

**JACK LANDSKRONER, ESQ.**  
**LANDSKRONER • GRIECO • MADDEN, LLC**  
**1360 West 9th Street, Suite 200**  
**Cleveland, Ohio 44113-1254**  
**jack@lgmlegal.com**

**CURRICULUM VITAE**

**PERSONAL**

Born November 14, 1967, Cleveland, Ohio; Married: Heather Ann Landskroner:  
four children

1992 Admitted to the Ohio Bar  
1992 Admitted to the Northern District of Ohio Federal Trial Bar  
1994 Admitted to United States Court of Appeals, Sixth Circuit  
1999 Board Certified Trial Advocate by the National Board of Trial Advocacy  
(NBTA)  
2002 Admitted to the United States Supreme Court  
2003 Admitted to the United States Court of Federal Claims  
2004 Admitted to the Southern District of Ohio Federal Trial Bar  
2007 Admitted to the United States Court of Appeals, Ninth Circuit

**EDUCATION**

1989 B.A., Boston University (Law and Social Relations)  
1992 J.D., Cleveland Marshall College of Law

**EMPLOYMENT**

2003 - Present: Principal, Landskroner • Grieco • Madden, LLC  
Trial Lawyer practicing Civil Litigation; class action litigation, wrongful  
death, product liability, personal injury, medical malpractice, insurance law,  
with special interest in the representation of children.  
1997 - 2002: Managing Member, The Landskroner Law Firm, Ltd.  
1992 - 1996: Associate, Landskroner & Phillips Co., L.P.A.  
1989 - 1992: Landskroner & Phillips Co., L.P.A.

**PROFESSIONAL MEMBERSHIPS/APPOINTMENTS**

- AV-rated attorney (highest rating awarded Martindale Hubbell)
- Named to Ohio SuperLawyers 2004, 2005, 2006, 2007, 2008, 2009  
Recognized as one of Ohio's Top 100 lawyers (2008)
- Appointed Contributing Editor, Tort Law Journal of Ohio
- Life Member: Eighth Judicial District of Ohio Conference
- American Association for Justice (AAJ)
- Ohio Association for Justice (OAJ)
- Public Justice Foundation - Elected to The Board of Directors (1999- )

- Public Justice (PJ) - Secretary and Executive Committee Member (2006- )  
“State of Ohio Coordinator” (1994- ); State Network Committee (1995- );  
State Liaison Membership (1996- )
- Kent State University Paralegal Program Advisory Committee (1999- )
- Cuyahoga County Guardian Ad Litem (1999- )
- Cleveland Academy of Trial Attorneys (CATA)  
Elected to the Board of Directors (2002-2005)(2006-2009)  
2007 Recipient of the CATA President’s Award for exceptional services
- Cuyahoga County Bar Association (2004-2005)
- Ohio State Bar Association (1992-2001)
- Cleveland Marshall College of Law, Alumni Association (Life Member)

### **APPELLATE OPINIONS OF SIGNIFICANCE**

- *Ritt v. Billy Blanks Enterprises*, 2007-Ohio-1695 (Ohio App. 8th Dist.)
- *Sanford v. West Corporation*, Case No. D046739, Court of Appeals, Fourth Appellate District, California (2006) (unpublished)
- *Sanford v. Memberworks, Inc.*, 483 F.3d 956 (9th Cir. 2007)
- *State ex rel. Smith v. Cuyahoga Cty. Court of Common Pleas*, 106 Ohio St.3d 151, 832 N.E.2d 1206 (2005)
- *Rinaldi v. City View Nursing Home*, 109 Ohio St.3d 1424, 846 N.E.2d 534 (2005)
- *Kaye v. Southwest Airlines*, 2005 U.S. Dist. LEXIS 18389 (N.D. Tex. 2005)
- *In re First Energy Corp. Sec. Lit’g*, 316 F. Supp.2d 581, ND Ohio (2004)
- *Ritt v. Billy Blanks Enterprises*, 2003-Ohio-3645 (Ohio App. 8th Dist.)
- *Kmetz v. MedCentral Health Systems*, 2003-Ohio-6115, 2003 WL 22715631 (Ohio App. 5 Dist.) (unreported)
- *Minton v. Honda of Am. Mfg., Inc.*, 80 Ohio St.3d 62, 684 N.E.2d 648 (1997)

