

# **RICHARD C. WATTERS**

## Biographic Resume

DATE OF BIRTH: August 9, 1947

RESIDENCE: Fresno, California

FAMILY: Wife - Diane  
Son - Christopher (40 years) - Attorney  
Married - 3 children

EDUCATION: 1969 - BS cum laude, California State University, Fresno  
1970 - MBA, California State University, Fresno  
1973 - JD, University of Santa Clara

COURTS: Admitted to practice before:

1974 - Supreme Court of the State of California  
1974 - U.S. District Court, Eastern District of California  
1976 - U.S. District Court, Northern District of California  
1981 - U.S. Court of Appeals, Ninth Circuit  
1982 - U.S. Supreme Court  
1984 - U.S. District Court, Central District of California

LAW PRACTICE: MILES, SEARS & EANNI  
A Professional Corporation  
2844 Fresno Street  
Fresno, California 93721  
Telephone: (559) 486-5200  
Facsimile: (559) 486-5240  
Website: MSE-law.com  
[rewatters@mse-law.com](mailto:rewatters@mse-law.com)

Shareholder and President

Practice Limited to Plaintiff's Civil Litigation

Martindale-Hubbell Rating: "AV"

CERTIFICATIONS: 1980 - American Board of Trial Advocates  
(Advocate; CAL-ABOTA Co-Trial Lawyer of the Year  
2006)

1989 - Fellow - International Society of Barristers

1993 - Fellow - American College of Trial Lawyers  
(Northern California State Committee Chair -  
2000-2002)

2004 - Fellow - International Academy of Trial Lawyers

ASSOCIATION Patron Fellow of the American Bar Foundation

AFFILIATIONS:

Fresno County Bar Association - Board of Directors  
1978-1981; 2006-2009

State Bar of California

University of Santa Clara School of Law, Board of Visitors

American Inns of Court (Master) - 1992 - 1994

San Joaquin College of Law Board of Trustees  
2005 to 2008

LECTURER AND  
PANELIST:

California Continuing Education of The Bar

1984 - Speaker, Preparing a Case for Trial The Last 100 Days

1984 - Speaker, Comparative Fault Practice

1986 - Speaker, How to Handle Evidence

1986 - Speaker, Handling Trial Objections

1987 - Speaker, Preparing and Examining Expert Witnesses in  
Civil Litigation

1990 - Speaker and Moderator, Preparing and Examining Expert  
Witnesses in Civil Litigation

Fresno Business Coalition Group

1986 - Speaker, Plaintiff's Side of the Deep Pocket and the Joint  
and Several Liability Issues

San Joaquin College of Law

1981 - Panelist, The Second Annual Review of the Law - Tort  
Trends & Evidence

1986 - Speaker, How to Select Your Jury

1989 - Instructor in three hour course on Product Liability

1991 - Speaker, 1991 Updated: Personal Injury

1992 - Instructor in three hour course on Product Liability

1993 - Instructor, Ethics of Civil Trial Practice

1993 - Instructor, "So You Want to Make a Federal Case Out of It?  
Deciding Whether to Go to State or Federal Court"

1993 - Panelist For the Record Promoting Communication Among Attorneys, Judges & the Media

2000 - Panelist, "How to Walk and Talk in the Courtroom"

2007 - Instructor, 3 hour course in Product Liability

Society of Forensic Engineers and Scientists

1983 - Panelist, Expert Witnesses

37th Annual California Transportation and Public Works Conference

1985 - Speaker, Reducing Exposure to Tort Liability for the Plaintiff

Association of Defense Counsel of Northern California

1989 - Speaker, Litigation Techniques - Settlement

1998 - ADC/ASCDC Joint Summer Seminar - Mock Trial Panelist

Fresno Trial Lawyers Association and California Trial Lawyers Association

1991 - Panelist in the Fast Track Seminar

1991 - Speaker, The ABC's for Depositions

1994 - 33<sup>rd</sup> Annual Convention of the California Trial Lawyers Association, Liability for the Defective, Dangerous and Unsafe Product - Panelist

1997 - 36<sup>th</sup> Annual Convention of the Consumer Attorneys of California, Persuasive Openings and Closings at Trial - Panelist

Kings County Bar Association

1994 - Speaker at May Meeting Re: Ethics and Personal Injury Law

Johnsey Insurance Agency, Inc.

