

Top Verdicts

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TOP DEFENSE VERDICTS

Aslan v. Ferrari North America Inc.



Photo courtesy of Yukevich Cavanaugh

FROM LEFT TO RIGHT, CRISTINA M. CIMINELLI, JAMES J. YUKEVICH, JEFFREY W. CALIGIURI

The case had all the ingredients for a scene in a James Bond film: a Ferrari 360 Spider, a fiery crash and a missing knife.

“Anytime you have a case with a Ferrari, it always makes the news,” said James J. Yukevich, a partner with Yukevich Cavanaugh in Los Angeles who defended the car maker along with partner Cristina M. Ciminelli in *Aslan v. Ferrari North America Inc.*, 16-CV02574 (C.D. Cal., filed April 14, 2016). The crash in Calabasas in northern Los Angeles County, involving a

successful construction company founder, briefly made national news: CNN posted footage of the melted car.

In his \$9 million product liability claim, Edmond Aslan asserted he was unable to disengage his seatbelt after the crash and wasn’t able to get out until he found a knife, suffering significant burns as a result. These claims were hard to directly refute.

“The car was completely destroyed,” Yukevich said. “There was virtually nothing left of it. So in terms of specifically disproving what he said,

all of the seatbelt webbing was destroyed.”

Instead, Yukevich said, the defense relied on the testimony of witnesses, including a passenger in the car, as well as an accident reconstruction showing Aslan was driving far faster than he claimed. In the end, Yukevich said, the jury came back with a verdict in 22 minutes.

The publicity may have been part of the reason Ferrari North America Inc. decided to take the case all the way to trial, Yukevich said. Car makers, particularly luxury brands, are

case INFO

Product liability
Central District
U.S. District Judge André Birotte Jr.

Defense lawyers:
Yukevich Cavanaugh, James J. Yukevich, Christina M. Ciminelli, Jeffrey W. Caligiuri

Plaintiff’s lawyers:
Daniels, Fine, Israel, Schonbuch & Lebovits LLP, Moses A. Lebovits, Parham Nikfarjam; Mooradian Law APC, Zorik Mooradian

reluctant to go court with their customers, he said, but the high profile of the case and the high dollar demand from the plaintiffs forced the issue.

“Sometimes you have to try those cases to clear your name,” Yukevich said.

Moses A. Lebovits, who represented Aslan as a partner with Daniels, Fine, Israel, Schonbuch & Lebovits LLP in Los Angeles, did not return a call seeking comment.

— **Malcolm Maclachlan**