

FIRM OBTAINS \$26 MILLION DOLLAR PRODUCT LIABILITY VERDICT

Our automobile product liability team, including Rich Schoenberger, Andrew McDevitt, Matthew Davis and Ian Head obtained a \$26,300,000 jury verdict in Orange County Superior Court in September for a 26-year-old Utah man who was paralyzed when a Yamaha YXZ1000R rolled over. During the rollover, the vehicle's ROPS (Rollover Protection System) collapsed into the passenger compartment. Our client was the seventh victim to file a lawsuit after suffering paralyzing injuries during a forward rollover and roof failure of this model vehicle. This was the first case to go to trial.

In trial, Yamaha vigorously denied any defect and instead blamed the driver for driving "blind" in the sand dune park.



Utilizing nationally recognized experts, the team showed how the collapsing roof structure was responsible for our client's spinal cord injuries. The team repeatedly overcame a relentless parade of defense

witnesses retained to deflect the truth and refute causation.

The jury found 9-3 that the YXZ1000R model's risks outweighed any benefits of its design. The jury apportioned 75% liability to Yamaha and 25% to our client's uncle, who was driving. The verdict included \$10,000,000 for non-economic losses, \$2,390,000 for lost earnings, and \$13,950,000 for past and future medical expenses.

The verdict ensures our client's lifelong care needs are met, while bringing public awareness to this preventable defect. It sheds light on the manufacturer's negligence and will hopefully prompt remedial action by Yamaha to retrofit the thousands of defective vehicles that remain in use by consumers unaware of its hazards. ▲

Uber Files Initiative to Benefit Itself, Insurers and Corporate Defendants

On October 3, 2025, Uber filed a deceptively written initiative, characterizing it as a limit on attorney fees. In fact, the initiative has a more sinister aim: the elimination of civil court access to recover for automobile accident victims.

Titled as the "Protecting Automobile Accident Victims from Attorney Self-Dealing Act," the initiative will be placed on the November 2026 California ballot. As written, it would amend the California Constitution. If passed, it will make it nearly impossible for most injured Californians to obtain legal representation after a car crash.

The proposition imposes artificial ratios for

distribution of recovery from insurers and corporations and ignores responsibility to pay federally mandated Medicare, ERISA and Medicaid liens. The constitutional amendment also restricts a victim's recovery of both incurred and future medical expenses to 125% of Medicare reimbursement rates. This means that victims who owe full-price bills to doctors, hospitals or therapists will only recover a fraction of what they actually owe, leaving them in debt even after winning their case.

By requiring that an injured plaintiff receive 75% of the total amount recovered exclusive of liens and costs, contingent fee representation is

rendered economically impossible. For seriously injured victims, an attorney is essential to level the playing field, gather evidence, prove liability, interpret insurance policies, calculate the true value of claims, and negotiate with insurers, defense attorneys and corporate defendants. Competent counsel overcomes insurance companies' resources and tactics, making meaningful recovery possible. Left unrepresented, victims are certain to be under-compensated, lining the pockets of wrongdoers.

Three competing initiatives have also been filed by CAOC. For additional information voters can learn more at www.CAOC.org. ▲

TESLA'S DANGEROUS FIRE RISK SPARKS LAWSUIT

Our product liability team has filed suit in Alameda County Superior Court on behalf of a Northern California family whose son was killed when a Tesla Cybertruck crashed and caught fire. The lawsuit describes how the truck's electronic door systems trapped the occupants inside the burning vehicle.

The Cybertruck's doors rely on electronic touch pads instead of mechanical handles. When the vehicle loses power, the doors lock automatically. The manual release cable is hidden near the floor and is not obvious in smoke and flames. Other similar lawsuits nationwide claim Tesla's power-dependent door systems turn survivable crashes into fatal events once the batteries ignite. The design leaves occupants unable to escape when power is lost.

