

CONTRACT /COMMERCIAL (OTHER)

Date of Trial: 1/11/07

Sex and Age: Plaintiff: Male late 20s

Last demand before trial: \$20,000.00

Last offer before trial: \$5,000.00

Verdict: For the Defendant

Comparative Fault:

Specifics: Fractured wrist requiring plate

Date of Trial: 2/15/07

Sex and Age: Plaintiff: Female age 30

Last demand before trial: \$75,000.00

Last offer before trial: \$20,000.00

Verdict: For the Defendant

Comparative Fault:

Specifics: Plaintiff alleged Defendants were negligent in removing ice and /or snow from the parking lot at an apartment complex. Plaintiff slipped and fell causing a right leg injury and a broken foot

Date of Trial: 3/5/07

Sex and Age: N/A

Last demand before trial: no serious negotiations in this case

Last offer before trial: no serious negotiations in this case

Verdict: Jury found for the Plaintiff, however, action was time-barred by application of statutes of limitations pertaining to written/oral contracts

Jury awarded \$243,792.00 in damages

Comparative Fault:

Specifics: Breach of contract by over billing for fees. Defendant denied the allegations

Date of Trial: 3/12/07

Sex and Age: Plaintiff: Female age 38

Last demand before trial: \$45,000.00

Last offer before trial: \$10,000.00

Verdict: For Defendant-failure to meet the burden of proving entitlement to underinsured motorist benefits

Jury awarded \$4,3228.00

\$1,328.00 past medical

\$3,000.00 past pain and suffering

Comparative Fault:

Specifics: Rear End MVA, underinsured motorist claims

Date of Trial: 4/9/07

Sex and Age: N/A

Last demand before trial: \$225,000.00

Last offer before trial: \$175,000.00

Verdict: For Plaintiff \$305,364.96

\$179,108.60 Amounts failed to pay during term of contract

\$36,482.79 Interest

\$89,773.57 Equipment Obligation

Comparative Fault:

Specifics: Plaintiff claims that the Defendant made intentional misrepresentations which induced it to enter into a contract with the Defendant and that the Defendant subsequently breached the contract

Date of Trial: 4/9/07

Sex and Age: Plaintiff: Female age 47

Last demand before trial: \$20,000.00

Last offer before trial: No offer

Verdict: For the Defendant

Comparative Fault:

Specifics: Slip and fall in a handicapped locker room. Defendant has cerebral palsy and tripped on a scale causing a shoulder injury and strain

Date of Trial: 5/21/07

Sex and Age: N/A

Last demand before trial: unknown

Last offer before trial: unknown

Verdict: For Defendant

Comparative Fault:

Specifics: Plaintiff hired Defendant to provide soil testing services in connection with the construction of a new home. Plaintiff claims the Defendant did not properly perform the testing services and as a result caused damages.

Date of Trial: 7/23/07

Sex and Age: Plaintiff: Male age 61 /Defendant: Female age 30

Last demand before trial: \$250,000.00

Last offer before trial: No offer

Verdict: For the Defendant

Comparative Fault: Plaintiff 85%, Defendant 15%

Specifics: Plaintiff was a mail carrier and alleged he suffered injuries when the defendant had a bush removed in the path of the mailbox. The hole was one foot deep and concealed by dirt, rocks and debris. Plaintiff fell into the hole lost his balance and fell onto the stairs and landed on his left knee, and twisted his right knee

Date of Trial: 9/17/07

Sex and Age: Plaintiff: Male age 55

Last demand before trial: \$25,000.00

Last offer before trial: \$15,000.00

Verdict: For the Defendant

Comparative Fault:

Specifics: Plaintiff claims he was injured as a result of falling into an empty hot tub on the premises of a hotel. Cervical Spine injury w/ surgery

Date of Trial: 10/1/07

Sex and Age: N/A

Last demand before trial: unknown

Last offer before trial: unknown

Verdict: For the Plaintiff

\$51,858.00 Defendant #1 for breach of contract

\$16,000.00 Defendant #2 for tortuous interference

Comparative Fault:

Specifics: Breach of contract in damages, injunctive relief and cause of action for tortious interference with a contract. Plaintiff agreed to provide cable tv and camera monitoring to Defendant and Defendant agreed to an exclusive easement for the Plaintiff to provide services. Plaintiff alleges Defendant violated this contract by contracting with another vendor for bulk internet services.

