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The Law Firm of Richard Duquette and Daniel Petrov Obtained a Six-Figure Settlement for An Injured Bicyclist

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OCEANSIDE, California, June 30, 2021--A generous six-figure settlement was reached for bicyclist Dave Nicolai by his bicycle injury trial lawyer Richard L. Duquette of Oceanside, California, with co-counsel Daniel Petrov and Michael Norton.

On October 19th, 2018, Mr. Nicolai was injured while safely rounding a corner on a SDSU campus street in front of a fraternity as a result of dangerous conditions of private and public property. The fraternity house discharged excessive water from its irrigation system, across the sidewalk, and into a defectively designed street cross gutter, creating pooling water, debris and algae.

The cross gutter failed to meet city building code requirements governing the drainage of water.

On the morning of October 19th, 2018, Mr. Nicolai was on his way to a coffee shop when he slid out, causing him to crash his bicycle and fracture his left leg.

This incident was captured on a FLY6 bicycle video camera. The video proved that the private landowner, the construction companies and the city were 100% at fault.

"Unfortunately, this type of tragedy occurs far more than people think whenever private property owners and construction companies fail to follow standards set by the city's building codes." said Mr. Duquette, of the Law Firm of Richard L. Duquette.

Mr. Nicolai hopes that as a result of his lawsuit, it stops negligent water run-off from private landowners, for the safety of the public and environment.

Mr. Nicolai sued and settled with seven specific defendants, recovering a substantial settlement. The defendants' settlements were approved by the Honorable, Kenneth J. Medel as good faith settlements after the case was privately mediated by the Honorable Joan Lewis (Ret.).

Defendants in the case were represented by Michael Osborne of Cokinos Young for Gamma Theta Alumni Association, William Bensey, and Alex Balazs; Patrick Ball, Esq. of Messner Reeves LLP for the City Of San Diego; Jane Kelley of Michael Anderson, Esq. for Richard & Richard Construction Company; Ian G. Williamson, Esq. & Jane A. Rothbaler, Esq. of Gordon Rees Scully Mansukhani, LLP for Ahles Landscape Architecture; Nowell A. Lantz, Esq. of Finch, Thornton & Baird, LLP for 2505 Congress, Inc., a developer; Dick A. Semerdjian, Esq. of

Schwartz, Semerdjian, Cauley & Evans, LLP for Prestige Concrete; Johnpaul Salem, Esq. & Alex Gianneto, Esq. of Bremer Whyte Brown & O'Meara, LLP for Landscape One, Inc.

David Nicolai v. City Of San Diego, et al.
Case No. 37-2019-00053982-CU-PO-CTL