

Husband Not Responsible for Wife's Driving

Christopher Wesierski (Senior Partner/Irvine Office) recently obtained a defense verdict on a claim for negligent entrustment arising out of an auto accident and a wrongful death. Plaintiffs claimed that a wrong-way driver on the toll road had shown previous signs of dementia and Alzheimer and her husband should have known to take away her keys as she was an unsafe driver. Defendant argued that he was not responsible for her driving.

The jury found 11-1 on that claim in favor of the defense and against the plaintiffs (the heirs of the decedent a 44 year old woman).

The case was tried in Orange County Superior Court and the demand was substantial.