Date of Trial: 10/15/07

Sex and Age: Plaintiff: Male age unknown

Last demand before trial: unknown

Last offer before trial: unknown

Verdict: For the Defendant \$18,791.34 awarded for work performed

Plaintiff did not prove the Defendant breached the contract, but the Defendant did not prove that Plaintiff breached contract by cancelling it.

Comparative Fault:

Specifics: Plaintiff claimed breach of contract for performance of construction services at the Plaintiff's residence by performing defective construction and refusing to complete the work under the contract, suffering damages as a result.

The defendant claims that the performance of contract was excused by the plaintiff's conduct and the plaintiffs breached the contract by refusing the defendant to complete the work and it suffered damages as a result.

Date of Trial: 2/11/08

Sex and Age: Plaintiff: Female age unknown; Male age unknown

Last demand before trial: unknown

Last offer before trial: \$7,500.00

Verdict: For the Defendant

Comparative Fault:

Specifics: The Defendant denied the Plaintiff's claim for insufficient support and alleged plaintiff misrepresented claim which violated their policy. Plaintiff filed seeking reimbursement for approximately \$50000 for loss as a result of their home being burglarized

Date of Trial: 3/31/08

Sex and Age: unknown

Last demand before trial: unknown

Last offer before trial: unknown

Verdict: For the Plaintiff in the amount of \$47,575,681.40

Comparative Fault:

Specifics: Class action suit that the demutualization proceeds are the property of the Plaintiff and the class

Date of Trial: 4/21/08

Sex and Age: Plaintiff: Male age 58; Female age 48

Last demand before trial: \$65,800.00

Last offer before trial: \$0.00

Verdict: For the Defendant

Comparative Fault:

Specifics: Plaintiffs were seeking payment of property insurance benefits for damages resulted from a fire in their home. The defendants claim that the plaintiff made material misrepresentations during the investigation and the plaintiffs intentionally caused the damages by setting the fire themselves

Date of Trial: 10/13/08

Sex and Age: N/A

Last demand before trial: Full amount of claim \$150,000.00 (approx)

Last offer before trial: \$0.00

Verdict: For the Defendant

Comparative Fault:

Specifics: Breach of contract claim in that the Plaintiff claims the Defendant failed to perform work in a good and workmanlike manner and IAW industry standards and causing the work to be corrected. The Defendant poured concrete slab foundation without installing expansion joints.

Date of Trial: 1/26/09

Sex and Age: Plaintiff: Male age 48/Defendant: Male age unknown

Last demand before trial: \$25,000.00

Last offer before trial: \$5,000.0

Verdict: For the Plaintiff \$5,700.00 in recovery

Comparative Fault:

Specifics: EBAY sale of vehicle, plaintiff claimed misrepresentation of condition and breach of contract

Date of Trial: 8/24/09

Sex and Age: Plaintiff: Male age unknown

Last demand before trial: \$45-48,000.00

Last offer before trial: \$15,000.00

Verdict: For the Defendant

Comparative Fault:

Specifics: Civil action over the lease of a Mercedes that the Plaintiff alleged had numerous malfunctions with the transmission. Plaintiff alleged that the car did not conform to the warranty-Lemon Law

Date of Trial: 8/31/09

Sex and Age: N/A

Last demand before trial: unknown

Last offer before trial: Offer to confess \$214,204.27

Verdict: For the Plaintiff \$177,578.38

Comparative Fault:

Specifics:

Date of Trial: 11/16/09

Sex and Age: Plaintiff: Female age 55

Last demand before trial: \$600,000.00

Last offer before trial: \$100,000.00

Verdict: For the Plaintiff \$1,000,000.00

Comparative Fault:

Specifics: Deceased and two other employees died due to a fall from a communications tower. Plaintiff alleges that the Defendant refused to defend or indemnify the Plaintiff as the executor of the estate therefore breaching their fiduciary duty. The Defendant claims they analyzed the claims of the other employees that died and in light of the insurance policy held by the deceased, they determined that the policy provided no coverage for the claims, therefore it had no duty to defend.