### **LECTURER/COMMENTATOR**

- Ohio Association of Justice (OAJ): “Class Securities & Derivative Actions” (2008)
- Cleveland Academy of Trial Attorneys (CATA): “Consumer Class Action Litigation” (2004)
- Cleveland Academy of Trial Attorneys (CATA): “Employment Intentional Tort” (2002)
- National Counsel of Jewish Women: Child Advocacy: “Love A Kid, Lock A Gun” (2001)
- Ohio Academy of Trial Lawyers (OATL) Medical Negligence Seminar – Mediation in the Medical Malpractice Case (1999)
- 850 Radio Mike Solomon Show: “Nursing Homes Negligence” (1999)
- Faces of the Future Child Advocacy National Seminar; “Focus Groups” Atlanta, GA (1999)

- WJW TV 8 Cleveland: Tort Reform: (1997)
- International Society of Refractive Surgeons; Mid-Summer Symposium: “The Role of FDA in Malpractice Liability” Minneapolis, MN (1996)
- WNPR/WCPN National Public Radio: Guest commentator “House Bill 350-Tort Reform” (1996)
- Case Western University School of Law “Public Interest Law” (1996)
- WERE Radio “Bob Zashin and the Law” guest appearance “Consumer Law”, “Product Liability Law” (1994 – 1999)
- WJW TV 8 Cleveland: Appearance as Guest Commentator (1995)
- Francis Payne Bolton School of Nursing, Case Western Reserve University: “Legal Aspects of Nurse Midwifery (The Federal Dumping Statute)” (1994)
- Fraternal Order of Police George Murray (Lodge 67): “Labor Relations” (1994)
- University School: Constitutional Law Classes; Business Profession Classes (1993 – 1995)

## **PUBLICATIONS**

- Tort Law Journal of Ohio, Contributing Editor (2008)
- Cleveland Academy of Trial Attorneys: News: “Bad Faith Insurance Practices” (Summer 2006) Co-author Rebecca Castell
- Ohio Trial (Ohio Academy of Trial Lawyers), “Gender Injustice and Tort Reform” (Vol. 14, Issue 2), co-author David M. Beninger (Summer 2004)
- Cleveland Academy of Trial Attorneys: News: “Class Action Litigation” (Summer 2003)
- Ohio Trial (Ohio Academy of Trial Lawyers), “Fighting Federal Preemption” (Volume 13, Issue 2), co-authors Arthur H. Bryant and Leslie A. Brueckner
- Ohio Trial (Ohio Academy of Trial Lawyers), “Fighting Unnecessary Court Secrecy” (Volume 13, Issue 1)
- Ohio Lawyer, “U.S. Supreme Court Allows Fee-Silent Arbitration Clauses” (March/April 2001, Volume 15, No. 2)
- The Cleveland Bar Journal: “Federal Pre-emption: *Geier* and its implications” (February 2001)
- Guest Columnist: Chagrin Valley Times (2005 – )
- Contributor Opinion Editorials “The Columbus Dispatch” (1997 – )
- Contributor Opinion Editorials “The Daily Legal News” (1995 – )
- Contributor to the “Cleveland Plain Dealer” Opinion Editorials (1994 – )
- Contributor to Ohio Academy of Trial Lawyers “Advisory” (1995 – )
- Columnist: Link Magazine, The Legal Eagle “Prenuptial Agreements, A Thing That Makes You Go Hmm” (1992)

## **NON-PROFESSIONAL MEMBERSHIPS AND AFFILIATIONS**

- Founder: The Landskroner Foundation for Children: a children’s advocacy organization
- Reach Out America: Non-profit organization created in 2005 to assist hurricane victims
- Rotsky Foundation for Mentors
- Boston University Alumni Representative
- Sigma Alpha Mu Fraternity
- The Club at Key Center
- Stand For Children
- United Cerebral Palsy

