

Southern California

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OVERDUE PRESENT — Oganis Saakyan, left, and his attorney Garo Mardirossian, were awarded \$21 million after Saakyan

HUGH WILLIAMS/ For the Daily Journal
became paralyzed when the car he was driving crashed following an auto shop's installation of the wrong wheel rims.

Accident Victim Gets \$21 Million

By Ed Kimble

Daily Journal Staff Writer

O Saakyan got a big birthday present this year from a Norwalk jury: \$21 million. But it was long overdue.

On Aug. 17, the Jury unanimously agreed that a Whittier auto shop negligently had installed the wrong wheel rims on his sister's Honda, causing Saakyan to roll the car off a cliff along the freeway and break his back in June 1992. Saakyan has been paralyzed below the chest ever since.

Saakyan turned 26 last Monday and went shopping for wheels for an old BMW his family has been saving for him, in hopes that one day it can be modified for him to drive. Of course, he's also shopping for a brand new car.

"I love cars," Saakyan said last week during an interview at the mid-Wilshire office of his attorney, Garo Mardirossian. "My whole family line has been in automobile mechanics."

It was BMW wheels that Modern Auto had installed on his sister's Honda that caused the accident eight years ago and changed his life forever.

"They didn't tell me it was BMW rims," he said. "They said they were from Germany, but they didn't say they were made for BMW. I'm not stupid. I know BMW wheels wouldn't work on a Honda."

Saakyan went to Modern Auto to buy new rims so his sister's Honda would be jazzier for his Hollywood High School graduation party at Magic Mountain. The advertised

rims were not available, so Saakyan agreed to a different set suggested by the shop manager. Those rims, however, needed wider tires, and those tires rubbed against the fenders.

Saakyan never made it to his graduation party. He had driven only 3 miles down the 605 when the mismatched wheels caused him to lose control of the car.

The \$21 million verdict is the largest that Mardirossian has won for an individual plaintiff, although he won a verdict of \$24.8 million in August 1995 for a dozen Samoan plaintiffs who were beaten by Los Angeles Sheriff's Department deputies who responded to a call about fighting at a bridal shower.

It also is the most "personal" case he has ever tried, he said. Mardirossian is an Armenia-American who came to the United States from Aleppo, Syria, when he was 9 years old. Saakyan is also an Armenian-American, who immigrated to the United States just five years before his accident.

The owner of Modern Auto, Dikran "Diko" Sulahian, also is Armenian.

"I felt I had the weight of the world on my shoulders," Mardirossian said.

The road to verdict included a defense verdict at trial in 1994. A shocked Mardirossian spoke to jury members afterward and discovered misconduct by one of them. He appealed and won a retrial.

In the second trial, Saakyan faced an unusual hurdle in the form of a defense expert testifying that living in a wheelchair is not all that bad.

"When he was making the point that [Saakyan] could get by on \$20,000 a year ... I honestly thought that was a 'company line,' if you will," jury foreman Kenny Lopez, a program practices coordinator for CBS-TV, said.

Most impressive to the jurors, Lopez said, was seeing Saakyan's zeal in dealing with his injuries. Saakyan went to West Valley Vocational College and earned nine certificates in English, business, computers and medical terminology. He now works as a billing and coding clerk at the hospital where he spent the first three months after his accident.

He also volunteers as an ad hoc counselor to young people who arrive at the hospital with spinal cord injuries. "They see that I'm a young person like them, and I'm working and driving, and they can work and drive too. So I think it helps them for me to talk to them," Saakyan said.

The jury also awarded Saakyan passenger, Garnik Paronyan more than \$1 million. Paronyan, who was represented by attorney Charlie O'Reilly, has recovered from his injuries, Mardirossian said.

Saakyan's award of \$21 million includes more than \$12 million in economic and general damages and more than \$9 million in interest accrued since the shop's insurance carrier, Liberty Mutual, refused to settle for \$985,000 before the first trial.