



Petition

SPECIAL ANNIVERSARY EDITION

From the Florida Offices of **Leesfield Leighton & Partners**. Miami, Key West, Nationwide. Fall 2005

Special Co-Counsel Edition

30 Years of Service to Clients and Co-Counsel



Before Richard Perez was run off the road by a piece of heavy construction equipment, he had served valiantly in the U.S. Marines, where he was highly decorated in combat. Within one year of receiving his tragic brain injuries, **Ira Leesfield** advanced this case to a **\$5 million award** which allows Richard, his son and wife an opportunity for economic security, education and lifetime medical and nursing care.

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**U.S.
Marine
Awarded
\$5 million
in Miami**



**Central
Florida
Jury
Awards
\$24.1
million to
Raven
Shoaf**



After seven years of litigation, Raven Shoaf had her day in court. Obstetrical and hospital malpractice at birth left her with severe cerebral palsy as uncovered by Partner **John Leighton** and the medical malpractice trial team of **Leesfield Leighton & Partners**. John's tenacity and the commitment of our firm is confirmed by the following litigation history.

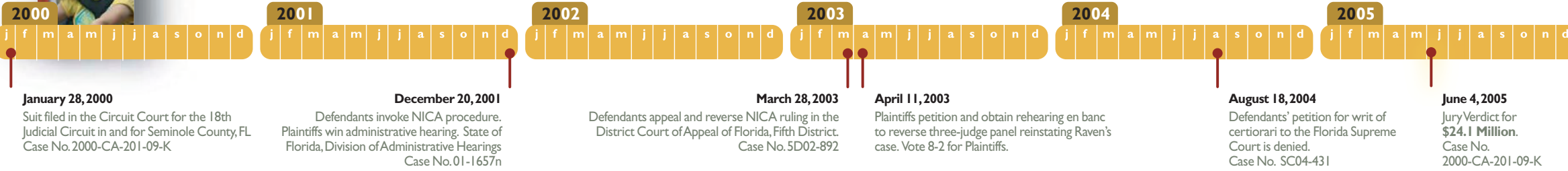
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Case timeline on page 2

Our legal team on page 2



Raven Shoaf's \$24.1 Million Timeline



FROM THE COVER:

Central Florida Jury Awards \$24.1 million to Raven Shoaf

Our firm, our clients and the civil justice system take their "hats off" to **John Leighton** and the



John Leighton

Leesfield Leighton team for their commitment to this beautiful young girl and her future. Special thanks to Patricia Kennedy, Mark Sylvester,

Renaud Bannel, Carmen Nunn, appellate counsel, Jay Levy and Orlando co-counsel, John Fisher.

As demonstrated by the timeline above, five years of litigation, appeals and team effort finally paid off, giving Raven Shoaf her day in court after suffering brain damage at birth. Our firm's commitment to Raven's recovery never wavered over five years.

"Leesfield Leighton & Partners has the professional depth and firm resources to handle lengthy and highly complex cases like this," commented John Leighton.

For further information on Florida medical negligence actions, please contact Leesfield Leighton & Partners at www.Leesfield.com or Your Florida Connection Hotline: 800-836-6400.

What Co-Counsel Are Saying

Your Florida Connection

30 YEARS OF SERVICE TO clients & Co-Counsel

My good friends Leesfield Leighton & Partners came through again. For years, I have known of their ability to get things done. Finally, I had an opportunity to co-counsel with them on a difficult, but important case, which they settled for \$800,000. The results were prompt and productive, and I cannot wait for us to work together again."

Gary R. Gober,
Nashville, TN



It has been a pleasure to co-counsel with Leesfield Leighton & Partners. The firm has worked diligently on behalf of our client and obtained great results. The clients have been impressed with the firm's responsiveness and efficiency. The firm has been great to work with, and I look forward to referring other cases in the future."

Scott Miller,
Orlando, FL



I have had the privilege of working with John Leighton over the years through ATLA, and have followed his successes in representing clients in a variety of cases. I sincerely appreciate the firm's excellent work and would not hesitate to refer any client to them."