- “Meals on Wheels” volunteer (1992 - 2001)
- Cleveland City Club (1997-2001)
- Big Brothers/Big Sisters of Cleveland - Division of Youth Visions (1992-1995)

## **SAMPLE AWARDS/VERDICTS**

### **2008 Ritt v. Billy Blanks / Sanford v. Memberworks, Incorporated**

Consumer class actions certified in Ohio and in California arising from allegations that defendants violated consumer protection statutes and were unjustly enriched by improper charges levied on consumer credit and debit cards for a wholesale buying club, which consumers did not desire to purchase.

Settlement: \$39,750,000 constituted 150% - 300% recovery available for consumers submitting claims on their losses, plus attorneys fees and expenses

### **2007 Staehr v. Cardinal Health**

Shareholder derivative claims for alleged breach of fiduciary duty, abuse of control, gross mismanagement, waste of corporate assets and unjust enrichment by officers and directors of Cardinal Health.

Settlement: \$70 million returned to Cardinal Health Corporation

### **2007 Leonard v. UnumProvident Corp.**

Shareholder derivative claims for alleged breach of fiduciary duty, abuse of control, gross mismanagement, waste of corporate assets and unjust enrichment by the directors and officers of UNUMProvident Corporation related to the use of alleged hidden contingent commissions and kickbacks in the sale of group insurance.

Settlement: Enactment of corporate governance prohibiting continued use of hidden contingent commissions and increasing transparency for customers

### **2007 In re Scrap Metal Antitrust Litigation**

Plaintiffs allege that scrap dealers unlawfully conspired to fix the price of scrap metal.

Partial settlement \$10 million approved August 2004  
Jury verdict: \$11,500,000

### **2007 In re Estate of Jane Doe v. Nursing Home X**

Plaintiff's decedent, who was a 94-year-old Alzheimers' patient with limited mobility, was killed when she fell down a flight of stairs while under the care and supervision of the nursing home.

Settlement: Confidential

2006 **Reust v. State Automobile Mutual Insurance Co.**

Cross-Claimant Reust had a State Auto homeowner's policy with \$100,000 liability coverage. Reust's dog bit off girlfriend's lip. State Auto denied his girlfriend's claim, refused to indemnify Reust and refused to provide him with a defense when he was sued by his girlfriend. A judgment was rendered against Reust by his girlfriend, and Reust sued his own insurance company for failing to honor their contractual obligations and bad faith.

Settlement: \$2,400,000.00

2006 **Estate of John Doe, a minor v. ABC Foundation**

Decedent, a 23-month-old child, died when his treating pediatrician failed to timely diagnose and treat bacterial meningitis.

Settlement: Confidential

2005 **John Doe, a minor v. Doctor X**

Plaintiff alleged that Defendant optometrist failed to timely diagnose and refer this six year old child for treatment of the sudden loss of visual acuity and headaches arising from what was subsequently diagnosed as a craniopharyngioma (benign brain tumor). As a result of the delay in diagnosis the tumor's size increased pressing on the boy's optic nerve and chiasm causing permanent optic nerve damage and complete loss of vision in his left eye.

Settlement: \$650,000

2005 **In re FirstEnergy Corp.**

Class action on behalf of shareholders of First Energy Corporation stock.

Settlement: \$84,900,000.00

(Co-Counsel Lerach Coughlin Stoia Geller Rudman and Robbins)

2004 **In re Empyrean Bioscience, Inc. Securities Litigation**

Class action on behalf of shareholders of Empyrean Bioscience, Inc.

Settlement: \$1,425,000.00

(Co-Counsel Laurence Rosen, Esq.)

2004 **Leiner v. Glick**

Plaintiff and her husband were traveling down a rural road under the right of way when a tractor-trailer truck failed to yield at a stop sign, causing a collision. Plaintiff suffered a calcaneus (heel) fracture and comminuted ulna (wrist) fracture, requiring external fixation and surgical intervention for placement of a vena cava filter because of blood clots.

