

Case Background - Rashidi v. Moser, M.D.

- October 7, 2014 - Oral arguments scheduled
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Rashidi v. Moser, M.D. - S214430

Issue

If a jury awards the plaintiff in a medical malpractice action non-economic damages against a healthcare provider defendant, does Civil Code section 3333.2 entitle that defendant to a setoff based on the amount of a pretrial settlement entered into by another healthcare provider that is attributable to non-economic losses or does the statutory rule that liability for non-economic damages is several only (not joint and several) bar such a setoff?

Procedural History

Opinion Below: 219 Cal.App.4th 1170; Los Angeles County Superior Court; BC392082

Petition for review after the Court of Appeal modified and affirmed the judgment in a civil action.