

Representative Cases for Honorable William Sheffield

Personal Injury/Wrongful Death

Plaintiff's vehicle was "sliced in half" by a hit and run 18 wheeler killing plaintiff's two year old daughter. Defendant's claimed plaintiff had sued the "wrong defendant" (and it would offer no money) because its 18-wheeler was "no where near" the accident scene at the time. During a two day mediation defense counsel conceded the company's GPS system placed its vehicle within 10 miles of the accident scene and the GPS system allowed a margin of error of "around" 10 miles. The defense asked the mediator to review, in camera, the video deposition of the alleged offending driver and comment on his credibility. The case settled for \$1.5M.

A serious, multi-vehicle freeway accident required mediation to resolve a policy limit split among all plaintiffs. Rather than negotiate in the usual fashion, all plaintiff's counsel and clients empowered Judge Sheffield to render a binding distribution decision.

A famous Hollywood celebrity purchased a new home alleged infected with a highly virile mold. In the property only a short time the celebrity's spouse became infected requiring hospitalization. Successful settlement required knowledge of the current status of mold litigation, the admissibility of the testimony of certain mold experts under the standards announced in the Kelly/Fry decision and a creative way for the former owner to take back the property.

Plaintiff, an 83 year old woman, slipped and fell while boarding a cruise liner's in-port transit vehicle. The fall caused a fractured elbow required immediate surgery. During the surgery plaintiff contracted a staph infection. At the time of the mediation, 2 years post accident, plaintiff remained hospitalized. All agreed she would most likely never leave the hospital. In addition to settling her personality claim, the parties agreed to also negotiate a release for wrongful death. This case settled in a way amicable to all concerned, including future wrongful death heirs.

Class Action

Plaintiff's class complained of extensive wage and hour violations. Mediation resolved the class case with a settlement of \$13M.

In another class action case, plaintiff's alleged gender discrimination against a large international company in the travel business. The alleged discrimination centered around pricing differential between men and women patrons---women were charged significantly less than men. The case settled for 7 figures plus complimentary incentive packages to male members of the class.

Employment/Sexual Harrassment

Female employees of a large defense contractor alleged a “glass ceiling” separating them from company management positions due to gender. During mediation, plaintiff’s counsel produced a tape recording of a speech by a company executive that the company has been accused of being “an old boys club” and that is true and it will stay that way. The case settled for \$750,000.

Landlord/Tenant

Plaintiff’s complained defendant lender had foreclosed on its security in an apartment building becoming owner of record and by becoming legal owner defendant lender became liable for its tenants spoliation of the neighborhood surrounding the property as well as the resulting emotional distress of the neighbors. At mediation the case settled for substantial money paid to 20 plaintiffs.

Insurance/Bad Faith/ Breach of Contract

Successful mediation of this case required the mediator to carefully analysis insurance policy language applying coverage and bad faith doctrine. The issue was whether there was coverage under the policy and whether the company’s unwillingness to settle a claim within policy limits was unreasonable.

Estates/Intellectual Property

The heirs of a famous movie star disputed ownership of certain of the star’s valuable memorabilia. Successful mediation required great patience and sensitivity to the personalities on both sides of the controversy. The case settled when the disputing heirs reconciled their feelings.

Plaintiff claimed a Hollywood production company misappropriated her screenplay by making it into a movie without her permission. Successful resolution required knowledge of the dispute resolution rules of the Screen Writer’s Guild as well as principles of intellectual property ownership. The mediator was asked to view the alleged offending movie and comparing the screen version with plaintiff’s screenplay. The case settled to the satisfaction of all after two mediation sessions and the mediator expressing his views of the similarities between the two works.

Partnership Dissolution/Contracts

Plaintiff a former partner in a prominent firm claimed his entitlement to a percentage of the legal fees brought to the partnership before he was “fired” by his partners. Resolution of this case required partnership contract analysis and knowledge of the Rules of Professional Conduct---not to mention patience, tenacity and creativity in crafting a settlement compatible with the personalities of all involved.

Emotional Distress Injuries

Plaintiffs claimed defendant mortuary substituted the body of another deceased woman at the funeral of their mother due to mortuary having failed to embalm the mother. Plaintiff alleged the mortuary owner attempted to persuade plaintiff to have a “closed casket” funeral because their mother “didn’t look the same dead as alive” because she dies of cancer and cancer “has a way of changing a deceased person’s looks”. Plaintiffs insisted the casket be open but expressed their decision not to attend the viewing. After the viewing friends of plaintiff’s expressed concern to plaintiffs that “that wasn’t your mother in the casket.” Plaintiff explained that “it was mom, but just didn’t look like her because she died of cancer and cancer has a way of changing her appearance.” The friends responded “but change from Latino to black?” This case settled at mediation for a reasonable mid six-figure number.