Settlement: \$350,000.00

2004 **Kekelis v. Mack**

Plaintiff was injured when Defendant hit and flipped his vehicle while driving under the influence of alcohol (DWI), causing a rotator cuff tear necessitating surgical repair and placement of a Mitek Anchor in his shoulder.

Jury Verdict: \$82,000.00, plus attorneys' fees  
Final Judgment: \$112,000.00

2003 **Estate of John Doe v. Jane Doe, M.D.**

Plaintiff was a 62-year-old man who developed changes in bowel habits, recurring bouts of constipation and diarrhea, loss of weight, vomiting and eventually presented with blood in his stool. Plaintiff's family physician treated these conditions for over 20 months without ordering appropriate or timely diagnostic evaluation of Plaintiff's colon via colonoscopy. While driving his truck at work, Plaintiff's colon ruptured from a colonic tumor. Emergency surgery was performed but the cancer had spread. Plaintiff underwent unsuccessful chemotherapy treatment over four months and then died. Plaintiff's estate claimed Defendant failed to timely diagnose and treat decedent's colon cancer resulting in spread of disease and death. He was survived by his wife of 26 years, five daughters and three stepchildren.

Settlement: Confidential

2003 **In re Advanced Lighting Securities Litigation**

Settlement: \$8,400,000.00

(Co-Counsel Milberg, Weiss, Bershad, Hynes & Lerach, LLP)

2002 **Estate of John Doe v. Company X**

Mr. Doe was an employee of Company X, working as a maintenance man. While repairing the "crash" of a Garnett/Lapper machine, Mr. Doe was underneath the machine, which was neither locked out nor tagged out. Company X preferred that the machines not be locked or tagged out when repairing a crash because it slowed down production. The machine crash was cleared and Mr. Doe was caught by the neck between the Lapper roller and shaft and was asphyxiated. Company X reported the death as a heart attack rather than a strangulation. Mr. Doe's family alleged a violation of workplace safety regulations and an employment intentional tort.

Settlement: \$1,350,000.00

2002 **John Doe v. ABC Company**

Mr. Doe was a salesman working for a general contractor who placed him in the role of Job Superintendent on a building site. He was requested by a subcontractor to climb a 14-foot A-frame ladder to paint piping. While atop the ladder, he leaned on the piping which was secured by ceiling hangers. The piping moved, causing him to fall 14 feet, landing on his head. Mr. Doe suffered post-traumatic seizures with cognitive dysfunction and a subsequent behavioral disorder, resulting in uncontrolled fits of aggression and damaged short-term memory. Mr. Doe alleged negligence on the part of the third-party subcontractor. ABC Corporation contended

Mr. Doe caused his own injury and that he was a loaned servant which provided ABC Corporation immunity from suit.

Settlement: \$4,530,000.00

2002 **Andrea Kmetz, Admin. for Estate of Jay Kmetz v. MedCentral Health Systems**

Jay Kmetz underwent anterior cervical discectomy and fusion (ACD&F) on 3/10/98 at Mansfield Hospital. Over the next twelve hours, Jay experienced post-operative complications, eventually leading to complaints of inability to breath and swallow at 2:00 a.m. Despite subjective complaints, the nurse noted no objective findings, and failed to obtain a medical consult. At 2:35 a.m. on 3/11/98, Jay Kmetz suffered a respiratory arrest, leading to cardiac arrest. Jay Kmetz' death followed 15 hours later. The family declined an autopsy and the cause of death remained in dispute. Plaintiff presented no economic loss and proceeded to trial on Decedent's survivorship claims for pain and suffering and losses to the five surviving adult siblings and parents.

Jury Verdict: \$500,000.00 (survivorship only)

2001 **In re Jane Doe**

Thirty-five year old woman suffered fractured vertebra while a passenger in a vehicle hit by an underinsured motorist.