Lisa P. O'Donnell,
Virginia Beach, VA



Leesfield Leighton & Partners are terrifically effective. My clients have been amazed at their speed and skill in attaining justice in great proportion."

Richard E. Warner,
Marathon, FL



What a pleasure working with the Leesfield firm as always! Most trial firms I have known over the years do not do half the preparation for trial that Ira's firm does just for mediation. They could not have worked harder; been more committed or achieved a better result in Stuart's jury trial here in Key West. My thanks to Ira, Tom, Pat, Liana and the entire Leesfield firm for an outstanding job."

Richard M. Klitenick,
Key West, FL



I referred a case to Leesfield Leighton & Partners based upon their stellar reputation in the field of personal injury. The manner in which they obtained a prompt and fair settlement is impressive, and I would, without hesitation, refer similar cases to them in the future."

Donald C. Barrett,
Dania Beach, FL



I have been most fortunate to work with the extremely professional firm of Leesfield Leighton & Partners. I specialize in representing military families with their Federal Tort Claims against the government for serious personal injuries. The co-counsel relationship Ira Leesfield and John Leighton have developed with my firm has been marked by an ease of cooperation that promises to lead to success in the courtroom."

Peter R. Masciola,
Washington, D.C.



FROM THE COVER

Construction Case Brings U.S. Marine \$5 million award - Highway Safety Case

Co-counsel Stuart Mishkin had this to say about the results of this case:

"My co-counseling experience with Leesfield Leighton & Partners has far surpassed my expectations. What I see is unsurpassed competence, intense diligence and a high level of dedication."

A search by Leesfield Leighton & Partners disclosed a large number of avoidable construction site accidents occurring nationally. To improve highway safety through the civil justice system, please see box below.

Ten Ways to Win Your Highway Safety Case

In analyzing motor vehicle accidents, trial counsel may overlook the highway defects and ambient highway design and safety considerations. The following ten tips have proven effective for Leesfield Leighton & Partners:

- Never assume "it is only driver error" on behalf of the plaintiff/defendant or other operators. Always do a site visit.
- In any catastrophic injury, immediately investigate the "non-obvious" contributing factors to the incident, including road work and road equipment.
- Be sure defendants receive spoliation letters to preserve and maintain the equipment and all documents related to the collision.
- Always demand the state and federal DOT plans and safety protocols for the accident location.
- Local, state and federal agencies, NHTSA and DOT manuals hold valuable information related to the construction site, plans and safety protocols.
- Do not overlook the environment of the vehicle for potential crashworthiness issues, rollover, roof crush, seatbelt unlatching, defective seat backs, protrusions and vehicle defects which enhance your client's injuries.
- Depositions should only be conducted after every piece of documentary evidence is gathered from defendants, including all prior claims in all locations.
- Depositions should include equipment operators, their supervisors and every employee associated with the project, as well as safety planners, and safety engineers employed by defendants.
- A wealth of depositions and the trial of prior litigation is available through networking with other counsel who have handled other cases against the same or similar defendants.

Ten Highway Safety Websites

U.S. Department of Transportation
www.dot.gov/

Bureau of Transportation Statistics
www.bts.gov/

Florida Department of Transportation
www.dot.state.fl.us/

National Highway Traffic Safety Administration
www.nhtsa.dot.gov/

Turner-Fairbank Highway Research Center
www.tfrc.gov

National Transportation Library
trisonline.bts.gov

Transportation Research Board
gulliver.trb.org/

Federal Highway Administration
www.fhwa.dot.gov

The Road Information Program
www.tripnet.org/

The Asphalt Institute
www.asphaltinstitute.org

Our web site contains valuable resource and research material on highway construction litigation.

Visit us at
www.Leesfield.com
or call Your Florida Connection
HOTLINE 800-836-6400

Recent Verdicts and Settlements

The following are recent representative verdicts and settlements. Some cases with confidential agreements or otherwise may not be reported.

\$2.1 million verdict in Key West.