Tesla denies any defect and blames owners and operators. The complaint alleges that manufacturers must design vehicles



that allow escape after a collision. The suit seeks damages and calls for Tesla to redesign its door systems to meet fire-safety standards. As lawsuits continue to expose the risks linked to Tesla's doors, Walkup remains committed to holding manufacturers accountable and ensuring innovation never comes at the expense of safety. ▲

Paraquat Settlement Talks Advance Toward Global Resolution

Settlement negotiations in the *Paraquat Products Liability Litigation (MDL 3004)* are approaching completion. Serving as Co-Lead Counsel, Walkup partner Khaldoun Baghdadi, along with other members of the plaintiffs' leadership team, is working on a settlement with Syngenta and Chevron in the national MDL.

Chief Judge Nancy J. Rosenstengel has stayed all MDL deadlines to allow the parties to complete claim-review protocols, funding structures, and payment procedures. Currently, 6,445 cases remain pending in the federal MDL. While the defendants deny liability and dispute any causal link between Paraquat and Parkinson's disease, the plaintiffs' leadership remains focused on reaching a comprehensive resolution.

The firm's involvement in the Paraquat litigation began well before the MDL was established. In 2023, Michael A. Kelly and Khaldoun Baghdadi filed some of California's first



Paraquat cases, alleging the manufacturers failed to warn users of the chemical's neurological risks. Those filings helped shape the liability and causation theories now central to the MDL.

As settlement discussions progress, Walkup, Melodia, Kelly & Schoenberger remains dedicated to securing a fair, comprehensive resolution for those whose health and livelihoods were harmed by Paraquat exposure. ▲

Walkup Hosts Third Annual Thanksgiving Turkey Giveaway

Walkup, Melodia, Kelly & Schoenberger hosted its third annual Thanksgiving Turkey Giveaway in November at San Francisco's Lowell High School. The Walkup team was joined by Lowell students to support San Francisco families facing food insecurity. Volunteers distributed seven hundred turkeys and holiday meal gift certificates to local community members in need.

Doris Cheng, Walkup shareholder and proud Lowell alum, joined the volunteers in handing out meals and greeting families. "This event is always one of the most meaningful moments of our year," said Walkup shareholder Valerie Rose. "Giving back is at the heart of who we are as a firm, and we are grateful for the chance to support our community and make the holiday season a little brighter for local families."



Walkup made a five-thousand-dollar donation to Lowell High School student programming in recognition of its commitment to service. The firm is grateful to the students, staff, and volunteers who helped make the event a success and looks forward to continuing this holiday tradition for many years to come. ▲



DORIS CHENG FEATURED ON COVER OF SUPER LAWYERS MAGAZINE

Walkup is proud to recognize shareholder Doris Cheng's selection for the cover feature of the 2025 Super Lawyers Magazine. From her days helping her immigrant mother clean homes, Doris has carried a belief that the law exists to protect everyone's rights. That conviction guides all aspects of her work.

During her career, Doris has obtained multimillion-dollar verdicts, arbitration awards, and settlements for clients harmed by defective products, medical negligence, and more. "I've had a front-row seat to a million ways people can get hurt, and that perspective drives me every day," she says.

Her influence extends beyond the courtroom. As President of the Bar Association of San Francisco, she launched mentoring circles and leadership workshops for women and attorneys of color. As President of SFTLA, she expanded continuing-education programs for young lawyers. As Director of the Intensive Advocacy Program at the University of SF School of Law, she guides students through trial simulations, storytelling, and courtroom preparation.

Nationally, Doris serves as First Vice President of the American Board of Trial Advocates and will assume its presidency in 2027, working to defend the Seventh Amendment and mentor future trial lawyers. ▲

CONOR KELLY ELECTED TO MEMBERSHIP IN ABOTA AND ISOB

The firm is excited to announce that shareholder Conor M. Kelly has earned election to the American Board of Trial Advocates and the International Society of Barristers. Selection by both associations recognizes his skill in the courtroom, integrity in advocacy, and dedication to preserving the civil jury trial.

