

Representative Cases for Peter J. Searle, Esq.

Construction Defect

Homeowners' Association and individual Plaintiff's living in large condominium complex alleged numerous construction defects, hillside failure and exposure to mold. Large multi-party matter settled in 3 sessions. Involved pre-mediation coordination with all counsel and scheduled mediation time-slots for most efficient use of mediation time. Settlement: \$2.1 million.

Habitability

Plaintiff's resided in low income housing units alleged to have substandard living conditions in violation of habitability laws and standards. Defendants were series of past owners and management companies. Multiple insurers asserting various coverage issues and exclusions. Settlement terms are Confidential.

Insurance Coverage

Dispute among several insurance carriers for the same insured for equitable contribution arising from a large paid loss. Issues included time on risk allocation, primary vs. excess, stacking and other insurance clause issues. Global resolution was obtained.

Lemon Law

Plaintiff purchased motor home from dealership and found numerous deficiencies that were not adequately repaired. Litigation against manufacturer and dealership for violation of Song-Beverly Act and Consumers Legal Remedies Act. Settlement terms are Confidential.

Personal Injury – Automobile

Large chain-reaction collision accident resulting from fog conditions on highway involving over 100 Plaintiffs including wrongful deaths. Complex litigation was divided into pods of impact and insurance coverage. Multiple mediation dates occurred over a two year period of time in several cities to accommodate parties, insurers and counsel. Total resolution was achieved.

Personal Injury - Products Liability

Plaintiff suffered disfiguring injuries as a result of the failure of a glass display fixture. Multiple conflicting theories of liability among Defendants, including misuse of the product. Settlement: \$1.2. million.

Personal Injury – Longshoreman/Port of Los Angeles

Plaintiff sustained a crush injury amputation above the knee when working as a longshoreman on the waterfront moving transtainers. Parties included crane manufacture, maintenance company, terminal operator and employer that provided benefits under the Long shore Harbor Workers' Compensation Act. Settlement: \$1.4 million.

Sexual Molestation/Slander/Coverage

Minor Plaintiff was molested by teenage neighbor while babysitting. Both families lived in small community and attended the same school system. Plaintiff's guardian contended inadequate supervision and failure to disclose notice of dangerous propensities. Significant cross-issues of slanderous statements to school officials and neighbors. Major insurance coverage issues. Settlement: \$250,000.

Minor Plaintiff was molested at school. Criminal charges found against perpetrator. Significant insurance coverage exclusions regarding the intentional and criminal conduct. The matter was resolved at mediation with all terms confidential.

Wrongful Death

Construction worker with minor children killed while working at site. Construction issues included design, supervision and sequencing among general contractor and sub-contractors. Insurance issues included additional insured, primary vs. excess and contractual indemnity. Settlement: \$2.3 million.