

Verdicts & Settlements

RESULT DATE: Feb. 25, 2019

Frank Darmiento v. Oscar Meza, et al. (BC613727)

Los Angeles County Superior Court

19-JV_131468

TOPIC: Personal Injury

SUB TOPIC: Battery

FURTHER DESCRIPTION: Intentional Infliction of Emotional Distress

Bench Decision: \$750,000

JUDGE:

Yolanda Orozco

ATTORNEYS:

Plaintiff:

Steven H. Haney (Haney & Young LLP)

Defendant:

Judith J. Steffy (Lewis, Brisbois, Bisgaard & Smith LLP)

FACTS: Plaintiff Frank Darmiento was at the Bootsey Bellows nightclub with his girlfriend and friends. He was approached by defendant Oscar Meza and an altercation ensued.

Plaintiff sued Meza, the nightclub, and Aegis Security. Bootsey and Aegis settled out before trial.

Meza filed a cross complaint against Darmiento.

PLAINTIFF'S CONTENTIONS: Plaintiff contended that Meza took his cocktail glass and smashed it into Darmiento's face, with the glass shattering and opening up a 7-inch wound. Plaintiff claimed defendant maliciously battered Darmiento without provocation or excuse.

Plaintiff asserted causes of action against Meza for battery, intentional infliction of emotional distress. Plaintiff also asserted causes of action against the nightclub, Bootsey Bellows for premises liability, and Aegis Security for negligent security.

Meza was later convicted of a felony for the incident.

DEFENDANT'S CONTENTIONS: Defendant Meza claimed he acted in self-defense.

MEDICAL COSTS: Meds: \$44,000

FUTURE MEDICAL_COSTS: Future Meds: \$44,000

INJURIES: Darmiento was treated at Cedars Sinai. He suffered permanent facial scarring and numbness in his face from nerve damage.

DAMAGES: Plaintiff sought \$44,000 in medical and plastic surgery bills, plus general and punitive damages.

RESULT: The jury found for the plaintiff and awarded a verdict in the amount of \$750,000, which included \$650,000 in compensatory damages and \$100,000 in punitive damages.

FILING DATE: Mar. 15, 2016