Conor is the sixteenth Walkup attorney invited to join ABOTA, a record no other Northern California law firm can match. Six Walkup lawyers have served as San Francisco Chapter President. ABOTA membership is reserved for counsel who have demonstrated excellence in jury trial advocacy, civility in the profession, and integrity in dealings with opposing counsel.

Conor's selection to the International Society of Barristers places him among a select group of attorneys worldwide. He will be formally inducted at the Society's annual meeting in 2026.

Since joining Walkup, Conor has built a reputation for outstanding results. His



verdicts include \$38.6 million for a young man rendered quadriplegic by medical negligence, \$5.4 million for a man struck by a SuperShuttle van, and \$3 million for a tenant's death in an electrical fire.

A San Francisco native, Conor earned his undergraduate degree at Cornell and his law degree from UC Law San Francisco. ▲

Doug Saeltzer Assumes Presidency of Consumer Attorneys of CA

Douglas S. Saeltzer was sworn in as President of the Consumer Attorneys of California at the CAOC Annual Convention on November 15, 2025. He now leads the state's foremost plaintiffs' bar organization, representing thousands of attorneys dedicated to preserving access to justice and the right to a jury trial.

Doug's election reflects a career defined by courtroom excellence, mentorship, and advocacy. Since joining Walkup in 1998, he has secured more than \$250 million in verdicts and settlements across catastrophic injury, defective product, premises



liability, industrial accident, and wrongful death cases. His work has earned multiple seven- and eight-figure verdicts, including the 2011 case that brought him the San Francisco Trial Lawyers Association's "Trial Lawyer of the Year" award.

A graduate of UC Law San Francisco, Doug began his career as a U.S. Army JAG officer with the 82nd Airborne Division, an experience that instilled his disciplined trial preparation and belief in the power of credibility. For two decades, he has also taught Practical Civil Litigation at UC Law SF. ▲

WALKUPDATES

Rich Schoenberger was recently featured on Monty McIntyre's *Trial Alchemy* podcast, where top ABOTA trial lawyers discuss what works before a jury. He also co-chaired the inaugural ABOTA National Trial College at Northwestern Law in Chicago for experienced trial lawyers. Next year, he will chair the National ABOTA Trial College program for attorneys with limited or no trial experience... **Joseph Nicholson** appeared on the Rick Jervis and Jeff Pearlman podcast to discuss resolving the Reggie Payne wrongful death case against the City of Sacramento, in which he served as lead counsel, helping secure justice after years of litigation. He continues to serve as the editor of SFTLA's quarterly publication *The Trial Lawyer* and was named a Best Lawyers: Ones to Watch honoree for 2026... **Cliff Smoot** gave a presentation at the Consumer Attorneys of California's Spring Seminar entitled "Success in the Second Chair." Cliff continues to serve on the Board of Governors for the Alumni Association of UC Law SF, the Board of the San Mateo County Trial Lawyers Association, and the Board of the Miracle League of SF Peninsula, which organizes adaptive baseball for people with disabilities... **Spencer Pahlke** completed an East Coast Plaintiff's Law Association tour in the fall, attending and hosting events at Georgetown, William & Mary, the University of Virginia, Cornell University, Harvard University, and Columbia University. Spencer has spearheaded Walkup's sup-

port of law student programs designed to introduce students to plaintiffs' practice... **Tina Glezakos** led a family pilgrimage to Greece to honor her father, whose roots are in the Mani Peninsula of the Peloponnese. Tina says the crystal-blue rock beaches are still undiscovered by tourists. She also continues to volunteer as a Patient Escort at Planned Parenthood in San Francisco... **Andrew McDevitt's** oldest daughter Madison turned 11 and is now a student at Kent Middle School. Andrew gave a CLE presentation at the Attorneys Information Exchange Group's (AIEG) Fall Seminar in Boston on lessons learned in his recent trial victory against Yamaha and tips on prosecuting cases involving side-by-side recreational vehicles... **Kelly Ganci** and her husband Ryan were recently married in San Luis Obispo surrounded by family and friends. The happy couple are