1994 - Speaker Re: Trial Practice and Insurance Law

American Board of Trial Advocates

1995 - Masters In Trial Co-Program Chair

1995 - Kiwanis Club of Corcoran

- 1999 - Masters In Trial - Program Panelist
- 2003 - Masters In Trial Program - Plaintiff Coordinator
- 2004 - Masters In Trial Program - Program Panelist  
San Francisco, California
- 2005 - Masters In Trial Program - Program Panelist  
Fresno, California
- 2006 - Masters Trial Notebook - California Ultimate Trial  
Notebook - Program Chair/Coordinator  
Visalia, California
- 2006 - Speaker - ABOTA California Coast Chapter
- 2007 - Masters Trial Notebook - California Ultimate Trial  
Notebook - Program Chair  
Modesto, California
- 2017 - Masters In Trial - Program Panelist  
Fresno, California

Fresno City College

- 1996 - Paralegal Class Re: Plaintiffs' Personal Injury  
Practice

Barker & Associates MCLE Seminar

- 1999 - Speaker on Tort Law Practice

Corvel Corporation

- 1999 - Disability Management Employer Coalition class – Speaker  
Re: Catastrophically Injured Plaintiffs and Return to Work.

Public Agency Risk Managers Association (PARMA)

- Dec. 2006 - Speaker “Lawsuits: The Plaintiff’s Perspective”

Tulare County Bar Association

- Feb. 2009 - Speaker “Ethics of Trial Practice in Federal and State  
Courts”

Santa Clara University School of Law

- March 2010 - Speaker “Ethics of Trial Practice in Federal and  
State Courts”

Public Agency Risk Managers Association (PARMA)

October 2010 - Speaker "The Other Side of the Fence - Suing Public Entities

Fresno County Women Lawyers

May 2014 - Speaker "Voir Dire"

Fresno County Young Lawyers Association & Association of Business Trial Lawyers

March 2015 - Speaker "War Stories, Wine & Words of Wisdom Lessons Learned"

PUBLICATIONS:

Watters, Richard: California Litigation. "Proving Damages for the Severely Injured Client". Volume 3, Number 2, Page 21. (1990)

Watters, Richard C.; Gordon, Douglas L.: CTLA 33<sup>rd</sup> Annual Convention. "Passenger Car Fuel Containment Post-Crash Fire Cases". Page 108 (1994)

AWARDS:

Fresno County Young Lawyers Association 14<sup>th</sup> Annual Mentor Award - September 21, 2001

Fresno City College Distinguished Alumnus 2001-2002

Santa Clara University, School of Law's Alumni Special Achievement Award - 2005

County of Fresno Young Lawyers Association Blaine Pettitt Mentor Award, September 2011

OTHER:

Plaintiffs' Steering Committee, Liaison Counsel, Re: I-5 Dust Storm Complex Cases 1992 - 1994

Plaintiff's Counsel - Dora Smith vs. General Motors Corporation; et al.; Fresno County Superior Court No. 454255-1; RE: Date of Accident: November 29, 1991 - I-5 Dust Storm Complex Cases Settled: July 31, 1996 for \$4,000,000.00 plus confidential settlement with General Motors

Plaintiff's Counsel - Blondy Davis v. Phoenix Air Group, Inc.; and Learjet, Inc., Federal District Court No. CVF-95 5696 REC DLB; RE: Fresno Learjet Crash, December 14, 1994; Settled: February 24, 1997 for \$12,250,000.00

Plaintiffs' Counsel - Palma v. Franciscan Friars of California, Inc.; et al., Tulare County Superior Court No. 98-182332; RE: Two Car Motor Vehicular Crash, January 11, 1998; Settled: October 6, 1998 for \$11,590,000.00

