asphalt	David J. Dean, New York, NY of Sullivan Papain Block McGrath & Cannavo PC	\$6,000,000
35	Wlodkowski v. City of New York	S	7/16/12	Bronx Supreme	Labor Law: Bricklayer claimed he hurt spine, head in fall from ladder	Daniel P. O'Toole (lead) & Scott Occhiogrosso, New York, NY of Block, O'Toole & Murphy, LLP	\$5,900,000
36	Nielsen v. New York State Dormitory Authority	S	2/21/12	New York Supreme	Labor Law: Two-ton beam fell from crane, struck ironworker	David H. Mayer & Kenneth Sacks, New York, NY of Sacks & Sacks, LLP	\$5,700,000
37	Cassidy v. HighRise Hoisting & Scaffolding Inc.	S	2/1/12	New York Supreme	Labor Law: Fall from platform ended career, concrete specialist claimed	J.P. Delaney & Victor Greco, New York, NY of O'Dwyer & Bernstien, L.L.P.	\$5,600,000
38	Ramirez v. NYC School Construction Authority	V	12/12/12	Bronx Supreme	Elevation: Local 79 shop steward fell from ladder at Bronx high school fracturing his leg	Christopher J. Gorayeb, New York, NY of Gorayeb & Associates, P.C.	\$5,390,101
39	Oo v. Prompt Apparel Inc	S	2/15/12	Kings Supreme	Labor Law: Shocked worker fell 5 feet, sustained spinal fracture	Stanley A. Tomkiel, III, Scarsdale & Manhattan, NY of Tomkiel & Tomkiel PC	\$5,260,000
40	Gonchar v. Jimenez	S	1/17/12	Richmond Supreme	Pedestrian: Plaintiff hit by truck, sustained degloving injuries of lower body	Paul J. Edelstein & Daniel Thomas, New York, NY of The Edelsteins, Faegenburg & Brown LLP, New York, NY, trial counsel, Boris Zivotov, Esq. P.C., Brooklyn, NY	\$5,250,000