Kelly and Ryan on their wedding day in San Luis Obispo

pictured below. Kelly continues to serve on the adjunct faculty at UC Law SF... **Christian Jagusch** was recently published in the *Daily Journal* and spoke at Grand Rounds at Providence St. Joseph Hospital in Orange, presenting on the topic of "Emergency Medicine, Critical Care & Hospitalist Malpractice: Spotting Recurring Issues"... **Douglas S. Saeltzer**, Walkup shareholder and veteran trial lawyer, assumed the role of President of the Consumer Attorneys of California at the 76th Annual Installation & Awards Dinner... In addition to the California bar, **Ian Head** was admitted to the Hawaii bar in July 2025 and will be taking the Nevada bar exam in February. In August of this year, he will say "I do" in Sausalito. Ian also attended a NITA deposition program and a Trial School Symposium earlier in the year... **Doris Cheng** presented at the Federal Bar Association program: "Trial Tips from Top Women Litigators," moderated and directed by Northern District Court Judge Yvonne Gonzalez Rogers. She was also a speaker with Central District Court Judge Michelle Court on "The Rutter Group California Practice Guide: Personal Injury."... **Amalie Yach** and **Elise Gorberg**, our Civil Justice Fellows, were both admitted to the California Bar... **Khalidoun Baghdadi** was featured on the *Raising the Bar with RebuttalPR* podcast, discussing the discipline, mindset, and meaning behind trial advocacy and the role of preparation in the courtroom... **Lily Connors** has begun a new chapter, retiring from her role as a dedicated legal assistant after nearly two decades with the Walkup team. ▲

Mike Kelly Celebrates Publication of The Emerald Bench at the USSC

Mike Kelly was in attendance for a special gathering at the United States Supreme Court to celebrate the launch of *The Emerald Bench*, a newly released hardcover book chronicling the lives of the 25 U.S. Supreme Court Justices of Irish ancestry.

As a member of the board of the Irish American Judicial Institute, which sponsored and funded the publication of the book, Mike was acknowledged at the

event for his help raising the funds needed to produce this extraordinary tribute. The event brought together distinguished members of both the American and Irish judiciaries, including Justice Brett Kavanaugh. The Irish Ambassador to the United States was present as well.



The evening featured remarks by author Sean Meehan, tracing the history of five members of the Supreme Court, illustrating the influence of Irish immigrants on the evolution of the American legal system.

The Emerald Bench is on Amazon and is also available through the U.S. Supreme Court Historical Society. ▲

Kelly Ganci and Tina Glezakos Join UC Law SF Faculty

Tina M. Glezakos and Kelly Ganci returned to UC Law SF in the fall as faculty members teaching Legal Research and Writing I. The course introduces first-year students to writing like practicing attorneys. Kelly, a proud UC Law SF alumna, sees this as a way to honor the mentors who shaped her career. "They gave me so much. Teaching allows me to give back in the place that had such a big impact on me," she explained. She also views the classroom as a place to keep growing as both a writer and a researcher. For Tina, whose family background in education



inspired her interest in teaching, this step is a natural extension of her two decades in practice. "I'm excited to work with students and to see the law through their eyes. This experience lets me grow as an attorney by sharing how we research and write as real practitioners," she said.

Please join us in congratulating Tina and Kelly on this new chapter. Their return to UC Law SF strengthens the firm's bridge between academia and practice and is another example of our commitment to mentoring the next generation of trial lawyers. ▲

Giving Back Together: Walkup in the Community

Each month, twenty-five members of the Walkup team roll up their sleeves to prepare five hundred sandwiches for Bay Area neighbors in need through our ongoing partnership with the GLIDE Foundation. The organization works tirelessly to provide meals and essential services to local families experiencing poverty and homelessness.

