

# Daily Journal

AUGUST 22, 2018

## TOP PLAINTIFF LAWYERS

2018

### Arash Homampour

The Homampour Law Firm  
Los Angeles

Personal injury, wrongful death,  
insurance bad faith



**H**omampour won jury verdicts of \$59.3 million in a wrongful death case and \$14 million for catastrophic injuries and insurance bad faith. Both results occurred in 2015 — but he and his clients had to endure lengthy appellate maneuvering before they finally saw the money in 2017.

The survivors of Amy Shinedling, killed by a malfunctioning Sunbeam space heater, were awarded \$59.3 million by a federal jury. *Shinedling v. Sunbeam Products Inc.*, 12-cv-438 (C.D. Cal., filed March 27, 2012).

Allstate Insurance Co. offered \$34,000 to a motorcyclist rendered paraplegic when struck by an Allstate-insured driver, but breached the implied covenant of good faith and fair dealing during settlement talks and ended up owing \$14 million, a different federal jury concluded. *Madrigal v. Allstate Insurance Co.*, 14-cv-04242 (C.D. Cal., filed June 2, 2014).

“Both cases illustrate the life of a trial lawyer,” Homampour said. “They show how patient you have to be. Sunbeam and Allstate have unlimited resources to delay and stall and try to wear you

down. They can hire the very best appellate lawyers to try to justify a retrial. Defendants will offer your client a fraction of an award to avoid an appeal. It takes courage to keep pursuing a case when you can’t know how receptive an appellate court will be to the defendant’s arguments.”

There’s also the issue of client loyalty. “Our clients get into it with us,” Homampour said. “They take to heart our David versus Goliath attitude, and they see the wisdom of refusing lowball settlement offers and hanging tough during these frustrating delays.”

Following the Sunbeam jury verdict, the defense went to the trial judge with a 100-page motion alleging misconduct and errors. “They offered us substantially less than 50 percent of the award to forego their motions and an appeal,” Homampour said. “We had to do in effect a second trial to fight them off. Then there was an extended period during which they threatened an appeal. Saying no to an offer of millions of dollars is a surreal experience, but we had confidence the jury got it right.” The 9th U.S. Circuit Court of Appeals affirmed the verdict on June 30, 2017. “Sunbeam finally paid in full on

Oct. 10, 2017,” Homampour said.

Motorcyclist Carlos Madrigal at first couldn’t find a lawyer to represent him because the first police report of the accident that crippled him was unfavorable and Allstate’s policyholder, the driver who hit Madrigal, had only a \$100,000 policy limit. Allstate’s claims adjuster found a previously unidentified witness who placed responsibility for the accident on Allstate’s insured driver. “It was such a beautiful experience to watch Allstate refuse to pay even the policy limit, and then get called to account for it,” Homampour said. “I was determined to show that you are not in good hands with Allstate.” The 9th Circuit affirmed the bad faith judgment on June 15, 2017 and Allstate paid up on August 10, 2017.

Homampour brought on prominent appellate attorney Jeffrey I. Ehrlich of The Ehrlich Law Firm in Claremont to handle both appeals. “We fought hard,” Homampour said. “He is amazing to work with, and I’m not a hands-off kind of guy. You have to be meticulous in your trial work and then aggressive in following through.”

— John Roemer