



## Bert Struck

Of Counsel

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Orange County, CA – 949.404.5012

Bert Struck is a trial lawyer with more than 30 years of experience representing defendants in matters of general liability with a focus on premises liability, auto, trucking and construction. Bert has extensive litigation experience as both panel and in-house counsel in defense of general liability, premises liability, commercial trucking, personal lines auto and homeowners' personal injury cases as well as construction defect, defending a wide variety of subcontractors. He has taken or represented clients in more than 2,500 depositions and participated in more than 1,000 mediations. He has succeeded as first chair in more than 25 jury trials to verdict, including several high-exposure matters with good results.

Bert has worked with claims partners to settle thousands of claims by efficiently obtaining the information and documents needed for proper evaluation/ roundtables and thoroughly preparing each case through agreed discovery for mediation or trial, which results in favorable settlements or verdicts for the defense.

Bert has completed the Straus Institute for Dispute Resolution at Pepperdine University Caruso School of Law. In addition to his law practice, he was a panel mediator for Riverside County Courts and ADR Services of Riverside, California from 2010–2013, where he successfully settled more than 50 cases. This experience has proved to be very valuable when participating as defense counsel in mediations.

### Education

- Pepperdine University School of Law (J.D., 1988)
  - President, Honor Board of Professional Responsibility; President, Delta Theta Phi Legal Fraternity
- Siena College (Graduated, 1985)

### Services

- Commercial Litigation
- Complex Tort & General Casualty
- Construction
- Transportation

## **Bar Admissions**

- California
- Texas

## **Professional Affiliations**

- California State Bar Association
- Texas State Bar Association

## **Awards & Honors**

- Best of Riverside – Mediator, 2012

# **Representative Matters**

In California, successfully represented a nightclub sued by a 23-year-old female patron injured by clients' employees. Her minor arm fracture evolved into Reflex Sympathetic Dystrophy and the plaintiff presented more than \$10 million of expert supported damages to the jury and made a demand of \$20 million. Jury verdict of \$360,000 was significantly less than the carrier's last offer.

In California, successfully represented an at-fault truck driver (who failed to appear at trial) where a 52-year-old female plaintiff presented more than \$1 million of expert-supported damages for a severe traumatic brain injury. Jury verdict was \$80,000, well below the carrier's last offer.

In California, successfully represented a plumber who failed to turn off the gas before removing an apartment oven, resulting in an explosion and fire. The plaintiff was in the apartment at the time and claimed property damage and Post Traumatic Stress Disorder and presented \$350,000 in expert-supported personal injury damages to the jury with a demand of \$500,000. Jury verdict was \$40,000 for property damage only.

In Texas, more than a dozen trials representing commercial and personal lines clients in motor vehicle accidents, and premises liability cases with good results. Received several defense verdicts on cases where my client rear-ended a plaintiff because the jury agreed with the defense position that there was no causation for any injury.

# **Client Wins**

### **Struck and Rivera Prevail in Defense of City in Slip-and-Fall Case**

Bert Struck (Of Counsel-Orange County, CA) and Danielle Rivera (Associate-Los Angeles, CA) represented a city government where it was alleged the plaintiff slipped and fell on a greasy pizza box left on public property. After the second demurrer on the grounds that the plaintiff had not sufficiently alleged a dangerous condition to hold a governmental entity liable, the judge in the Superior Court of the County of Riverside ordered the

demurrer sustained without leave to amend. The plaintiff has filed the dismissal with prejudice as to our client.