



HON. JOHN M. TRUE III (Ret.)

Mediator | Arbitrator | Discovery & Judicial Referee

Representative Cases

PERSONAL INJURY

AUTOMOBILE ACCIDENTS

- Handled upwards of 200 personal injury cases involving automobile accidents. These cases ranged from extremely serious cases involving death or catastrophic injury to minor parking lot fender benders. As a whole, they presented every legal issue in tort law imaginable from liability to damages and everything in between.
- Handled a dispute involving wrongful death claims by the fiancée of a motorcyclist who was killed in an accident in which the surviving fiancée was riding on the back of the motorcycle. Complicated pretrial legal issues included whether the fiancée of the deceased could bring a wrongful death claim and whether she was entitled to bystander emotional distress damages.
- Handled an automobile fatality case in which a family driving on Interstate 880 stopped by the side of the highway so that the father could assist other family members who were in an automobile that had stopped ahead of them. While helping to change a tire, the father was struck by a vehicle driven by an individual employed by a transport company. The driver was later found to be driving under the influence. Motions involving the company's vicarious liability were resolved before trial. The matter settled on the eve of trial.
- A young Alameda woman on her way to work in the early morning darkness fell from her motor scooter and suffered catastrophic injuries. She alleged that the front wheel of her scooter had become caught in obsolete railroad tracks embedded in the street and that she could not see them because of construction that had begun in the area. The case involved the City of Alameda, Alameda County, the owners of the property and adjacent properties, the developers, and the construction companies involved in the ongoing project. Extensive pretrial

motions had to be resolved in order to determine the respective liability of various parties. In addition, the case involved numerous discovery disputes. The case settled on the morning of trial.

TRANSIT ACCIDENTS

- Handled numerous cases involving alleged passenger injuries and accidents involving buses, BART and other public transit. In one such case, injuries were alleged to be caused by the suddenly deceased driver of an automobile which collided with an AC Transit bus. The defendants were able to show that the auto driver, who had moments before been involved in an act of “road rage” and who had suddenly died of a heart attack, had no medical history that could have been adduced to show causation. Accordingly, the matter was resolved.

MARITIME ACCIDENTS

- Handled a considerable number of Jones Act maritime injury cases, all of which settled prior to trial. These cases required considerable case management and some motion rulings.

ASBESTOS

- Handled several cases involving death or injury from exposure to asbestos. In one case, “take-home” liability was alleged: that is, that the decedent had been exposed many years prior to asbestos by his uncle, who had it on his work clothing, when he came home from work at the end of the day.

PRODUCTS LIABILITY

- Handled a dispute in which an individual sued the manufacturer of a back hoe which overturned during the course of landscape work at an Alameda County residence. The accident allegedly caused injury to the operator.
- Handled and settled numerous product liability cases brought under California Proposition 65 alleging the sale and distribution of products containing excessive amounts of listed carcinogens and/or failure to properly identify such substances.

PREMISES LIABILITY

- Settled or tried a large number of trip and fall cases in which plaintiff sued various municipalities in Alameda County, along with property owners, claiming injuries caused by allegedly improperly maintained sidewalks or other street surfaces.
- An employee working for a third-party vendor at a truck washing station at a Bay Area refinery jumped from the back of his tanker to the ground, injuring himself. He pursued a workers compensation claim against his employer and also sued the refinery. The refinery alleged that the employee's act of jumping off the truck was negligent, and therefore denied liability.