

***J. Brian Powers
Powers & Miller***

1545 River Park Drive, #515
Sacramento, CA 95815
Phone: 916-924-7900
Fax: 916-924-7980
Cell: 916-216-3568
jbp@powersmiller.com
powersmiller.com

Education

University of the Pacific, McGeorge School
of Law, J.D.

St. Mary's College of California, B.S.

Admissions

State Bar of California

United States District of California,
Eastern District

Professional Memberships

American Board of Trial Advocates

Association of Defense Counsel of Northern
California and Nevada

Experience

Specializes in the defense of personal injury
and property damage cases.

Has tried cases to jury verdicts involving
motor vehicle accidents, motor vehicle
versus pedestrian accidents, products
liability, abuse of process, and elder abuse.

**Representative Arbitration and Jury
Trial Results**

Bailes vs. CSAA - UIM claim arising from
a head on accident in Butte County in which
the claimant sustained bowel perforations,
concussion, a compression fracture and
other injuries. Demand before arbitration
was \$300,000 new money. Net award was
\$35,795.08 and was further reduced based
on CCP 998 Offer.

Cao vs. Fantulin - San Joaquin County.
Client crossed center line on the highway
and sideswiped plaintiffs' fruit truck.
Plaintiffs both treated with the same
chiropractor with \$6,400 in bills for one
plaintiff and \$6,200 in bills for the other
plaintiff. Trial resulted in defense verdict
for the client.

Conner vs. CSAA - Underinsured Motorist
Claim arising from a motor vehicle accident
allegedly resulting in soft tissue neck and
back injuries and a severe ankle injury.
Claimant had a history of similar complaints
and was in a subsequent accident. Medical
bills - \$10,198. Last demand was \$75,000.
Arbitrator's award was a net zero dollars.

LaPray vs. Jackson - Placer County.
Client parked her SUV in plaintiff's
driveway with the key in the ignition.
Client's toddler switched the ignition to
accessory and pushed the transmission lever
out of park and the SUV rolled backward
into the street. Plaintiff alleged the SUV
rolled over her daughter "from her toes to
her head" and alleged damages for negligent
infliction of emotional distress. Defense
verdict for client.

Five defense verdicts for the defendant client in low to moderate impact/chiropractic over treatment cases.

Many favorable awards for respondent clients in UM/UIM hearings.

Experience in handling suspected fraud cases.

Appearances before the California Third District Court of Appeal.

Tried cases to jury verdicts in Sacramento, Tehama, Placer, El Dorado, Nevada, and San Joaquin Counties.

Representative Clients

CSAA, Western United, CSE, Claims Management Service, Stonington Insurance

Ochinero vs. CSAA - Complex underinsured motorist claim arising from a 6/2/97 accident. Plaintiff was subsequently involved in two motor vehicle accidents in 2001 and 2003 resulting in third party cases that settled for \$890,000. Claimant demanded the \$85,000 residual policy limit. The offer was \$15,000. The net award was \$12,527.

Tutupoly and Lisapaly vs. CSAA - Underinsured motorist claim involving chiropractic treatment and charges of \$3,070 and \$3,140. It was argued that the treatment was excessive. The arbitrator awarded \$4,820 and \$5,128.

Tveretinov vs. Trone - Sacramento County. Rear-end motor vehicle accident after which plaintiff treated only with a chiropractor resulting in bills of \$2,800. The jury awarded \$5,400 and reduced the damages by 11 percent for plaintiff's comparative negligence.