Plaintiffs' Counsel - Ruiz v. Watkins Motor Lines, Inc.; et al., Tulare County Superior Court No. 99-187482; RE: 14 Motor

vehicle crash including Watkins Motor Lines and Schneider Nation Carriers, Inc., in a fog-related accident on November 14, 1998; Settled: February 7, 2001 for \$11,811,000.00

Plaintiff's Counsel - Chontong v. Steven Ray Parra; Monte Vista Trucking and Meza Brothers, Inc., Motor Vehicle v. Truck Accident; Merced County Superior Court No. 139240; RE: Date of Accident: March 13, 1997; Verdict Date: June 29, 2000; Amount: \$ 3,327,988.00 with Plaintiff assessed 50% comparative fault for a net verdict of \$1,663,994.00 along with costs of suit.

Plaintiffs' Co-Counsel - Waski v. State of California; et al., Kern County Superior Court No. 240535-RDR; RE: Date of Accident: July 2, 1999, Roadway defect trial March 26, 2001-April 19, 2001; Settled: April 19, 2001 (while jury out after a four week bifurcated trial) for \$4,000,000.00 with State of California; Confidential Settlement with Granite Construction and \$500,000.00 with Alamo/Autonation

Plaintiffs' Counsel - Staley v. Parmod Kumar, M.D., Tulare County Superior Court No. 01-195845; RE: Date Of Incident: June 13, 2000 - August 29, 2000 (Date Of Death); Medical Malpractice; Trial: December 3, 2002 - December 10, 2002; Jury Verdict: December 12, 2002 for \$4,709,752.00 reduced by MIRCA ACT to \$1,504,035.57

Plaintiffs' Counsel - Barnes v. Yecny Enterprises, Inc., dba Air San Luis; et al., Fresno County Superior Court No. 01 CE CG 01242; RE: Date of Accident: November 6, 2000, Cessna 340A Twin Prop Airplane Crash, Fresno County; Settled: January 3, 2003 for \$5,000,000.00 with USAIG for Yecny Defendants and Confidential Settlement with Cessna

Plaintiff's Counsel - Doe v. Doe Utility Company; et al., San Francisco County Superior Court; RE: Date Of Accident: May 6, 2002, Two Car Motor Vehicle Collision, Madera County; Settled: September 11, 2003 for \$22,600,000.00

Plaintiffs' Counsel - Calderon v. Velocity Express Intermountain, Inc.; et al., Fresno County Superior Court No. 02 CE CG 02924; RE: Date of Accident: May 23, 2002, Head-On Truck v. Truck Collision, Fresno County trial November 24, 2003 - December 22, 2003; Jury Verdict: December 24, 2003 for \$14,300,000.00 but total paid was \$15,000,000.00

Plaintiffs' Counsel - Doe v. Roe Utility Company, Fresno County Superior Court; RE: Date of Accident: November 9, 2002, Electrocution; Settled on January 7, 2004 for \$4,500,000.00 with Roe Utility Company and for \$7,500,000.00 with State of California for total of \$12,000,000.00

Plaintiffs' Counsel - Hall v. North American Industrial Services,

Inc.; et al., U.S. District Court - Eastern District Case Number 1:06-CV-00123-OWW-SMS; RE: Date of Accident: September 20, 2005, catastrophic burn injuries; Total Jury Verdict \$27,514,746 - Reduced to: \$20,026,108.

Plaintiffs' Counsel - Ornelas v. Southern California Edison Company; et al., Fresno County Superior Court, Case No. 09 CE CG 02744 DSB; RE: Date of Accident: January 25, 2009, Vehicle versus Pedestrian; Total Jury Verdict plus Statutory Costs: \$5,792,879.75 - March 1, 2011

Plaintiffs' Counsel - Reyes v. Lion Raisins, Inc.; et al., Fresno County Superior Court, Case No.10 CE CG 03649 MWS; RE: Date of Accident: September 17, 2010, Open Penetrating Traumatic Brain Injury from Corner Iron that Dislodged from Commercial Trailer; Total Jury Verdict \$11,876,655.82 - March 22, 2012 (On May 18, 2012, the Defendant paid \$12.5 Million Cash to satisfy the Judgment)

Plaintiff's Counsel - Waldie v. Platinum Coast, Inc.; et al., Fresno County Superior Court, Case No 12 CE CG 03803 MWS; RE: Date of Accident, October 12, 2012, Fall from ladder. Settled on May 30, 2013, for \$3,000,000.00 .

