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THE TRIAL VERDICTS AND APPELLATE REVERSALS THAT CHANGED THE CALIFORNIA LEGAL LANDSCAPE IN 2025

Taylor v. Los Angeles Unified School District

The tragic death of a 6-year-old Los Angeles Unified School District student led to a \$30 million jury verdict that was ultimately reversed on appeal, establishing critical precedent regarding public school district liability for off-campus injuries.

The case centered on a child who died from severe beating injuries inflicted by a part-time LAUSD after-school playground supervisor whom the child's mother had privately hired to babysit her son over Christmas break. The babysitter is now serving a lengthy prison sentence for murder.

Following a trial marked by emotionally charged proceedings, a jury returned a \$27 million verdict against LAUSD, finding the district 90% liable for the child's death while allocating zero fault to the murderer and only 10% to the mother. The trial court refused to enforce Education Code section 44808, a long-standing statute that explicitly shields public school districts from liability for injuries occurring off campus.

Robert Wallan of Pillsbury Winthrop Shaw Pittman, along with colleagues Kevin Fong and Pauleen Truong, joined the case in August 2023 shortly after

the judgment. The team faced immediate challenges, including compressed deadlines for post-trial motions and the considerable task of assembling trial transcripts from a heavily scheduled court reporter.

"Significant proceedings were held 'off the record' by the trial court, making for a less-than-optimal record," Wallan said. "For appellate counsel not involved in the underlying trial, there was considerable work needed to get up to speed."

Despite these obstacles, the Pillsbury team developed a comprehensive appellate strategy. "We raised several strong



ROBERT WALLAN

This appeal was a multi-generational effort. Starting as an associate in the 1990s, lead partner for the school district Robert Wallan had worked on writs and appeals with now-retired Pillsbury partner Kevin Fong. For this appeal, Robert enlisted Kevin along with counsel Pauleen Truong. Pauleen immersed herself in the record, and our trio worked together to conceive and shape the winning arguments.

grounds for reversal, including the impossibility of a murderer being zero percent liable for his victim's death," Wallan said. However, the Court of Appeal selected statutory immunity under Education Code section 44808 as the strongest basis for reversal.

The statute provides school districts with broad immunity for off-campus injuries, with limited exceptions covering district-provided transportation, required school-sponsored activities, or situations involving a "specific undertaking" by the district.

"Essentially, 44808 grants immunity unless a student was or should have been supervised by a district employee," Truong said. "Here, the student was harmed by an off-the-clock, part-time district employee at the latter's apartment over winter break after the stu-



KEVIN FONG



PAULEEN TRUONG

Case Details

CASE NAME	Taylor v. Los Angeles United School District
TYPE OF CASE	Wrongful death, negligent hiring, supervision and retention
COURT	U.S. 2nd District Court of Appeal
JUDGE(S)	Rashida A. Adams
APPELLANT'S LAWYERS	Pillsbury Winthrop Shaw Pittman LLP, Robert L. Wallan, Pauleen Truong, Kevin Fong (Ret.)
APPELLEE'S LAWYERS	Ehrlich Law Firm, Jeffrey I. Ehrlich

dent's mother separately hired this individual to babysit her son — thus, the injury occurred off campus and none of the limited exceptions applied."

The Court of Appeal unanimously reversed the verdict and directed that judgment be entered for LAUSD. The appellate decision issued June 9, 2025,

and was ordered published later that summer, with final judgment entered in late 2025 following remittitur.

The publication was particularly significant because several other California public school districts facing similar lawsuits arising from off-campus harm had joined LAUSD's request for

publication. "The published appellate decision is important because the plaintiffs' bar frequently pursues claims for off-campus injuries, at great cost to school districts, and thus the taxpayers, across the state," Truong said. "The decision draws a bright line rule for some trial courts that might otherwise choose

to veer from the statutory language."

The reversal not only protected LAUSD from substantial financial liability, but also established a controlling precedent reinforcing legal protections for public institutions when no official duty of care is owed for off-campus incidents.