Kemp v. AMR, et al.
Case No. CA-K-03-401

In Key West, Stuart Kemp received significant fractures to his face and major compression fractures to his vertebrae when his moped was struck by defendant's ambulance. There was no offer at trial from American Medical Response, the nation's largest ambulance company, and the jury was out three hours. Partners **Thomas Scolaro** and **Patricia Kennedy** joined **Ira Leesfield** in representing plaintiff.

\$8 million award in Broward County

Wrongful Death

Pursuant to mandatory arbitration rules, **John Leighton** obtained an **\$8,000,000** arbitration award for the family of K.S., who was killed in a catastrophic trucking accident on the Florida Turnpike.

\$1.5 million wrongful death award

Hospital negligence at birth

(Confidential Settlement)

Leesfield Leighton & Partners performed a medical investigation into the cause of "Betty Doe's" untimely death. Partner **John Leighton** discovered that nursing errors compounded the original failure to provide reasonable care at delivery and post-delivery. The case was settled with the hospital and doctor for **\$1,500,000** which will provide for the economic future for Betty's son.

\$500,000 award in Collier County.

Hunter v. Lozano
Case No. 05-1062-CA

When 23-year-old Felicia Hunter was critically injured in Naples, Florida, Virginia co-counsel, Lisa O'Donnell, did not hesitate to call Leesfield Leighton & Partners. **Ira Leesfield** left immediately for Naples, Florida while **John Leighton** was in trial in Central Florida. Felicia initially recovered **\$500,000**, and through the firm's efforts was able to obtain medical coverage for her massive medical expenses.

\$345,000 in Miami-Dade County.

Vargas v. Home Depot
Case No. 02-29767 CA 06

Danilo Vargas received a **\$345,000** award as a result of injuries to his hand when a clay pot he lifted broke, causing serious nerve lacerations. Partner **Thomas Scolaro** effectively discovered the evidence necessary to prove defendant's negligence for this serious injury. Tom's determination and talent paid off once again!

In the words of local co-counsel:

“Providing clients effective, prompt and aggressive representation is critical to our success. As a result, we are extremely careful about choosing another law firm when we need to co-counsel on matters. Leesfield Leighton & Partners is a firm we have no hesitation in partnering with.”

Co-counsel, Eli Kaplan
Coral Gables, FL

\$425,000 FTCA Med Mal

Pensacola, Florida.
Davis v. USA
Case No.: 3:04 CV 63 RV/MD

Partner **Mark Sylvester** obtained a **\$425,000** recovery from the U.S. Government for the improper medical treatment of Serena Davis at Eglin AFB medical facility in Pensacola, FL. Thanks to Mark's efforts and co-counsel, Peter Masciola, the Davis family received fair and full compensation. Mark's energy and efforts have given this client a new start in life.

Products Liability Litigation results in \$1 million award in Philadelphia, PA.

Total safety defect awards now exceed \$100 million



In a confidential settlement against a major Japanese manufacturer, **Ira Leesfield** and **Mark Sylvester** co-counseled with Philadelphia attorney Kevin Marciano to achieve lifetime financial security for the children of the deceased father who was killed in a motorcycle sidestand accident. In a Philadelphia mediation, evidence of a design defect and economic losses to the deceased were presented and led to the resolution of this firm's **18th** motorcycle sidestand case.



Other South Florida Results

This past year allowed **Leesfield Leighton & Partners** to represent our neighbors in South Florida and the privilege of helping these families recover from serious and catastrophic personal injury and loss.

RESULTS INCLUDE:
"Betty Doe" v. So. Fla. Hospital
\$1,500,000

Mack v. Construction Supply Co.
\$887,500

M. B. v. ABC Restaurant Corp.
\$750,000

L. B. v. West Coast Hospital
\$600,000

Harris v. Country Club
\$500,000

W. H. v. ABC Hospital Corp.
\$450,000

Bourcier v. Padreda
\$350,000

Estate of Ciani v. ABC Nursing Home
\$300,000

O. Z. v. ABC Department Store
\$275,000

Kornfeld v. Indemnity Insurance Company of North America
\$225,000

For other case results, please go to www.Leesfield.com

Report to the Community

Ira Leesfield Honored for Lifetime Achievement by the Academy of Florida Trial Lawyers



Ira Leesfield received the 2004 Al J. Cone Lifetime Achievement Award at The Academy of Florida Trial Lawyers Founder's Luncheon held in Orlando, FL. Ira, a Past President of the Academy, was honored in recognition of his lifelong crusade in helping the less fortunate, and his commitment to preserving the civil justice system. Those who joined former **President Clinton** in recognizing this milestone included **George Stephanopoulos, Senator Bill Nelson,**

Congresswoman Ileana Ros-Lehtinen and **Congressman Lincoln Diaz-Balart**, paying tribute to Ira for his career leadership, example setting, devotion and courage.

Leesfield Leighton & Partners congratulates **John Romano**, this year's recipient of the Al J. Cone Lifetime Achievement Award, for his outstanding leadership in the trial bar.



President Clinton pays tribute to Leesfield. "I have learned to count on Ira as a friend and community leader, appointing him to important posts in my Administration..."

Leesfield Leighton & Partners increase Hurricane Relief Efforts

No natural disaster in our firm's 30-year history has so devastated the lives and families of so many as did Hurricanes Katrina, Rita and Wilma. In an immediate response to the catastrophic losses sustained by our friends in South Florida and neighbors in Texas, Louisiana, Mississippi and Alabama, **Leesfield Leighton & Partners** made a special and diverse commitment to help alleviate the suffering, disruption and dislocation of hurricane victims. All the attorneys and the entire staff were proud to support the following relief organizations:

American Red Cross

The Salvation Army

Bush-Clinton Katrina Fund

Save the Children

Association of Trial Lawyers of America - Trial Lawyers Care

Louisiana State Bar Association - Hurricane Katrina Legal Community Relief Fund

Mississippi Bar Foundation - Hurricane Katrina Relief Fund

Alabama Law Foundation - Katrina Disaster Fund

Houston Bar Foundation -

Hurricane Relief Fund

United Way of Miami-Dade County Operation Helping Hands

Recognition Letters We've Received:

"The **Louisiana Bar Foundation** acknowledges your generous gift for the Disaster Relief Fund. Your donation will assist displaced lawyers by helping them rebuild their practices in the wake of the recent hurricanes."

"Support from friends like you reflects the cornerstone of our common humanity. You represent people at their best, reinforcing our fundamental values of community, compassion and responsibility."

Bush-Clinton Katrina Fund

"Your contribution will help us improve the lives of children and families who need our help right now. So many children in America's Gulf Coast who survived Hurricane Katrina need a sense of stability, security and self-esteem. Thanks to your support, we can bring relief to them now and in the months ahead." **Save The Children**

Our thoughts, prayers and encouragement goes to our colleagues, clients and friends impacted by these disasters, and, of course, every family in the Gulf region and in South Florida.

Leesfield Leighton & Partners and the Leesfield Family Foundation

Leesfield Leighton & Partners and the **Leesfield Family Foundation** continue their tradition of national community support to the following organizations:

Baptist Health Foundation/Baptist

Cardiac & Vascular Institute

National Parkinson's Foundation

The Susan G. Komen Breast Cancer Foundation

University of Miami



Community Service Continued...

- | | |
|--|--|
| Sylvester Cancer Center | Miami |
| Brain Tumor Society | Food for Life Network |
| Muscular Dystrophy | Greater Miami Jewish Federation |
| AIDS Walk Miami | Jewish Family Services |
| La Liga Contra El Cancer | Anti-Defamation League |
| March of Dimes | Holocaust Memorial |
| Healthcare Dimensions Hospital | Clinton Foundation |
| Florida Association of Women Lawyers Scholarship | Charlee of Dade County |
| Leesfield/ATLA Law Student Annual Scholarship | The Children's Home Society |
| Nard S. Helman Scholarship Fund | San Francisco Child Abuse Program |
| Harold Foster Memorial Scholarship at Nova Southeastern University | Women in Distress |
| Legal Services of Greater | South Florida Council, Boy Scouts of America |
| | Humane Society of Miami-Dade County |
| | Pet Rescue, Inc. |

Leesfield/ATLA Law Student Scholarship enters its 11th Year

At the Association of Trial Lawyers of America Annual Convention held in Toronto, the Leesfield/ATLA Law Student Scholarship was awarded to Clint Paulson, a second year law student at William and Mary School of Law.

"It is a privilege to continue the tradition of supporting law students who express an early commitment to the future of the civil justice system," the Partners at Leesfield Leighton & Partners, Toronto, Canada, 2005.



Ira Leesfield with recipients of ATLA scholarships in Toronto, Canada.

Leesfield Leighton & Partners in the Florida Keys

In Monroe County...

Over the last year, our firm's southernmost office continued its expanded service to residents and visitors of Key West and the Florida Keys. Below are representative settlements and awards in Monroe County.

For the tenth consecutive year, we co-hosted our annual Case Evaluation Luncheon attended by over fifty Monroe County attorneys. Ira Leesfield presented on the topic of "Building Your Trial Practice in the New Millennium." Each attendee received one CLE credit. Later in the year, Legal Assistant Liana Garcia joined the Monroe County Judicial Assistants' 2005 Summer Conference which took place at the Wyndham Casa Marina Resort. The firm was delighted to share Liana's talent and energy to help with this important event.

Verdicts and Settlements in the Keys

Kemp v. AMR
\$2.1 million verdict

Clark v. Hertz
\$825,000

Alford v. Dandee Foods
\$750,000

Pedestrian v. City of Key West
\$275,000

Johnson/Thompson v. Holder
\$267,500

Chavez v. Monroe County Sheriff & Malopolski
\$100,000

3 New Partners, 30 Years of Tradition

Leesfield Leighton & Partners welcomes Patricia Kennedy, Mark Sylvester and Thomas Scolaro as shareholders, and with thanks for their high level of commitment to our clients and the bar. Pat, Mark and Tom exemplify what happens when you combine talent and hard work.

Congratulations!



[clockwise] New shareholders Patricia Kennedy, Mark Sylvester and Thomas Scolaro.

Counting on Carmen



On June 4, 2005, a Central Florida jury awarded \$24.1 million verdict to Raven Shoaf (see front page.) That was the tip of the iceberg. For over seven years, Legal Assistant Carmen Nunn has been the "administrative glue" that kept this case together. Filing and organizing tens of thousands of documents, client contact, and keeping the general flow of this case were Carmen Nunn's functions while she supported Partner John Leighton with his substantial caseload. This year we honor Carmen for her strength, fortitude, client compassion and for her highest commitment to the profession. We recognize her as an "employee of the year" with an additional \$1,000 contribution to the American Red Cross Hurricane Relief Fund.

Your Florida Connection at Work

CO-COUNSEL

Leesfield Leighton & Partners has had the opportunity to co-counsel numerous cases in our own backyard of Miami-Dade County. Additionally,

Your Florida Connection has given us the privilege to work with leading lawyers throughout Florida and the United States.

- Alabama
- Arizona
- Arkansas
- California
- Connecticut
- Georgia
- Illinois
- Indiana
- Kentucky
- Louisiana
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Missouri
- Nevada
- New Jersey
- New York
- New Mexico
- North Carolina
- Ohio
- Oregon
- Pennsylvania
- Rhode Island
- Tennessee
- Texas
- Virginia
- Washington
- Washington, D.C.
- West Virginia
- Wisconsin



We appreciate the opportunity to serve as Your Florida Connection. Call our HOTLINE at 1-800-836-6400 and visit our web site at www.Leesfield.com

30 years working with local and national co-counsel.





Practice Areas Include:

Personal Injury

Wrongful Death

Aviation

Maritime

Crashworthiness

Defective Products

Premises Liability

Negligent Security

Medical Malpractice

Nursing Home Litigation



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