Date of Trial: 2/8/10

Sex and Age: Plaintiff: Male age 39

Last demand before trial: \$35,000.00

Last offer before trial: \$20,000.00

Verdict: For the Plaintiff \$19,883.88

Comparative Fault:

Specifics: Breach of implied warranty of workmanlike construction. Repairs included: settlement cracks through original drywall repair, scratches on cabinets and door jams, drywall repair, adjustments needed for doors, repair and repainting on walls, water damage, insulation needed, and drainage related issues.

Date of Trial: 4/19/10

Sex and Age: N/A

Last demand before trial: N/A

Last offer before trial: N/A

Verdict: For the Defendant-no damages awarded

Comparative Fault:

Specifics: This was a suit by tenants against the landlord for fraud and breach of contract. The tenants alleged that the landlord misled them to believe that they were renting more space than they actually were and since the rent was by the square foot they were entitled to damages for paying more than they should have.

Date of Trial: 4/19/10

Sex and Age: Plaintiffs: Female age 29; Female age unknown; Male age 56

Last demand before trial: \$190,000.00

Last offer before trial: No offer

Verdict: For the Defendant

Comparative Fault:

Specifics: Plaintiff alleged that the Defendant was negligent in the approving and engineering of a design plan for the construction of a storm water runoff system in conjunction with the development of the property on which the Plaintiffs houses were located.

Date of Trial: 4/19/10

Sex and Age: Plaintiffs: Male age 60, Female age 56

Last demand before trial: \$85,000.00

Last offer before trial: \$20,000.00

Verdict: For the Plaintiff \$58,000.00 in damages

Comparative Fault:

Specifics: Breach of contract between the parties regarding the construction of a townhome by not building the townhome in a good and workmanlike manner. Defendant denies the allegations of the Plaintiff and claim the breach was excused because of the actions of the Plaintiffs.

Date of Trial: 11/1/10

Sex and Age: N/A

Last demand before trial: \$100,000.00 and go out of business for one year

Last offer before trial: No offer

Verdict: For the Plaintiff \$162,500.00

\$32,500.00 Franchise fees

\$130,000.00 Lost profit

Comparative Fault:

Specifics: Alleged loss of franchise fees; loss of profits; and prayer for injunction

Date of Trial: 12/6/10

Sex and Age: Plaintiff: Male age 50

Last demand before trial: unknown

Last offer before trial: \$50,000.00

Verdict: For the Plaintiff \$50,000.00

Comparative Fault:

Specifics: Stock purchase/trading involving alleged Fraud, breach of contract, Blue Sky law

Date of Trial: 2/7/11

Sex and Age: Plaintiff: Male age 50/ Defendant: N/A

Last demand before trial: no demand

Last offer before trial: no offer

Verdict: For the Defendant

Comparative Fault:

Specifics: Case arose out of a fire at the Plaintiff's residence. Plaintiff contends the Defendant breached his insurance contract by denying his claim for benefits. Defendant denied the allegations and claimed the policy was void because the Plaintiff intentionally set fire to the structure and misrepresented the facts.



Date of Trial: 10/10/11

Sex and Age: Plaintiff: Female age 30/ Defendant: N/A

Last demand before trial: No demand

Last offer before trial: \$10,000.00

Verdict: For the Plaintiff

Jury awarded breach of contract, failure to disclose with damages of \$66,500.00

Comparative Fault:

Specifics: Plaintiff alleged that the Defendants deliberately concealed material defects such as location of a septic tank, plumbing problems, mold and settling physical problems such as settling, flooding, drainage and grading problems.

Date of Trial: 10/17/11

Sex and Age: Plaintiff: N/A / Defendant: N/A

Last demand before trial: no demand

Last offer before trial: no offer

Verdict: For the Defendant

Comparative Fault:

Specifics: Plaintiff alleges an agreement with the Defendant for rental of a recording studio and an engineer to provide services. Defendant claimed that the label in which he signed was responsible for the payment of the services.

