

Top Plaintiff Lawyers 2022



Gregory L. Bentley

BENTLEY & MORE LLP

NEWPORT BEACH

CATASTROPHIC PERSONAL INJURY & PRODUCT LIABILITY

Over the last five months or so, Bentley has settled five serious injury cases for more

than \$50 million. He gives some of the credit to his firm's astute use of one old and one new statute.

The old is Code of Civil Procedure 36, an 1880 statute that allows some elderly or sickly plaintiff's preference to get to trial ahead of others and allows judges discretion to grant preference for just cause.

The new is SB 447's amendment to the Code of Civil Procedure, which beginning this year finally allows personal injury claims for pain and suffering to survive even after the injured person's death. With that change, defendants no longer are motivated to delay settlement in cases with especially serious injuries.

Bentley said he used one or both laws effectively in a select few cases involving catastrophic injuries to increase the pressure on insurance companies to settle. The statutes "really helped facilitate settlement as we were getting closer to the trial date," he said.

For example, he recently reached a confidential settlement for an 80-year-old man struck by a commercial truck while riding his bicycle. "That

was a case where we sought preference, and we had the benefit of SB 447," Bentley said. "That really helped facilitate settlement."

He also obtained "just-cause" preference for a 34-year-old man grievously injured in a traffic accident at an intersection laid out with inadequate "corner-sight distance." The city of Pasadena settled the case for \$16.5 million late last year. *Cantley v. City of Pasadena*, 20STCV03179 (L.A. Super. Ct., filed Jan. 24, 2020).

Bentley used the preference statute to help land a confidential eight-figure settlement late last year for a younger man badly burned in the 2019 Oktoberfest explosion and fire at the Old World German Restaurant in Huntington Beach. In that case, he received preference on behalf of a 91-year-old co-plaintiff who was less seriously injured.

And in April, he brought in another eight-figure global settlement for a man paralyzed while servicing a cell phone tower that the cellular phone company had suspended over a building's rooftop skylight.

—DON DEBENEDICTIS

