

**\*\*Title:\*\*** Flordeliza Mendoza vs. Mutya Soriano and Minor Julie Ann Soriano

**\*\*Facts:\*\***

1. On July 14, 1997, at around 1:00 a.m., Sonny Soriano was hit by a speeding Tamaraw FX driven by Lomer Macasasa while crossing Commonwealth Avenue near Luzon Avenue, Quezon City.
2. Soriano was thrown five meters away and the vehicle stopped 25 meters from the point of impact.
3. Gerard Villaspin, Soriano's companion, asked Macasasa to bring Soriano to the hospital. Instead, Macasasa fled the scene.
4. A school bus took Soriano to East Avenue Medical Center, where he later died.
5. The Quezon City Prosecutor recommended filing a criminal case against Macasasa for reckless imprudence resulting in homicide.
6. On August 20, 1997, Mutya Soriano and minor Julie Ann Soriano filed a complaint for damages against Macasasa and petitioner Flordeliza Mendoza, the registered owner of the vehicle, docketed as Civil Case No. C-18038 in RTC Caloocan City, Branch 121.
7. Respondents sought P200,000 for moral damages; P500,000 for lost income; P22,250 for funeral services; P45,000 for a burial lot; P15,150 for interment and lapida; P8,066 for hospitalization and transportation expenses; P28,540 for food and drinks during the wake; P50,000 for exemplary damages; P60,000 indemnity for Soriano's death; and P25,000 for attorney's fees.
8. Mendoza claimed exemption from liability citing due diligence in supervising her employee.
9. Upon respondents' motion, the complaint against Macasasa was dismissed.
10. The RTC dismissed the complaint against Mendoza, ruling Soriano negligent for using a gap in the island's fencing instead of the pedestrian overpass.
11. The RTC found no evidence of Mendoza's negligence in the selection and supervision of Macasasa.
12. Respondents appealed, and the Court of Appeals reversed the RTC ruling and held Mendoza liable, reducing the amount by 20% due to Soriano's contributory negligence.
13. Petitioner's motion for reconsideration was denied.
14. Mendoza filed a petition for review under Rule 45 with the Supreme Court.

**\*\*Issues:\*\***

1. **\*\*Jurisdiction:\*\*** Whether the RTC had jurisdiction over the case considering the total amount claimed.
2. **\*\*Liability for Damages:\*\*** Whether there was sufficient legal basis to award damages

against Mendoza.

**Court's Decision:**

1. **Jurisdiction:** The SC found that the RTC had jurisdiction over the case since the total damages claimed, amounting to P929,006 including P25,000 for attorney's fees and P500 per court appearance, exceeded the RTC's jurisdictional threshold of P200,000 for cases in Metro Manila.

2. **Liability for Damages:**

- **Negligence of Driver:** The Court held that Macasasa was presumptively negligent. His failure to adhere to safe driving speed and to aid the victim post-accident violated traffic rules leading to the application of Article 2180 of the Civil Code, finding Mendoza liable under her duty of diligence in supervising her employee.

- **Employer's Liability:** Petitioner Mendoza's failure to rebut the presumption of negligence under Article 2180 rendered her solidarily liable for the damages caused by Macasasa.

- **Contributory Negligence of Victim:** The Court acknowledged Soriano's contributory negligence and upheld the 20% reduction in the amount of damages awarded per Article 2179 of the Civil Code.

**Doctrine:**

1. **Employer's Vicarious Liability:** Under Article 2180 of the Civil Code, employers are liable for damages caused by their employees acting within the scope of their tasks unless they prove the "diligence of a good father of a family."

2. **Contributory Negligence:** Per Article 2179 of the Civil Code, contributory negligence of the injured party does not bar recovery but reduces the damages awarded.

**Class Notes:**

- **Elements of Employer's Liability (Art. 2180):**

- Employer-employee relationship.

- Act within the scope of employment.

- Presumption of employer's negligence.

- Due diligence defense.

- **Contributory Negligence (Art. 2179):**

- Plaintiff's negligence contributes to the injury.

- Immediate and proximate cause must involve defendant's lack of due care.

- Damage award reduction.

- **Traffic Violations and Presumptive Negligence (Art. 2185):**
- Violation of traffic regulations implicates negligence.
- **Jurisdictional Amounts:**
- As amended by RA 7691; sum exceeds P200,000 for Metro Manila RTC jurisdiction.

**Historical Background:**

- This case highlights the evolving interpretation and application of tort law and employer liability within Philippine jurisprudence, emphasizing statutory duties imposed under the Civil Code and reinforcing the employer's liability for acts within the scope of employment, even when direct evidence of negligence is not presented. The historical context underscores the judiciary's role in balancing employer responsibilities with employee actions and victim's contributions to accidents.