

DONAHOO & ASSOCIATES
ATTORNEYS

440 W. First Street, Suite 101
Tustin, California 92780
Telephone (714) 953-1010
Facsimile (714) 953-1777

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FOR IMMEDIATE RELEASE

**Jury Finds County of Orange Shares Liability in Crosswalk Death,
Awards \$ 7.4 Million**

A jury on Friday awarded over \$7.4 million to a mother who was seriously injured and whose 3-year old daughter was killed in a 2012 pedestrian accident in an Orange County school crosswalk. The jury found the driver, Carlos Parra, 20, negligent in the accident, but also found the County of Orange shared 20% of the liability because of the dangerous condition of the crosswalk. The plaintiff was represented at trial by Richard E. Donahoo and Judith Camilleri of Donahoo & Associates.

The accident occurred at dusk on February 8, 2012 when Lady Hernandez was crossing Gilbert Street in Anaheim at Guinida Lane, with her daughter Miranda Palacios, age 3, in a stroller. Gilbert Street, located in an unincorporated County area in Anaheim, is adjacent to Salk Elementary School and Magnolia High School. Carlos Parra, a student heading to night class at Everest College, was traveling northbound on Gilbert Street and failed to yield for the pedestrian, striking mother and daughter. Parra failed to stop and was later arrested for alleged hit-and-run and is awaiting trial on the criminal charges.

The jury found Mr. Parra 75% liable and the County 20% liable. The remaining 5% of responsibility was assessed against Ms. Hernandez for comparative fault.

“Because of the jury’s verdict, Ms. Hernandez will now be able to get the long term care and treatment that she needs,” said Richard E. Donahoo, attorney for Lady Hernandez. “The jury closely examined the conditions at this school crossing and agreed that the County shared responsibility. The crossing was not

properly signed or marked and the jury found the dangerous condition was a substantial factor in the collision.”

Expert testimony established that speed was not a factor, according to Donahoo. Parra testified he failed to see the pedestrian or the crosswalk in the darkened conditions. Experts agreed the evidence was that Parra did not see the pedestrian.

Immediately following the accident, the County made major improvements to the intersection. The County re-paved the intersection, re-painted the crosswalk, installed additional street lighting, installed warning signs and an in-pavement flashing system.

“We were pleased to see the County take these steps to improve the crossing, but they should have been done sooner,” said Donahoo. “This school crossing across this busy roadway needed these enhancements years ago.”

The County will likely be responsible for approximately \$3 million of the expected judgment, according to Donahoo.

The County was represented by Daniel R. Sullivan and Brian Williams of Sullivan, Ballogg & Williams, LLP.

Case Name and Number:

Lady Hernandez v. County of Orange, Carlos Parra

Orange County Superior Court Case No. 30-2012-00599326

Dept C23, Hon. Frederick P. Aguirre, presiding.

For Further Information Contact:

Plaintiff- Richard E. Donahoo, Donahoo & Associates, attorneys for Lady Hernandez. (714) 955-5815, or (949) 412-9873 (cell).

Email: rdonahoo@donahoo.com