What began as a simple volunteer effort

has grown into a meaningful monthly tradition that brings attorneys and staff together in service to our community. Since the program began in January 2024, the firm has made and donated more than 11,000 sandwiches and 15,400 bags of chips.

From supporting food security to championing access to justice, Walkup remains committed to giving back throughout the year. ▲



MEET OUR 2024 - 2025 CIVIL JUSTICE FELLOWS

Walkup, Melodia, Kelly & Schoenberger is pleased to welcome Amalie Yach and Elise Gorberg as the newest members of the firm's Civil Justice Fellowship program. The daughter of Navy veterans, Amalie spent much of her childhood moving from duty station to duty station. She earned her undergraduate degree in political science at UCLA, graduating summa cum laude. She went on to earn her J.D. magna cum laude from UC Law San Francisco, where she was inducted into the Thurston Society for academic excellence. During law school, Amalie served as a teaching assistant in torts, worked as a research assistant on vaccine regulation and liability issues, and was a member of the UC Law trial team.

Amalie has remained closely connected to UC Law, coaching the trial team while beginning her career in plaintiffs'



practice. She is passionate about securing justice for clients who have been wrongfully injured and about making consumer products safer by holding negligent corporations accountable. Now a resident of San Francisco's Russian Hill neighborhood, she enjoys hiking and camping, trying new restaurants, traveling with family, and relaxing with friends over reality TV.

An East Bay native who spent much of her childhood in New Jersey, Elise completed

her undergraduate studies at Boston University, where she was a Division I athlete before earning her J.D. from the University of San Francisco School of Law. During law school, Elise co-founded a student-led Street Law program connecting middle and high school students with civics education, helping young people understand their rights.

Before law school, Elise worked for a nonprofit in San Francisco's Tenderloin District, advocating for small businesses and low-income residents. That experience deepened her interest in plaintiffs' practice and continues to guide her work at Walkup. Outside of work, Elise enjoys running, road biking, camping, and going to live music shows whenever she can.

We are proud to have Amalie and Elise join the Fellowship program and look forward to their contributions to the representation of our clients. ▲

RECENT CASES

TRUCKING LIABILITY



Family v. Commercial Trucker

In [Family v. Commercial Trucker](#) (Confidential venue), Doris Cheng and Katherine Connolly secured a \$25,500,000 settlement for the family of a man killed when his vehicle was struck head-on by a big rig. The team alleged that the trucking company was negligent in hiring the driver who had a prior accident history. The company claimed the driver was an independent contractor and that it had no duty to investigate. Doris and Katherine countered that the trucking company was a de facto motor carrier exercising control over its contracted drivers. The matter was resolved after multiple mediations.

Heirs v. State of California

In [Heirs v. State of California](#) (San Bernardino Co. Sup. Ct.), Khaldoun A. Baghdadi and Jeffrey A. Clause secured a \$4,500,000 settlement for the family of a 63-year-old Caltrans worker killed while performing traffic control on I-15. The decedent was struck and fatally injured after CHP officers failed to properly secure the accident scene while cones were being retrieved. CHP policy required protective vehicles, flares, and safety corridors, but none were deployed, leaving the decedent exposed in the travel lane. The State sought unsuccessfully to shift blame to the deceased worker and the striking vehicle driver under principles of comparative fault.

RIDESHARE LIABILITY



Retirees v. Rideshare Company

In [Retirees v. Rideshare Company](#) (Bay Area Sup. Ct.), the Walkup rideshare collision team obtained a \$1,080,000 settlement on behalf of a retired husband and wife injured while riding to the airport. The collision occurred when their driver failed to yield while making a right turn and was struck by an oncoming sedan. Both clients were properly restrained. The wife sustained a fractured pelvis and prolonged post-concussive symptoms. The husband suffered nine fractured ribs and a sternal fracture. Both were hospitalized. The team overcame \$200,000 in Medicare and private liens, which were successfully reduced.

