

# Petition

Via Fax

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## Protecting our Children...

As our children head back to school, it's a good time to focus on some of the risks facing children of all ages. At **Leesfield Leighton Rubio & Mahfood**, we have spent over 20 years fighting for the safety of children. In this issue of Petition we focus on some of the victories on behalf of the youngest—and most vulnerable—members of society.

### ...at School

**LLRM** attorneys have litigated many cases resulting from the negligence of schools in failing to protect children from known or foreseeable hazards. Some examples include:

When a little girl left her second grade class to use the rest room, she was grabbed from behind and molested by an unknown adult stranger in the school. **LLRM's John Leighton** litigated this case and obtained a confidential settlement allowing this child to obtain psychotherapy throughout her life. *L.A. v. School Board*.

A 4 year-old boy was violently sexually assaulted by another classmate when teachers at a private school allowed preschool children to go to the bathroom without supervision and use playhouses on the playground that were out of teacher's view. *This matter is currently in litigation under seal.*

After a college student was violently stabbed in a university dormitory, **LLRM's John Leighton** and **Ira Leesfield** represented the family. In a confidential settlement, **\$1.5 million** was recovered for failing to have adequate security and protection on campus. *Estate of Joe Doe v. Private College.*



### Safety Tips for College Students

College campuses are among the most dangerous places. The lack of supervision coupled with the transient nature of campuses increases the potential for criminal activity. In recent years, violence against college students has become more serious. There are even web sites devoted to college campus safety (see [www.campussafety.org](http://www.campussafety.org)). Here are some safety tips for students on campus:

- Know your campus and where emergency phones are.
- Always travel in groups and never alone at night, and use escort services wherever available when alone.
- Share class and activity schedules with parents and friends.
- Know your neighbors, report illegal and suspicious activities.
- Do not prop open any doors in your dorm.



Ira H. Leesfield • John Elliott Leighton • Maria L. Rubio • George G. Mahfood • Robert B. Boyers  
Patricia M. Kennedy • Mark A. Sylvester • Thomas Scolaro

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## ...at Play

Partners **Ira Leesfield** and **Robert Boyers** obtained a **\$600,000 settlement** on behalf of a 12 year-old girl who sustained multiple injuries upon being thrown from a poorly trained horse at a riding stable. *Jane Doe v. ABC Stables.*



## ...in Public

How could a 9 year-old girl be raped during business hours in a busy K-Mart store? That was the question **John Leighton** asked a federal court jury after a little girl was brutally assaulted. Evidence showed that K-Mart failed to take reasonable steps to protect children. Leighton secured a **\$300,000** verdict for this young girl. *Sun Bank, as guardian v. K-Mart Stores.*

## ...in Transit

**LLRM's George Mahfood** represented a 5 year-old boy who was rendered a paraplegic because of the defective design of the Chrysler car in which he was a passenger. The car had only rear seat lap belts—a design particularly hazardous for children because of the disproportionate upper body weight distribution. The case was settled for a confidential amount. *John Doe v. Chrysler Corp.*

**John Leighton** and **Mark Sylvester** represented the parents of an 18 month-old child who was killed when an airbag inflated after a minor car accident. The child safety seat had been placed in the front seat of the car in the same manner as shown on the product carton. **LLRM** secured a **\$710,000 recovery** for the family. *Estate of Baby Doe v. John Doe Manufacturing.*

## LLRM Happenings...

### Leighton appointed to NCA Board

**John Leighton** has been appointed to the Board of Trustees of the National College of Advocacy (NCA). The NCA is the educational arm of the Association of Trial Lawyers of America, and develops and produces dozens of seminars, trial colleges and convention education programs each year for trial lawyers. At the annual convention in Chicago, Leighton was elected to NCA's Executive Committee. Leighton has also been tapped to chair the NCA medical malpractice seminar in Hawaii in February.

### Web Sites Related to Child and School Safety:

**Swimming pool safety:** [www.poolfence.com/safepool.htm](http://www.poolfence.com/safepool.htm)

**Kids in danger:** [www.kidsindanger.org/](http://www.kidsindanger.org/)

**CPSC kid safety:** [www.cpsc.gov/kids/kidsafety/index.html](http://www.cpsc.gov/kids/kidsafety/index.html)

**National Committee to Prevent Child Abuse:**  
[www.childabuse.org](http://www.childabuse.org)

**Security on Campus:** [www.campusafety.org](http://www.campusafety.org)



A group of children routinely played with dangerous things like guns and slingshots in an apartment parking lot. When a 10 year-old girl was hit in the eye from a BB gunshot, **LLRM** obtained a **\$150,000 recovery** against the management of the complex. *M.H. v. Creative Developers.*

## ...at Home

Pools and spas are among the most hazardous things in the home for young children. Despite lobbying by builders, a new law went into effect this year requiring pool safety devices on all new pools. (Fla. Stat. § 515) **LLRM's Ira Leesfield** and **John Leighton** represented the family of a toddler whose walker rolled into a swimming pool, causing his near drowning. The baby was left profoundly brain damaged and required 24-hour care. When the family's health insurer tried to cut off necessary benefits, Leesfield and Leighton brought suit and won in federal court. *Ptschelinzew v. Time Insurance Co.*

When an 11 year-old boy was sodomized by a teenager in an abandoned mobile home, **LLRM's Tom Scolaro** and **John Leighton** were retained by the boy's parents to bring an action on his behalf against the trailer park. Litigation revealed that there were numerous other criminal acts on the premises and the manager was aware of children using the abandoned trailer for various illicit purposes. A confidential settlement was obtained for this boy. *C.S. v. Trailer Park.*

**Ira Leesfield** and **Robert Boyers** obtained a **\$300,000 award** for an 11 year-old boy against an apartment complex when a defective electric range tipped forward and caused scalding hot stew to spill on the child. The boy sustained painful second degree burns on his legs due to this improperly installed appliance. *Pierre v. Lakes Edge Apartments.*