Plaintiffs' Counsel - Lathrop v. Michael R. Tolladay Corporation; et al., Fresno County Superior Court, Case No. 12CECG03969 MBS; RE: Date of Accident: October 5, 2012, Fall from roof - Industrial Accident. Settled on February 26, 2014, for \$4,500,000.00.

Plaintiffs' Counsel - Kisling v. Mink Trucking & Excavation; et al., Fresno County Superior Court, Case No. : 13CECG02412 KCK; RE: Date of Accident: May 25, 2013, Vehicle versus Freightliner Dump Truck Accident. Settled On March 24, 2014, for \$1,000,000.00

Plaintiffs' Counsel - Martinez Vargas v. Yosemite Linen Supply, Inc.; et al., Fresno County Superior Court, Case No. 13 CE CG 02809 MBS; RE: Date of Accident: July 22, 2013. Settled October 20, 2014, \$2,200,000.00

Plaintiffs' Counsel - Royal v. Pacific Mobile Structures, Inc.; et al., Fresno County Superior Court, 13 CECG 03452 KCK RE: Date of accident: December 26, 2012. Settled November 10, 2014, \$2,250,000.00

Plaintiffs' Counsel - One Wrongful Death Case - Confidential Settlement Limousine Fire Case, San Mateo County. Date of Accident: May 4, 2013.

Plaintiffs' Counsel - Binger v. Omninet Capital, LLC; et al., Fresno, County Superior Court, 13 CE CG 03425 JH. Re: Date of

incident: March 13, 2013. Settled May 21, 2015, for \$3,500,000.00

Plaintiffs' Counsel - Gutierrez v. Flame Engineering, Inc.; et al., Kings County Superior Court, 12 C0323, Re: Date of Incident: December 8, 2010. Settled September 15 and 24, 2015, for \$3,000,000.00

Plaintiffs' Counsel - Payan v. Smokey Jack LP; et al., Fresno County Superior Court, 14 CE CG 02922, Re: Date of Incident: December 11, 2013. Settled January 6, 2016, for \$2,650,000.00.

Plaintiffs' Counsel - Marez v. Anchor Academy Charter School; et al., Fresno County Superior Court, 14 CE CG 01634, Re: Date of Incident: March 14, 2014. Settled March 15, 2016, for \$4,800,000.00.

Plaintiffs' Counsel - Powell v. High Class Limousines; et al., Fresno County Superior Court, 15CE CG 00961, Re: Date of Accident: September 2, 2014. Settled February 15, 2017, for \$1,575,000.00.

Plaintiffs' Counsel - Deaver v. A & D Bros Silage Covering; et al., Fresno County Superior Court, 16 CE CG 00623, Re: Date of Accident: August 13, 2014. Settled February 15, 2017, for \$1,000,000.00. Deaver v. A & D Bros Silage Covering; et al.,

Serious & Willful Misconduct - Workers' Compensation Settlement - January 2019 - \$1,000,000 cash

Plaintiffs' Counsel - Pena v. City of Fresno; et al., Fresno County Superior Court, 17CECG02424, Date of Accident: December 30, 2016. Wrongful death of 89-year-old mother of four. Settled February 7, 2019, for \$1,000,000.00 cash.

Plaintiffs' Counsel - Rotondaro v. Kings Rehabilitation Center, Inc.; et al., Merced County Superior Court, Date of Accident: October 2, 2019. Wrongful death of 36-year-old husband and father of two. Settled March 19, 2020 for \$5,000,000.00.

Plaintiff's Counsel - Jones v. Hiller Aircraft Corporation; et al., Fresno County Superior Court, 18CECG04044, Date of Accident: July 2, 2018. Premises Liability; Negligence; Dangerous Condition of Public Property. Jury Verdict on May 4, 2021 in the amount of \$9,328,323.69.