Rider v. Rideshare Company

In [Rider v. Rideshare Company](#) (Bay Area Sup. Ct.), Douglas Saeltzer and Conor Kelly secured a \$1,850,000 recovery for a 25-year-old student struck by a rideshare driver while on his scooter. The driver ran a red light at high speed, causing our client serious orthopedic injuries and post-concussive syndrome, requiring multiple surgeries. He was also diagnosed with PTSD. The defense disputed liability, claiming comparative fault. The Walkup team overcame these defenses using traffic video, eyewitness testimony, and expert testimony documenting long-term orthopedic and psychological harm. The case settled after the full scope of loss was documented in discovery.

SEXUAL ABUSE



Student v. Private School

In [Student v. Private School](#) (Confidential venue), Doris Cheng and Matthew Davis obtained an eight-figure confidential settlement against a private school for a former student who was abused by a faculty member. Our team alleged that school administrators failed to comply with California's mandatory reporting laws when they knew or should have known of the abuse. The case sought recovery for intentional infliction of emotional distress in addition to physical harm. The defendant school sought to defer blame to the abusive faculty member without success. A mediated resolution came after years of discovery, extensive motion practice, and multiple mediations with two different mediators.

CYCLING INJURIES



Cyclist v. Property Owner

In [Cyclist v. Property Owner](#) (Marin Co. Sup. Ct.), our bicycle injury team obtained a \$10,000,000 settlement for a 64-year-old businessman who suffered incomplete quadriplegia after striking an unmarked raised median while riding his bike out of an office complex where he was employed. Descending a steep unlit driveway at dusk, he did not see the concrete island before impact. The team alleged that the median lacked reflective markings, was not identified in original construction plans and served no traffic safety purpose. They also worked with experts to demonstrate evidence of repeated tire strikes proving notice. Defendants denied liability and sought to shift all blame to the plaintiff for cycling without a bike light.

PREMISES LIABILITY



Tenant v. Public Utility

In [Tenant v. Public Utility](#) (SF Co. Sup. Ct.), Mike Kelly and Katherine Connolly secured a \$3,000,000 settlement for a San Francisco tenant who suffered severe burn injuries when a natural gas explosion tore through her apartment building. The tenant was exiting the lobby when a car struck the building, which sheared an internal gas line. Gas migrated from the garage into common areas before igniting. The team claimed the building owner and utility improperly located gas meters inside the garage without proper containment or ventilation. Defense experts disputed causation, suggesting the incident was unforeseeable and that the installation complied with code.

RECENT CASES

VEHICULAR NEGLIGENCE



Shopper v. Suburban Driver

In Shopper v. Suburban Driver (San Mateo Sup. Ct.), Mike Kelly and Kelly L. Ganci secured a \$9,250,000 settlement for a 78-year-old woman run over by a grocery store customer who became confused while parking his new car outside of a local supermarket. The impact caused a massive degloving injury to her left leg that required months of inpatient hospitalization and skilled nursing care, seven surgeries and prolonged outpatient rehabilitation. The client was left permanently disabled and dependent on a walker. The defendant attributed a majority of her disability to pre-existing conditions, including cancer and respiratory illness. Mike and Kelly developed a seven-figure life care plan attributable entirely to the collision. The case resolved on the eve of trial after multiple mediations.

Crash Victim v. Estate of Driver

In Crash Victim v. Estate of Driver (N. Cal. Sup. Ct.), Kelly Ganci and Doug Saeltzer recovered \$1,300,000 on behalf of a client injured in a head-on collision. Our 55-year-old client sustained a traumatic brain injury and multiple spinal fractures. She was hospitalized and required extended rehabilitation. The defendant driver's insurer promptly tendered its \$250,000 policy limit. Doug and Kelly then sought and recovered policy limits under a disputed umbrella policy.

PRODUCT LIABILITY



Heirs v. Automaker

In Heirs v. Automaker (Confidential venue), Mike Kelly, Doris Cheng, and Andrew P. McDevitt secured a multi-million-dollar confidential settlement for the family of a man who died when his vehicle failed to recognize and avoid colliding with a fixed object while operating in crash avoidance mode. The defendant denied responsibility for the vehicle's failure to stop prior to colliding with the fixed object, arguing that the deceased operator was responsible for seeing and reacting to the hazard. The Walkup team relied upon the manufacturer's own advertising and marketing materials which contained representations about the car's advanced safety systems. The matter resolved on the eve of trial.

Survivors v. Equipment Manufacturer

In Survivors v. Equipment Manufacturer (Ala. Co. Sup. Ct.), Spencer J. Pahlke and Douglas S. Saeltzer obtained a \$5,500,000 settlement for the family of a 48-year-old commercial gardener who was pulled into a commercial woodchipper. The decedent was feeding branches into the device when his hand became entangled, and he was drawn into the machine. The team showed that the defendant defectively designed the chipper by failing to include an emergency shutoff device which was standard on competitors' machines. The defendant sold a kill switch, but only as an after-market option. The \$5.5 million recovery was composed of both cash and structured payments replacing the decedent's income.

CONSTRUCTION SITE CLAIMS



Heirs v. National Food Retailer

In Heirs v. National Food Retailer (LA Co. Sup. Ct.), Spencer J. Pahlke, Douglas S. Saeltzer, and Martin P. Neira obtained a \$7,250,000 settlement for the children of a worker who was killed in an industrial explosion after pressurized containers failed and ignited, causing fatal trauma. Defendants argued that the decedent's employer's conduct was the source of the incident. Our attorneys retained leading engineering and gas safety experts to reconstruct the explosion and establish the defective cylinders as the root cause, avoiding workers' compensation immunity and employer fault defenses. The settlement was divided equally among the three surviving children.

Senior Citizen v. Construction Company

In Senior Citizen v. Construction Company (Nor. Cal. Sup. Ct.), Mike Kelly and Richard H. Schoenberger obtained a confidential multi-million-dollar recovery for the family of an 83-year-old woman fatally struck by a construction services truck on her morning walk. The defense argued that damages were de minimis based on the victim's age and the absence of exemplar verdicts in such cases. Schoenberger and Kelly countered with compelling video evidence, eyewitness accounts, and detailed life-history materials, which underscored the decedent's vitality and irreplaceable role in her surviving family members' lives.

MEDICAL NEGLIGENCE



Patient v. Dermatology Group

In Patient v. Dermatology Group (Confidential venue), Sara M. Peters secured a confidential multi-million-dollar settlement for a 26-year-old mother whose Stage IV melanoma diagnosis went undetected. Despite a family history, her physicians dismissed a mole as cosmetic and failed to document it in 2022, allowing the cancer to metastasize. The client was diagnosed after becoming pregnant, requiring delivery of her infant child at 26 weeks to facilitate immunotherapy. Our team overcame significant causation challenges by securing expert pathology review and navigated complex lien and subrogation issues. Resolution of both cases included a structured annuity for the infant's long-term care.

Transportation Worker v. Stroke Center

In Transportation Worker v. Stroke Center, Khaldoun Baghdadi, Martin Neira, and Joseph Nicholson secured a \$3,200,000 settlement for a patient who suffered catastrophic injury following a delayed stroke diagnosis. The patient presented with facial droop and slurred speech. Despite abnormal imaging and a telestroke consultation, no vascular studies were ordered, and he was discharged without intervention. Hours later, he sustained a massive MCA infarct, leaving him with deficits in his left arm and leg. Causation was vigorously disputed, but our team used expert testimony to show how timely CTA and thrombectomy would likely have preserved meaningful function.