Date of Trial: 10/24/11

Sex and Age: Plaintiff: N/A / Defendant: N/A

Last demand before trial: \$270,000.00

Last offer before trial: \$150,000.00

Verdict: For the Plaintiff in the amount of \$325,000.00 in damages

Comparative Fault:

Specifics: Plaintiff and Defendant had entered into an oral contract which specified that should the contract be terminated that Defendant was to pay the Plaintiff sales commissions that it would otherwise be entitled to for 18 months. Upon termination of the contract, the Defendant refused to pay.

Date of Trial: 11/28/11

Sex and Age: Plaintiff: Estate / Defendant: N/A

Last demand before trial: \$400,000.00

Last offer before trial: \$100,000.00

Verdict: For the Defendant

Comparative Fault:

Specifics: Breach of contract/misrepresentation- Defendants were administrators of an elderly man's estate. Financial injuries were main complaint, but physical injuries were also alleged

Date of Trial: 1/9/12

Sex and Age: Plaintiff: Male age 38

Last demand before trial: Consent Judgment \$125,000.00

Last offer before trial: None

Verdict: For the Plaintiff on Unjust Enrichment only

Damages in the amount of \$47,500.00

Comparative Fault:

Specifics: Breach of contract/Unjust enrichment case with a \$95,000.00 application fee in dispute

Date of Trial: 1/9/12

Sex and Age: Plaintiff: N/A / Defendant: N/A

Last demand before trial: \$700,000.00

Last offer before trial: \$10,000.00

Verdict: For the Defendant

Comparative Fault:

Specifics: Breach of Contract, Fiduciary Duty, Conversion over the management of a bar

Date of Trial: 6/25/12

Sex and Age: N/A

Last demand before trial: Unknown

Last offer before trial: Unknown

Verdict: For the Plaintiff in the amount of \$104,299.00

Past lost contract payments: \$34,300.00

Future lost contract payments: \$69,999.00

Comparative Fault:

Specifics: Breach of contract involving services provided by the Plaintiff to the Defendant.

Date of Trial: 9/10/12

Sex and Age: N/A

Last demand before trial: Unknown

Last offer before trial: Unknown

Verdict: For the Plaintiff

Damages: \$113,343.00

Comparative Fault:

Specifics: Breach of Contract claim where the Plaintiff suggested that the Defendant owes them money for services provided prior to the termination of their agreement and also alleges Defendant made entries into their computer system that mistakenly generated funds for the Defendant

Date of Trial: 2/18/13

Sex and Age: N/A

Last demand before trial: No demand

Last offer before trial: No offer

Verdict: For the Defendant

Comparative Fault:

Specifics: Rent in the amount of \$268,442.00

Date of Trial: 4/15/13

Sex and Age: N/A

Last demand before trial: \$112,471.55

Last offer before trial: No offer

Verdict: For the Defendant

Comparative Fault:

Specifics: Breach of Contract and damages. Jury found that that the Plaintiff and Defendant did not enter into an oral contract. Plaintiff alleged that the Defendant orally requested the use of a wood grinder and in return the Defendant would perform services on the Plaintiff's property, which Plaintiff says were never rendered.

Date of Trial: 5/20/13

Sex and Age: N/A

Last demand before trial: \$100,000.00

Last offer before trial: \$2,500.00 to confess

Verdict: For the Defendant

Comparative Fault:

Specifics: Defendant was hired to install a heating/cooling system-froze pipes which burst causing damage. Plaintiff said Defendant did not wire it properly. Defendant said that Plaintiff re-wired it.

Date of Trial: 6/10/13

Sex and Age: M: 32 / Ø

Last demand before trial: none

Last offer before trial: none

Verdict: for Deft

Comparative Fault:

Specifics: property damages: Jury found for defendant on its affirmative defense of “concealment, misrepresentation, or fraud”

Date of Trial: 2/25/13

Sex and Age: Plaintiff: female 47 / Defendant: Ø

Last demand before trial: \$79,000

Last offer before trial: \$40,000

Verdict: \$50,000

Comparative Fault:

Specifics: fractured sternum, chest pain

Date of Trial:

Sex and Age:

Last demand before trial:

Last offer before trial:

Verdict:

Comparative Fault:

Specifics: