

Petition

Quarterly

From the Florida offices of **Leesfield Leighton Rubio Mahfood** Trial Lawyers

LAW OFFICES

**LEESFIELD
LEIGHTON
RUBIO
MAHFOOD**
PROFESSIONAL ASSOCIATION

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for lawyers and clients
of Leesfield Leighton
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Contents:

2 Subhead to come, subhead to come, subhead to come

Subhead to come, subhead to come, subhead to come, subhead to come, subhead to come.

3 LLRM Happenings:

Subhead to come, subhead to come, subhead to come.

Subhead to come, subhead to come, subhead to come, subhead to come.

4 LLRM's Florida Practice and representative results around Florida



LLRM ADVOCATES FOR FAMILY SAFETY: *Florida, a multi-cultural, multi-generational state, ranks fourth in U.S. population. Three million senior Floridians live in a dynamic community which serves as a global crossroad for visitors from around the world. Florida's families, its seniors and 50 million annual visitors deserve the safest possible environment in which to live, work and play.* This Summer's issue of *Petition* is dedicated to Florida family safety.

GUARDING OUR GRANDPARENTS

\$1.4 Million Award Brings Dignity to Florida Seniors

DAVID AND ETHEL FAHRER, ages 79 and 76, were married over 55 years when the defendant's out of control vehicle crashed into their car. The Fahrers' main joy in life was spending time with each other and enjoying their grandchildren. Those pleasures were shattered on September 15, 1998, by the negligence of an under-insured driver who crossed the centerline causing massive injuries to Ethel. Husband David watched Ethel's near death condition for months. **Ira Leesfield** and **Robert Boyers** successfully



Ira Leesfield

achieved an award which now allows the Fahrers to care for themselves without burdening their family's resources.

\$1 Million Nursing Home Settlement for Abused and Abandoned Resident

JOHNN LEIGHTON teamed up with **Tom Scolaro** in representing Barbara Johnson against the Key West Convalescent Center. Mrs. Johnson suffered ten separate falls resulting in subdural hematomas and a loss of 57 pounds in a facility that was cited numerous times by state investigators for under-staffing. The firm's aggressive elder advocacy program spurred a countywide investigation of nursing home practices.



John Leighton

More Nursing Home Neglect Uncovered by LLRM

ALSO LITIGATING in Monroe County, Florida, **George Mahfood** recovered **\$625,000** for neglect, abuse and the failure to provide adequate and appropriate



Thomas Scolaro

medical care to a 45-year old man who died of aspiration and respiratory arrest. Meanwhile, in Broward County, Florida, John Leighton and Tom Scolaro represented the estate of 71-year old Calvin Wood against Tamarac Rehabilitation & Health Center achieving a **\$425,000** settlement, followed by a **\$300,000** settlement against an assisted living facility which over sedated a 92-year old resident.

In Miami-Dade County, Florida, LLRM recovered **\$600,000** in **Sanchez v. Oceanside Extended Care** for that facility's failure to monitor an 88-year old resident causing her to sustain two separate hip fractures.

Web Sites for Nursing Care and Assisted Living Facilities (ALF) Litigation

NATIONAL HEALTH LAW PROGRAM

<http://www.healthlaw.org>

NATIONAL SENIOR CITIZEN LAW CENTER

<http://www.nslc.org>

NURSING HOME INFO: THE NATIONWIDE NURSING HOME DIRECTOR

<http://www.nursinghomeinfo.com>

AARP WEBPLACE — CONSUMER INFORMATION

RIGHTS OF NURSING HOME RESIDENTS:

<http://www.aarp.org/getans/consumer/rights.html>

ADMINISTRATION ON AGING:

<http://www.aoa.dhhs.gov>

ELDER ABUSE PREVENTION INFORMATION & RESOURCE GUIDE:

<http://www.oaktrees.org/elder/>

FLORIDA NURSING HOME GUIDE WATCH LIST:

<http://www.fdhc.state.fl.us/nurhome/index.html>

ASSOCIATION FOR THE PROTECTION OF THE ELDERLY:

<http://www.apeape.org>

Please call us for additional Nursing Home Research at 800/836-6400.

Protecting Florida's Parents and Children

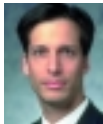
WHEN LLRM met Todd Eimers, he was rendered a paraplegic from a motorcycle accident. He could not pay for medicine, nursing care or life sustaining therapy. Our \$19.8 million verdict against Honda provided a full and dignified life, the opportunity for marriage and a secure future. We were privileged to represent Todd and to have made a difference in his family's life.

Medical Negligence - Improper Mix of Medication



Maria Oves' life was defined by her role as care giver to her husband and children, ages 8 and 11, until the improper administration of her medication resulted in tardive dystonia and brain injury. Now, the children and father provide full time medical care to Maria. A partial settlement of **\$1.225 million** from the physicians was just approved by the Court allowing professional care to help the family. **Maria Rubio** and **George Mahfood** continue to litigate against the patient's HMO.

Medical Negligence / Wrongful death — \$2.2 Million Settlement



At age 40, our client was a remarkable mother of three and dedicated wife. The failure of her doctors and hospital to properly diagnose and treat her for bacteremia caused her to go into septic shock and death resulting in a settlement by **Robert Boyers** and **Ira Leesfield** just prior to trial.

Attorney's Wrongful Death brings \$1.150 Million



Michael Benjamin, a 32-year old government lawyer, was instantly killed when the driver of a dump truck, operating with faulty brakes, ran a red light, crashing into his car. Ira Leesfield and **Mark Sylvester** reached a substantial settlement for his surviving wife and three-year old daughter.

Plane Crash over Everglades - \$3 Million Settlement

The family of Raul Vega was awarded **\$3 million** policy limits from the crash of a Cessna 152 over the Florida Everglades. Raul was a student pilot when, due to an instructor's failure to maintain speed and altitude, the plane



crashed. LLRM obtained an award to fund the education and maintenance of the Vega children and surviving wife and provided financial security for the tragic loss of this wonderful husband and father.

Child Eye injury = Change of School Policy

Eight-year old Javier Lopez stayed after school for soccer practice when an object thrown by an unsupervised child on school playground struck him in the eye resulting in permanent impairment of his vision. Ira Leesfield and Maria Rubio obtained a **\$375,000** settlement and change in policy for supervising after school students.

Car Seat/Air Bag Safety — Wrongful Child Death

LLRM obtained a confidential award for the parents of an 8-month old baby killed by the negligent deployment of an air bag against its designer and manufacturer. In an ongoing campaign to improve car seat and air bag safety, our firm demonstrated improper and inadequate labeling and instructions on behalf of the defendant.

\$600,000 Award to 11-year old Injured on Horseback

Our young client was injured during an equestrian activity,

inspection of training facilities, especially, with inexperienced riders. (See Internet links below.)

EQUESTRIAN AND HORSEBACK STANDARDS RESEARCH WEB SITES

1. American Medical Equestrian Association.
<http://www.law.utexas.edu/dawson/amea/amea.htm>.
2. Ontario Equestrian Federation Recommendations for Safety Standards.
http://www.horse.on.ca/Whats_new/Press_Releases/Press/Safety_Standards.htm
3. ASTM Equestrian Helmet
<http://www.horse-country.com/safety3.html>

For additional research, call Robert Boyers at 800-836-6400

\$1 Million to Child Injured by Hardware Store Negligence

This LLRM settlement not only provided quality care for young Carlos Valdes, but also caused defendants to examine their shelving and storage procedures. The Valdes child was struck when a lobster trap fell on his head at a Florida Keys supply store resulting in closed head trauma. 🍌

Class Action Corner

Collision in the English Channel gives rise to Class Action

George Mahfood and **Patricia Kennedy** have filed a multi-million dollar class action against Norwegian Cruise Lines on behalf of John and Mary Hutton and all passengers who were on board the cruise ship Norwegian Dream when it collided in the middle of the night on August 24, 1999, with a cargo ship in the English Channel, Case No. 99-2383-CIV-MORENO. The case is pending before the United States District Court and seeks damages for the passengers' injuries, including the severe fright and mental anguish they suffered.



\$615,000 for Discharged Miami Workers - WARN Act

Defendant Sabretech laid off all of its workers between December 1996 and January 1997 without providing 60 day advance notice of a plant closing required by the Federal Worker Retraining and Notification Act (WARN). George Mahfood and Patricia Kennedy brought a class action suit on behalf of the 88 affected workers. They obtained a settlement after three years of hard fought litigation involving many complex and unsettled legal issues for class actions brought under the WARN Act. The settlement provided the workers with nearly 100% of their WARN Act back pay.



George Mahfood



Patricia Kennedy

LLRM Happenings



Ira Leesfield at Congressional Hearings in New York

Leesfield Questions Museums on Holocaust Art

IT HAS BEEN TWO YEARS since President Clinton appointed Ira Leesfield to the Presidential Advisory Commission on Holocaust Assets in the United States. During that time, an ongoing investigation of Nazi looted art, gold and cultural objects has led him to archives across the country and research around the world.

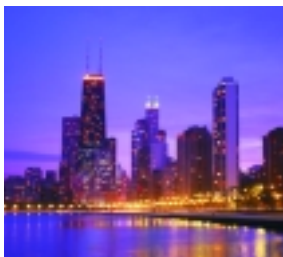
Leesfield, serving with Senators **Barbara Boxer, Chris Dodd, Arlen Specter** and **Gordon Smith**, along with Congressmen **James Maloney, Ben Gilman, Rick Lazio, Brad Sherman** and **Secretary Stuart Eizenstat**, has been part of the Congressional inquiry into the possession and location of European assets looted by Nazi Germany from 1932 to 1945. At the New York hearings, Ira

questioned the Directors of the Metropolitan Museum, The Museum of Modern Art and several other art institutions as to the provenance and acquisition of their collections.

The Commission now turns its attention to finalizing a report which will be submitted to the President and Congress no later than December 31, 2000. The report will focus on recommendations regarding the location, identification, and restitution of Holocaust assets in America including paintings, cultural objects, gold, insurance, religious objects and books.

For more information regarding the work of the Holocaust Commission, see www.pcha.gov.

Chicago Welcomes ATLA Convention



MANY OF THE NATION'S leading trial lawyers will meet in Chicago from July 29th through August 2nd. LLRM has done some advance research on events and points of interest for ATLA's families while attending the ATLA Convention.

Fun Places to Visit

CONCERTS

Jimmy Buffett
World Music Theater - Saturday, July 29th

Billy Ray Cyrus
Skyline Stage - Sunday, July 30th

Jazz Jam
Velvet Lounge - Sunday,

July 30th SUMMER FESTIVALS

Taste of Lincoln Avenue
Lincoln Avenue from Fullerton to Wrightwood; noon - 5pm
www.hitevents.com

Uptown Summer Festival
Truman College Mall
July 29 - 11a.m. - 6pm
(773) 878-9760.

Venetian Night
Monroe Harbor - July 29 - 7pm,
fireworks at 9:30 p.m.

SPORTS

Chicago Cubs
Wrigley Field Stadium -
www.cubs.com/tickets/tickets.htm **(800) 347-CUBS.**

Chicago White Sox
Comiskey Park
www.tickets@chisox.com
(312) 831-150X

MUSEUMS & AQUARIUMS

Art Institute of Chicago
http://www.artic.edu/aic/visitor_info/index.html

John G. Shedd Aquarium
<http://www.sheddnet.org>;
Call 312-939-2438

Miaminotes



Putting Something Back

Supporting Florida's Families through Scholarships and Charitable Funding



Ira Leesfield presenting this year's Leesfield Family Foundation Scholarship in honor of Florence Griffith Joyner at the American Airlines Arena.

THE LEESFIELD FAMILY

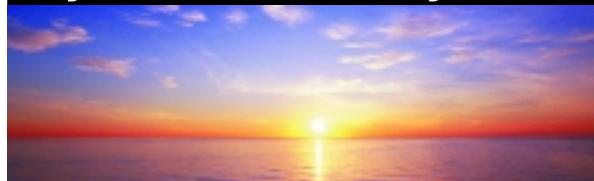
Foundation has re-endowed three scholarships recognizing minority students, women students and outstanding student athletes. Foundation Chair Ira Leesfield announced the continuation of these three scholarships and, along with the firm's partners, recommitted funding to the following organizations:

- The Children's Home Society
- Mothers' Voices
- Women's Fund of Dade County
- March of Dimes
- Muscular Dystrophy

- The Susan G. Komen Breast Cancer Foundation
- University of Miami Sylvester Center
- Laura Rosenberg Foundation
- Dade Human Rights Foundation
- Make-a-Wish Foundation
- Holland & Knight Charitable Foundation, Inc
- Jewish Family Services
- Food for Life Network
- Project Yes
- Red Ribbon Campaign
- EDAP
- Switchboard Miami
- San Francisco Talk Line
- San Francisco Child Abuse Program
- University of Miami Citizens' Board
- The Miami Heat Florence Griffith Joyner Scholarship
- Leesfield/ATLA Law Student Scholarship
- Florida Association of Women Lawyers, FAWL Scholarship

Learn more about these organizations by visiting their web sites.

Key West and the Florida Keys



LLRM Celebrates 20 Years in Key West

LEESEFIELD, Leighton, Rubio & Mahfood celebrated over 20 years of practice in the Florida Keys by co-hosting a luncheon on April 7th with the **Monroe County Bar Association.**

Ira Leesfield and John Leighton focused on the need to improve nursing home facilities and elder care. Over 50 attorneys and community leaders attended the

event. The week following the seminar, LLRM was able to achieve a **\$300,000** settlements for Steve Eid who was struck by a Pinewood Materials cement truck, and a second **\$300,000** for Louisa Keen who was injured by a local taxi cab.

Please mark your calendar for November 9th when LLRM will host ATLA's National College of Advocacy in Key West.

LLRM — Protecting Florida’s Visitors

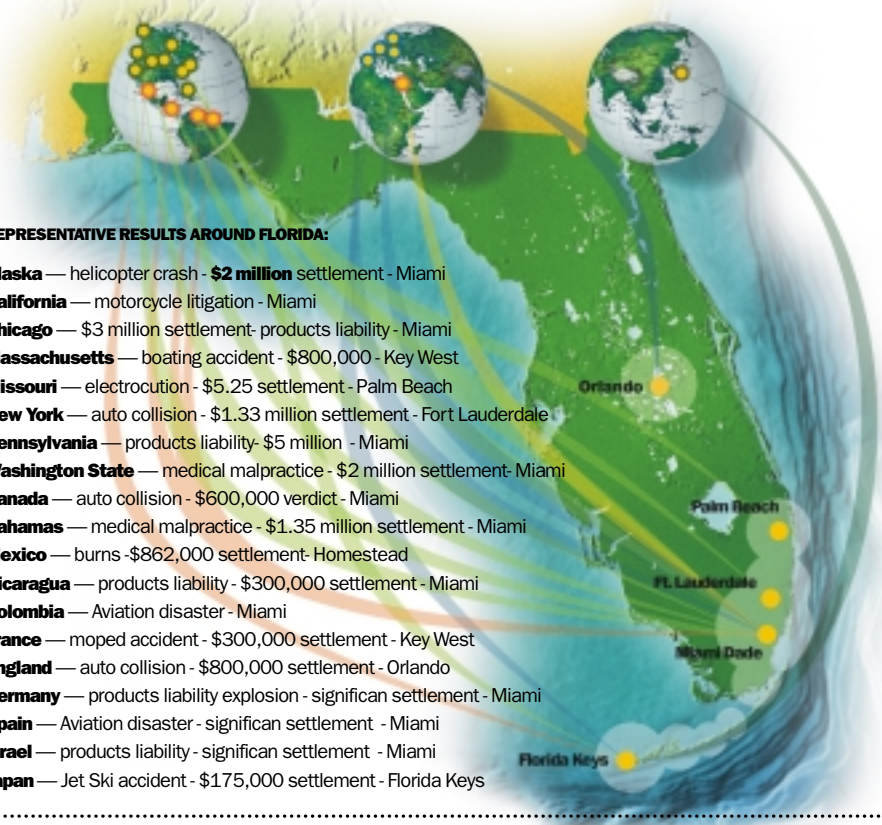
EVERY YEAR, Florida welcomes 50 million travelers from the United States and around the world. Key West, an island city with a population of 20,000, hosts almost three million visitors alone.

Thriving tourism, combined with international commerce, makes Florida the world’s leading final destination.

Whether visiting Disney, Cape Canaveral, bustling South Beach or the serene Florida Panhandle, the protection of our tourists is always a primary concern. LLRM has been privileged to represent world travelers in need of legal services in Florida.

REPRESENTATIVE RESULTS AROUND FLORIDA:

- Alaska** — helicopter crash - **\$2 million** settlement - Miami
- California** — motorcycle litigation - Miami
- Chicago** — \$3 million settlement- products liability - Miami
- Massachusetts** — boating accident - \$800,000 - Key West
- Missouri** — electrocution - \$5.25 settlement - Palm Beach
- New York** — auto collision - \$1.33 million settlement - Fort Lauderdale
- Pennsylvania** — products liability- \$5 million - Miami
- Washington State** — medical malpractice - \$2 million settlement- Miami
- Canada** — auto collision - \$600,000 verdict - Miami
- Bahamas** — medical malpractice - \$1.35 million settlement - Miami
- Mexico** — burns - \$862,000 settlement- Homestead
- Nicaragua** — products liability - \$300,000 settlement - Miami
- Colombia** — Aviation disaster - Miami
- France** — moped accident - \$300,000 settlement - Key West
- England** — auto collision - \$800,000 settlement - Orlando
- Germany** — products liability explosion - significant settlement - Miami
- Spain** — Aviation disaster - significant settlement - Miami
- Israel** — products liability - significant settlement - Miami
- Japan** — Jet Ski accident - \$175,000 settlement - Florida Keys



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