
RESULT DATE: May 28, 2009

09-JV_1399

Kulbir Dhaliwal, Amirtpal "Paul" Dhaliwal v. San Francisco Zoological Society,
City and County of San Francisco, Singer & Associates Inc. (3:2008cv05094)

Hon. William H. Alsup

USDC Northern

TOPIC: Personal Injury

SUB TOPIC: Premises Liability

FURTHER DESCRIPTION: Defamation

SETTLEMENT: \$750,000

ATTORNEY:

Plaintiff - Mark J. Geragos, Shelley Kaufman (Geragos & Geragos, A.P.C., Los Angeles).

Defendant - Jewel Kolling Basse, Charles S. Custer (Gordon & Rees LLP, San Francisco); Paul E. Gaspari (Tobin & Tobin, San Francisco).

FACTS: On Dec. 25, 2007, a Siberian tiger escaped from the San Francisco zoo and attacked Kulbir and Amitpal Dhaliwal. A third victim was also attacked and died. After the attack, the zoo hired public relations firm Singer & Associates Inc., which announced that the victims taunted the tiger prior to the attack. The victims sued the zoo and the city and county of San Francisco for negligence, and Singer & Associates for defamation.

PLAINTIFF'S CONTENTIONS: The plaintiffs claimed that the tiger's enclosure was not high enough and that the zoo failed to feed the tiger enough. Further, the victims denied taunting the tiger.

DEFENDANT'S CONTENTIONS: The defense denied the allegations of defamation and argued that the victims waived their arms and yelled at the tiger. After the incident, Carlos Sousa Sr., the father of the deceased victim, reportedly told the police investigators and media representatives that plaintiffs were outside the tigers' enclosure waving their hands and yelling. Furthermore, one of the brothers had a blood alcohol level of .16 according to police records.

INJURIES: The plaintiffs suffered bite marks, head injuries, leg injuries, puncture wounds, and scarring, which required knee surgery (Kulbir). Kulbir had scars on his head and legs. Paul had scars only on his head.

DAMAGES: The plaintiffs sought damages for medical costs and pain and suffering.

SPECIALS IN EVIDENCE: MEDS: under \$100,000

RESULT: The parties settled with plaintiffs jointly receiving \$750,000.

OTHER INFORMATION: Chubb insured the zoo.

The defendants insurance carrier will be responsible for the medical liens up to a maximum of \$150,000. According to defense counsel, those liens will total less than \$100,000.