

TOP PLAINTIFF LAWYERS

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Ricardo Echeverria

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Insurance bad faith, catastrophic
personal injury

Echeverria said he's never spent more time preparing for a cross-examination than he did in the lead-up to Dr. Pervaiz Chaudhry's time on the stand.

Chaudhry was accused of abandoning the operating room to attend a business meeting at a restaurant during an open-heart surgery, leaving a physician's assistant without qualifications to close 70-year-old Silvino Perez's chest. Chaudhry got two calls reporting severe bleeding, Echeverria said, and rather than return for treatment, Chaudhry prescribed blood products over the phone. With no other cardiothoracic surgeon available at the hospital, Perez went untreated for 30 minutes until Chaudhry returned. The damage done to Perez's internal organs was so extensive that he will likely be in a near-vegetative state for the rest of his life, Echeverria said. *Perez v. Community Regional Medical Center*, 13CECG03906 (Fresno Super. Ct., March 20, 2018).

Representing Perez's family, Echeverria said he knew he'd need to have the history of the case and the medical terminology likely to come into play committed to memory to combat any misstatements Chaudhry might make to mislead jurors and limit his own culpability. The cross-examination lasted 2½ days.

"I needed to make sure I was rock solid on all the medical records, all the deposition testimony related to the medicine. I was able to disprove a lot of the things he'd claimed that weren't true," Echeverria said.

The trial was trifurcated: the first part to determine Chaudhry's medical negligence, the second to establish damages, and the third to determine punitive damages. Over the course of the three-month trial, the jury found Chaudhry liable and ordered the defendants to pay the Perez family economic,



noneconomic and punitive damages worth a total of \$68 million.

Echeverria said he was incredibly proud of the verdict, which was won for "extremely deserving clients," given what "they suffered as a result of one doctor's deliberate choice." On the witness stand, Chaudhry said he would leave the country to take a position in Pakistan.

Late last month, Echeverria won \$13.2 million for the victim of a hit-and-run accident in a trial that lasted five days. The victim, Stephen Wood, had initially made an offer to settle with insurer Alliance United for just \$15,000, but the company didn't accept the offer.

In July 2017, Echeverria obtained a \$17 million jury verdict in Riverside County Superior Court on behalf of a man whose right leg was amputated below the knee due to a workplace forklift accident. Following a roughly two-week trial, the jury found in Echeverria's client's favor, awarding him a total of \$17 million. *Meier v. Pennysaver*, RIC1507069 (Riverside Super. Ct., filed June 12, 2015).

In representing Shima Andre, Jane Blumenfeld

and others infected with hepatitis C, Echeverria served as co-counsel in a series of legal battle against Blue Cross. Blue Cross was accused of denying necessary medical care to policyholders with hepatitis C, particularly the drug Harvoni. Though the drug had a near-100 percent cure rate, Echeverria said Blue Cross had determined it wasn't medically necessary for many patients.

The firm subsequently filed several lawsuits on similar grounds against other insurance companies, garnering local and national media attention. The legal challenges likely helped prompt Blue Cross to change its policies, making access to treatments for hepatitis C less restrictive.

In January, Echeverria's term as president of the Consumer Attorneys Association of Los Angeles came to an end. As president, he helped to get Los Angeles County's mandatory settlement conference program off the ground, which is operating full-time as of last year. He also held the group's first Women Trial Lawyers Skill Conference, an event that will now be an annual event.

— Steven Crighton