Settlement (presuit): \$437,500.00

2001 **Jane Doe v. Atlas Iron, et al.**

Defendant truck driver (Atlas Iron) parked his semi-tractor and trailer in a full lane of traffic on a two-lane roadway in front of Defendant A-1 Auto's lot, where he was to pick up a load of scrap steel. It was 3:00 p.m. and A-1's parking lot was full with no place to park on the premises. Plaintiff, age 30, came over the crest of a hill and curve in the roadway, which created a view obstruction, providing only 437 feet of visibility. When Plaintiff was able to perceive and react to the truck in her lane of traffic, it was too late, and she hit the back of the parked vehicle, suffering severe and debilitating injuries, including a broken femur, two broken wrists, fractured ankle and degloving injury to her face. Defendants argued Plaintiff hit the back of the parked truck because she was not paying enough attention to the road in the operation of her vehicle. Plaintiffs argued Defendant Atlas Iron failed to provide warning to oncoming vehicles and Defendant A-1 Auto created a constructive nuisance by failing to provide parking access to business invitees.

Settlement: \$524,000.00

2000 **Brenda Muriel, as Administratrix and Prosequendum for the heirs-at-law of Jayson Diaz, Jr., Deceased, et al. v. Yellow Freight Systems, Inc., et al.**

Decedent was a 1½-year-old boy killed as a passenger in his mother's vehicle, when it was hit by a Yellow Freight truck on the Ohio Turnpike. The mother's vehicle was disabled and being towed with a makeshift tow rope by a U-Haul truck driven by the

child's father at 2:00 a.m. in the morning. The driver of the Yellow freight truck claimed the car was being illegally towed and had no lights. The family claimed the driver of the truck failed to keep an assured distance. After impact, the parents were unable to remove the child from his car seat before the car exploded and caught fire.

Settlement: \$700,000.00

2000 **In re: The Estate of John Doe, a minor**

Plaintiff's decedent was a four-year-old boy killed as an unrestrained front seat passenger in a motor vehicle accident. The child was killed as a result of the impact from the airbag which was triggered by the motor vehicle accident.

Settlement (presuit): \$700,000.00

2000 **The Estate of Jane Doe v. ABC Trust**

Plaintiff Jane Doe, deceased, was a 66-year-old retired county worker residing in an apartment complex on Cleveland's east side. Ms. Doe was single with no children. A fire broke out in the first floor laundry room of her building in the early morning hours. The fire was determined to be of human origin. There had been at least five previous fires of human origin in the laundry rooms of buildings in this complex, and one in her building. The complex also had a history of vagrants living in apartment laundry rooms. All other tenants escaped, but Ms. Doe was killed in the fire. Plaintiffs alleged the apartment complex was negligent in failing to provide adequate security to protect its residents. Defendant contended this was arson and nothing could be done to prevent the fire.

Settlement at Trial: Confidential

Co-Counsel: Johnnie Cochran, Esq.

2000 **Leyland Hoyle v. Murlon T. Lile Trucking Co.**

Mr. Hoyle was an over the road truck driver hit from behind by another truck on the freeway. As a result of the impact, he suffered a concussion and an abdominal hernia. The insurance company for the Defendant would not pay for the \$7,000 property damage to repair Mr. Hoyle's truck or for the \$6,000 in medical costs for surgery to repair his hernia. As a result, Mr. Hoyle could not work, and his truck was repossessed because he could not make his loan payments.

Jury Verdict: \$178,881.00 (case settled after verdict for \$195,000.00 pending motions for prejudgment interest and costs)

1998 **The Estate of Max Harrell (deceased) v. Gaylord Foundry Equipment Co., et al.**

Plaintiff Max Harrell, deceased, was a 61-year-old man working at an aluminum coring foundry when a solenoid gassing valve stuck open causing sulfur dioxide gas to leak into the ambient work air. Mr. Harrell was a known asthmatic and was exposed to the gas causing an asthma attack, which resulted in suffocation and

death. The widow brought suit alleging product defect and failure to warn. Defendants contended the employer misused the product and Plaintiff should not have been working in that environment.

