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TOP PLAINTIFF LAWYERS

CONSUMER PROTECTION **PERSONAL INJURY/MASS TORT AND COMPLEX BUSINESS LITIGATION**



CLARE LUCICH

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NEWPORT BEACH

When Clare Lucich took on *Amador v. Hill Crane*, the defense told her no crane data existed that could show what happened. A 15,000-pound roof truss had shifted during a crane lift, striking and killing a welder working 30 feet above the ground. The defense blamed the welder for his death.

"We didn't accept that answer," Lucich said.

Lucich, a partner at Bentley & More LLP, pursued subpoenas against the crane manufacturer in another state and fought to obtain its data. "When we finally got it, the data showed that the crane's safety systems had been overridden, allowing it to operate in an overloaded and dangerous condition. That evidence changed the case," she said.

As lead attorney, Lucich took 21 depositions totaling more than 3,000 pages and worked with experts in metallurgy and engineering. The case settled for the $16 million policy limits on behalf of the worker's two children.

"These children deserved to know that their father did nothing wrong, and the settlement gives them financial security for their future," Lucich said.

In another matter, a vehicle struck two members of a family at a crosswalk without markings, leaving both with injuries to their brains and bones. Lucich took nearly all 16 depositions and fought through motions to compel and motions to quash. The city claimed its records fell under the HSIP privilege. Lucich argued the privilege did not apply, and the judge agreed. Records from the city's contractors confirmed the intersection did not meet AASHTO standards. The case settled for $22.9 million.

"This case mattered to me because it showed how government entities can hide behind immunities and privileges while a known danger goes unaddressed," she said.

In a separate matter, a forklift backing up struck Lucich's client from behind as she walked toward the exit of a warehouse, running over her leg and tearing away its skin. The defense claimed she had walked into the forklift's path. Lucich worked to show the defense what the woman, a grandmother, had lost. *Gurrola v. S&H Cabinets and Manufacturing Inc.*, CIVSB211-6211 (San Bern. Super. Ct., filed March 18, 2021).

"Before the accident, she was fully independent," she said. "She could walk, work and take care of herself without help."

The case resolved for policy limits. "We prepared those cases for trial every step of the way, and that's why we were able to resolve them for policy limits," Lucich said.

Lucich has tried nine cases in 14 years, including the first e-cigarette explosion case, which she co-tried and which preceded regulation and design changes in the industry. Her father practices law in Fresno. "As a kid, I would borrow his legal stationery and play lawyer in the front yard," she said.

As president of the Orange County Trial Lawyers Association, she founded the OCTLA Women's Caucus to bring plaintiff and defense attorneys together, and she visits law schools to talk with women about careers in litigation. "I want them to know there's a place for them in the courtroom," Lucich said.

Lucich has begun working on cases involving products that rely on software and artificial intelligence. "In these cases, the critical evidence often lives in code, data logs and internal records that manufacturers would rather keep out of view," she said.

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