



MEDIA INFORMATION

655 WEST BROADWAY, SUITE 1700, SAN DIEGO, CA 92101
619.237.3490 / FAX: 619.237.3496

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Jury Awards Nearly \$6.5 Million to Family of Infant Burned at Omni La Costa

Resort Employee's Negligence caused 9-month-old to suffer third degree burns

San Diego, CA – A federal court jury awarded \$6,479,000 million to the family of an infant burned by hot coffee at the Omni La Costa Resort and Spa in May of 2016. The family claimed that an Omni waiter placed a pot of hot coffee within the reach of their 9-month-old infant and that the infant reached out and pulled the hot coffee on top of her.

Hadley Deruyver, now 3, suffered third degree burns. Following the incident, Hadley underwent several surgeries. She will require several more surgeries as she grows. Her skin will be permanently scarred and hardened.

Evidence presented over the course of the trial included Hadley's older brother, now 8, who described the event as a core memory in his life. He demonstrated how the distracted waiter carelessly placed a pot of coffee in front of his sister while the nanny's back was turned.

Omni defended the claim by blaming the baby's parents and nanny for failing to supervise and protect the child. They also claimed that the child reached into a cup of coffee causing the burns, rather than pulling the coffee pot onto herself. They presented no pre-trial offer to settle the case.

The jury found Omni and negligent and awarded Hadley Deruyver \$5.6 million in damages, including \$160,970 in past medical expenses, \$441,397 in future medical expenses and \$5 million in non-economic damages. The jury also awarded Hadley's mother, father and two brothers, who witnessed the incident, a total of \$879,000 in damages for negligent infliction of emotional distress.

"We were disappointed that the Omni failed to accept responsibility for its employee's clear negligence and instead turned on its own customers," stated lead trial attorney John Gomez. "We hope that today's verdict causes Omni to take the safety of its guests much more seriously."

John Gomez, Founder and CEO of Gomez Trial Attorneys, Partner Jessica Sizemore and Trial Attorney Kayla Lynk represented the Deruyver family.

Gomez Trial Attorneys is a nationally recognized law firm representing plaintiffs only in personal injury, mass tort and class action matters. The firm has recovered over \$500 million in verdicts and settlements since it was founded in 2005.

Case Information: Deruyver v. Omni La Costa Resort and Spa, LLC (Case No. 17-cv-0516-H-AGS). The trial was held before the Honorable Marilyn L. Huff of the United States District Court for the Southern District of California.

For information or to arrange interviews, contact Kathleen Coughlan at 760-522-6345 Kathleen@thegomezfirm.com.