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MEDICAL NEGLIGENCE



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Patient v. Same Day Surgery Center

In Patient v. Same Day Surgery Center (Central California Sup. Ct.), Valerie Rose and Mike Kelly secured a \$2,400,000 settlement for a 57-year-old man who sustained neurologic injury during a routine hip replacement, secondary to administration of the wrong drug during anesthesia. Instead of an anesthetic agent, he was mistakenly injected with tranexamic acid, which caused seizures, respiratory failure, and prolonged ICU hospitalization. He survived but was left with permanent cognitive and neurological deficits. The claim was brought against both the anesthesiologist and surgery center that failed to prevent a known “look-alike, sound-alike” medication risk where TXA and mepivacaine were packaged in nearly identical vials, yet the facility had no policies requiring labeling, segregation, or double verification.

Senior Citizen v. Regional Clinic

In Senior Citizen v. Regional Clinic (Contractual Arbitration), Mike Kelly and Kelly L. Ganci obtained a \$2,650,000 settlement for a 75-year-old retiree who suffered a disabling stroke after doctors failed to address atrial fibrillation. During a colonoscopy in 2023, A-Fib was documented. No cardiology referral or follow-up was ordered. Nine days later, during a routine physical, his internist again failed to address the arrhythmia. Six weeks later he suffered a major stroke. An economic analysis showed substantial loss of planned post-retirement income. The matter resolved one week before a scheduled arbitration.

Infant v. Pediatric Group

In Infant v. Pediatric Group (Northern California), Doris Cheng and Jeffrey A. Clause obtained a \$12,000,000 settlement for a three-year-old boy who sustained catastrophic brain damage during labor and delivery. The child’s mother was admitted for induction at 41 weeks. For nearly a full day, fetal monitor tracings revealed non-reassuring patterns, yet the defendant obstetrician failed to intervene or proceed to C-section. After midnight, vacuum extraction was attempted, and the baby was delivered cyanotic with critically low Apgar scores. Once admitted to the NICU, he developed seizures and MRI studies confirmed hypoxic-ischemic encephalopathy. The defendants attributed the child’s disability to placental insufficiency and infection. The case resolved with both immediate cash and structured payments to fund a special needs trust.

Heirs v. Medical Facility

In Heirs v. Medical Facility (Contractual Arbitration), the Walkup team obtained the MICRA maximum settlement for parents of an infant who died after providers failed to recognize and treat sepsis. The infant, born prematurely and discharged after a NICU stay, returned with E. coli. Despite criteria for a urinary tract infection, no antibiotics were administered. Shortly after, the infant developed symptoms of neonatal sepsis. The health care provider vigorously contested causation, arguing the infection was not urinary in origin, conflicting urine cultures undermined the diagnosis, and death was inevitable regardless of antibiotics.

Dermatology Patient v. HMO

In Dermatology Patient v. HMO (Private Arbitration), Jeffrey A. Clause secured a \$2,750,000 recovery for a local engineering professional whose melanoma went undiagnosed for more than a year. The client first presented in 2020 with a lesion on his foot. Although melanoma was suspected, follow-up never occurred. The lesion was treated as a wart and continuously misdiagnosed over the next 14 months. A biopsy was not performed for two years, by which time the cancer had spread to the patient’s lungs and brain. The inchoate wrongful death claims of his spouse and children were also settled. Expert witnesses in dermatology and oncology tied the delay directly to his metastatic spread and grim prognosis. [▲](#)

We are available for association and/or referral in all types of personal injury matters. Fees are shared with referring counsel in accord with Rule of Professional Conduct 2-200.

 **WALKUP, MELODIA
KELLY + SCHOENBERGER**

650 California Street, 26th Fl., San Francisco, CA 94108
(415) 981-7210 Fax (415) 391-6965
www.walkuplawoffice.com