Settlement at Trial: \$575,000.00

1998 **Randall Figuly v. Fortune Products, Inc. et al.**

Plaintiff, a 26-year-old line cook, was injured when the knife sharpener he was utilizing fractured in his hand allowing the knife to run free lacerating his wrist, partially severing the nerves, tendons, and muscles in his left hand. Plaintiff alleged negligent design, manufacture and inadequate warnings on the knife sharpener. Defendants contended misuse of the product by the Plaintiff and his employer.

Settlement: \$436,838.00

1997 **Thomas Ortman, et al. v. John Doe, M.D., et al.**

Plaintiff, a 37-year-old man, was diagnosed with testicular seminoma Stage I causing the removal of his right testicle. After completing post surgical radiation treatments, he was discharged with a clean bill of health from his physician's care. Five months later, Plaintiff experienced severe pain in his low back and abdomen causing him to return to the emergency room. At that time, he was diagnosed with a mixed germ cell tumor, with masses around his kidneys and in the muscle areas surrounding his kidneys. Plaintiffs alleged that the Defendants failed to diagnose the mixed germ cell tumor, misread the original pathology findings and discharged the patient without appropriate follow up care. This resulted in the spread of cancer causing Mr. Ortman to undergo additional chemotherapy treatments and 19 unnecessary radiation treatments. As of resolution to this claim, Plaintiff had recovered and was cancer free.

Settlement: \$200,000.00

1997 **Ralph DePolo, et al. v. John G. Pasalis, M.D.**

Plaintiff was a 67-year-old man who presented to the Defendant urologist on referral from his general physician for concerns related to microscopic blood in his urine. Plaintiff also had a urinary tract infection and hesitation in his stream of urine. Defendant preformed numerous tests to screen the prostate, but neglected to pay attention to the results of an IVP film which indicated a suspicious area in the bladder. Plaintiff was next seen by the Defendant one year later on follow up with gross blood in his urine. The Defendant treated the prostate, but ignored the bladder over the course of the next six months. Plaintiff sought a second opinion and was diagnosed with a huge bladder tumor. Eventually, his bladder was removed and he was left with a stoma and an external pouch for urine retention.

Jury Verdict: \$300,000.00

1997 **John Doe v. ABC Hospital and Physicians**

Plaintiff was admitted to the hospital emergency room with complaints of stomach pains. He was diagnosed with gall stones and stabilized. Two days later, the treating surgeon recommended gall bladder surgery. Plaintiff was not a candidate for a

surgical procedure because of other health concerns including hypertension, cardiomegaly, sleep apnea, morbid obesity and a history of psychiatric treatment. The patient underwent the procedure and during the reversal from anesthesia, he suffered a hypoxic injury leaving him in a comatose state. He had remained in a coma since 1994.

Settlement: Confidential

1997 **David Buckley v. Alfalfas Enterprises, Inc. dba Slam Jams, et al.**

Plaintiff, a business invitee, was assaulted by 3 to 5 other patrons at the Slam Jams Sports Bar and Grill. Plaintiff claimed the bar maintained inadequate security for the safety of its customers. Defendant contended that they should not be held responsible for the unforeseeable criminal acts of third parties and that Plaintiff contributed to his own injuries. Plaintiff sustained spinal cord injury including Brown Sequard Syndrome. As a result, he experienced atrophy of the right shoulder, arm and loss of dexterity in right hand as well as numbness in his left lower quadrant and a surgical laminectomy of C4-C7.

Settlement at Trial: \$850,000.00

1997 **Jeff Dawson v. Midwest Plastic Fabricators, et al.**

Plaintiff was a passenger on a single engine plane which crashed shortly after takeoff en route from Atlanta to Cleveland. The pilot was killed and Plaintiff suffered broken bones and was burned over parts of his body. Eventually, part of his left leg was amputated. Defendants contended Plaintiff deviated from the course and scope of his employment and was not permitted to receive benefits from the Ohio workers' compensation fund. Plaintiff claimed he was working at the time of the crash discussing business with the pilot of the plane who was a co-employee.

