

FRIDAY TUESDAY WEDNESDAY THURSDAY **TODAY**

VERDICTS & SETTLEMENTS

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Construction Defect S \$3,500,000

For the plaintiff: San Mateo Superior
Thomas E. Miller Mediator William
Rachel M. Miller Nagel
For the defendant:
Gregory R.
Shaughnessy

RESULT DATE: Feb. 8, 2013

Park Broadway at Millbrae Homeowners Association v. Millbrae Town Plaza LP (CIV509722) 13-JV_340

FURTHER DESCRIPTION: Mixed-Use Building

SETTLEMENT: \$3,500,000

ATTORNEY Plaintiff - Thomas E. Miller, Rachel M. Miller (The Miller Law Firm, San Francisco).
Defendant - Gregory R. Shaughnessy (Law Offices of Gregory R. Shaughnessy, Tiburon).

FACTS: The Park Broadway at Millbrae Homeowners Association filed a lawsuit against Millbrae Town Plaza LP over construction defects. While completed in 2009, the 113 mixed-use building began to show signs of construction defects in 2011, prompting an investigation. Testing protocols disclosed defects causing water intrusion in the common areas, window condensation, metal corrosion, and cracking in stucco walls.

RESULT: The parties settled for \$3.5 million.

OTHER INFORMATION: The settlement achieved was mediated in less than 14 months with the assistance of San Mateo Superior Court appointed special master William Nagel, Esq.

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CONSTRUCTION • SAFETY • SLIPS/FALLS • ACCIDENT RECONSTRUCTION

<p style="text-align: center; font-weight: bold; font-size: small;">OUR PRINCIPAL</p>  <p style="font-weight: bold; font-size: small;">DR. STEPHEN C. WEXLER, PE</p> <p style="font-size: x-small;">CPE, CDE, CCS, CPMR, CVS, CMC, CBO, CSP</p> <p style="font-size: x-small;">Licensed Civil Engineer Licensed Safety Engineer Licensed General Contractor Const Mgt Trainer - US Navy Seabees</p>	<p style="text-align: center; font-weight: bold; font-size: small;">SPECIALTY GROUPS</p> <div style="border: 1px solid gray; padding: 5px; margin-bottom: 5px;"> <p style="font-weight: bold; font-size: x-small;">SAFETY ENGINEERING</p> <ul style="list-style-type: none"> • Construction Accidents/ Falls from Height • Ladders/Scaffolds/Manlifts/ Forklifts/Cranes • Consumer Products • Materials - Failure Analysis • Tools and Equipment </div> <div style="border: 1px solid gray; padding: 5px; margin-bottom: 5px;"> <p style="font-weight: bold; font-size: x-small;">PREMISES LIABILITY</p> <ul style="list-style-type: none"> • Building Code/Safety Code Violations • Stairways/Ramps/Guardrails/ Walkways • Parking Lots/Gates/Lighting • Sidewalks/Playgrounds/Safety Glass • Coefficient of Friction Testing </div> <div style="border: 1px solid gray; padding: 5px; margin-bottom: 5px;"> <p style="font-weight: bold; font-size: x-small;">ACC. RECON. - PREMISES CONSTRUCTION DEFECTS</p> </div> <div style="border: 1px solid gray; padding: 5px;"> <p style="font-weight: bold; font-size: x-small;">CONSTRUCTION DISPUTES VEHICULAR ACCIDENTS</p> </div>	<p style="text-align: center; font-weight: bold; font-size: small;">FORENSIC ENGINEER</p>  <p style="font-weight: bold; font-size: small;">ZACHARY MOORE, PE CXL</p> <p style="font-size: x-small;">Licensed Mechanical Engineer Certified XL Tribometrist - Slips/Trips Safety Engineering Accid Recon/Premises Liability</p> <p style="font-weight: bold; font-size: small;">SR. FORENSIC MGR.</p>  <p style="font-weight: bold; font-size: small;">KEN HUEY, B ARCH</p> <p style="font-size: x-small;">Safety & Construction Engineer Presentation Graphics/ Model Building Premises Liability Personal Injury</p>
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Dismissal USDC Southern

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Construction Defect

\$3,500,000 San Mateo Superior

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Consumer Protection

\$15,000,000 Circuit Court of Alabama

Consumer Protection

\$3,500,000 USDC Central

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Breach of Contract

\$48,000,000 USDC New York

Breach of Contract

\$18,925,275 L.A. Superior Central

Breach of Contract

\$3,907,000 L.A. Superior Central

Breach of Contract

\$385,000 L.A. Superior Central

Breach of Contract

Defense L.A. Superior Central

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Fair Labor Standards Act

\$2,000,000 USDC Northern

Disability Discrimination

\$473,750 L.A. Superior Central

Wrongful Termination

\$370,000 Colusa Superior

Failure to Pay

Class Certification Denied L.A. Superior Central

Discrimination

Defense Contra Costa Superior

Disability Discrimination

Equitable Settlement Fresno Superior

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Public Records Act

Motion Granted in Part Alameda Superior

Insurance**Disability Policy**

Reinstatement of Benefits USDC Central

Intellectual Property**Patent Infringement**

\$1,500,000 USDC Nevada

Copyright Infringement

Defense USDC New York

Patent Infringement

Equitable Settlement USDC Texas

Copyright Infringement

Plaintiff USDC Central

Trade Secret Misappropriation

Preliminary Injunction Granted USDC Central

Copyright Infringement

TRO Denied USDC Northern

Personal Injury**Medical Malpractice**

\$74,525,000 San Luis Obispo Superior

Auto v. Motorcycle

\$1,799,998 L.A. Superior Torrance

Auto v. Auto

\$800,000 Orange Superior

Auto v. Auto

\$400,000 L.A. Superior Glendale

Auto v. Auto

\$380,000 L.A. Superior Lancaster

Auto v. Bicycle

\$330,000 L.A. Superior San Pedro

Auto v. Auto

\$300,000 L.A. Superior Norwalk

Auto v. Auto

\$250,000 L.A. Superior Central

Auto v. Auto

\$250,000 Judicate West

Dog Bite

\$120,000 San Diego Superior Vista

Auto v. Auto

\$32,000 San Bernardino Superior

Auto v. Auto

Defense San Mateo Superior

Securities**Breach of Contract**

\$30,000,000 FINRA

Violations of Exchange Act

\$3,000,000 USDC New York

Breach of Duty

\$76,040 FINRA

Securities Fraud

\$60,000 USDC Texas

Torts**Intentional Infliction of Emotional Distress**

\$5,700,000 Orange Superior

Gross Negligence

\$300,000 L.A. Superior Chatsworth

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Defense Contra Costa Superior

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