Jury Verdict: Plaintiff entitled to receive full benefits

1996 **Leroy Carter v. Greyhound Lines, Inc., et al.**

Plaintiff was a 74-year-old man who was a passenger on a Greyhound bus. The bus driver lost control of the vehicle and drove the bus into a ditch. Defendants admitted liability and the case proceeded on damages. Plaintiff suffered post-traumatic stress disorder resulting in stammering and headaches as well as soft tissue injuries to his right hip.

Jury Verdict: \$50,000.00

1996 **The Estate of Robert Mills v. United States of America**

Plaintiff alleged medical negligence when a 57-year old male presented to Wright Patterson Air Force Base Medical Center for treatment of a progressive sore throat. Plaintiff's decedent sat in the emergency room for over 1 hour before being seen and then after consultation with a physician, sat for two additional hours before going into full respiratory arrest. Defendants contended that arrest was sudden and not

clinically foreseeable. Decedent was diagnosed with epiglottitis, a viral condition causing swelling of the epiglottis. Subsequent creation of an airway was untimely and resulted in hypoxia, shock lung, eventual ARDS, multi system failure and death.

Settlement: \$500,000.00

1996 **The Estate of Scott McGraw (a minor) v. Roger Murdock**

Twelve-year-old Scott McGraw was struck and killed by Defendant's truck while crossing the street from his mailbox to his home. Defendant contended the boy unexpectedly ran into the road and that he was traveling 20 mph under the speed limit. Plaintiff contended that Defendant failed to act as a reasonable driver in that he saw the boy at the roadside but failed to take into consideration the immediate danger and unpredictable nature of a child near the roadway on a 55 mph rural road.

Settlement: \$272,500.00 (exhaustion of policy limits on primary coverage plus underinsured benefits)

1995 **John Doe, et al. v. John Doe, D.C., D.M.**

Plaintiff suffered a stroke while under the treatment and care of Defendant Chiropractor at his health institute while on a supervised therapeutic fast. Plaintiff suffered partial left-sided paralysis as a result of the stroke.

Settlement: Confidential

1995 **Joe Frankovich v. Asplundh Tree Expert Co., et al.**

Plaintiff, an electrical lineman, suffered electrocution when he came in contact with 13,700 volt tension lines while working in an Asplundh line lift bucket truck. Plaintiffs alleged design defect in the controls of the bucket in that they were confusing and reversed directions when the bucket was operated in an over center position (over 90 degrees), making it unreasonably dangerous to the operator. Mr. Frankovich lost his left arm, all his back muscles and suffered serious internal injuries.

Settlement: \$2,450,000.00

1994 **The Estate of John Blaney v. Rick Scott Trucking Company, et al.**

Plaintiff was a laborer working on the premises of his employer. Defendants' tractor trailer truck was making a delivery on employer's premises. While backing without appropriate backing warning, Defendants' driver-employee hit decedent crushing him and causing his death.

Judgment: \$3,500,000.00

1994 **Martha Kirkbride, et al. v. Raymond Sanders**

Plaintiff was injured while a passenger in a vehicle hit by defendant's car. Plaintiff hit her head on the windshield and suffered no documented neurological deficit.

Unexplainably, she temporarily regressed to the mentality of a child. She was diagnosed with post-traumatic stress disorder.

Settlement: \$92,500.00

1994 **Mike Revak v. Cortez III Service Corp.**

Plaintiff was riding a bicycle against traffic on private property when he was hit by a security car making a right turn on red at an intersection. Plaintiff suffered four broken ribs, separated shoulder and head trauma resulting in a post traumatic seizure disorder.

Jury Verdict: \$152,124.00 (less comparative)

1994 **James McCaulley, et al. v. James E. Lyles, et al.**

Plaintiff was working in the bucket of a line lift bucket truck, repairing a traffic signal over an intersection. Defendant, operating a semi tractor trailer truck passed under the traffic signal and hit the bottom of the bucket, catapulting Plaintiff 30 feet into the air. Plaintiff landed on the cement sidewalk, fracturing two vertebrae, herniating a disk, fracturing his wrist and injuring his lung.

Settlement: \$385,000.00

Co-counsel: Mark D. Okey, Esq., The Okey Law Firm