

TRIAL LAWYERS DOING PUBLIC JUSTICE

2005



TRIAL LAWYERS FOR PUBLIC JUSTICE





OUR MISSION

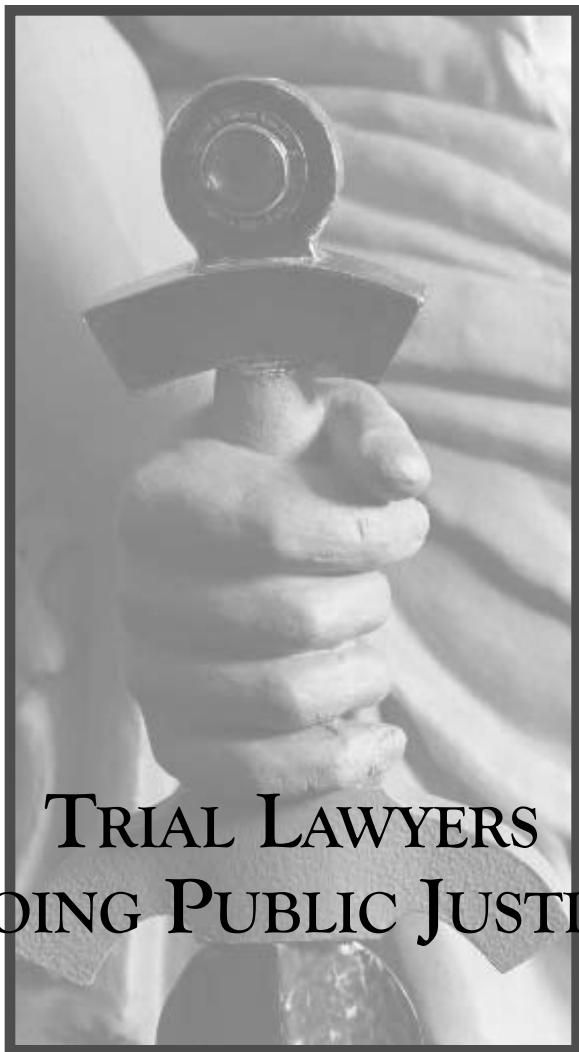
Trial Lawyers for Public Justice is the only national public interest law firm that marshals the skills of trial lawyers to create a more just society.

Through creative litigation, public education, and innovative work with the broader public interest community, we:

- protect people and the environment;
- hold accountable those who abuse power;
- challenge governmental, corporate, and individual wrongdoing;
- increase access to the courts;
- combat threats to our justice system;
- and inspire lawyers and others to serve the public interest.

Founded in 1982, TLPJ utilizes a network of more than 3,000 of the nation's outstanding trial lawyers to pursue precedent-setting and socially significant litigation. TLPJ has a wide-ranging litigation docket in the areas of consumer rights, worker safety, civil rights and liberties, toxic torts, environmental protection, and access to the courts. TLPJ is the principal project of The TLPJ Foundation, a not-for-profit membership organization headquartered in Washington, D.C., with a West Coast office in Oakland, California. For more information, visit TLPJ's award-winning web site, www.tlpj.org.

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TRIAL LAWYERS
DOING PUBLIC JUSTICE

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TRIAL LAWYERS FOR PUBLIC JUSTICE

Cover design by Jonathan Hutson

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The TLPJ Foundation, explains
the Trial Lawyer of the Year Award,
and informs readers how to contact us
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Introduction

by Thomas M. Dempsey, President
The TLPJ Foundation

Trial lawyers have a special commitment to justice. Their advocacy skills breathe life into the rights of individuals and groups that have suffered injustice and harmful abuses.

Every year, trial lawyers provide millions of people with the means to obtain justice. In the majority of these cases, the client is an individual who has been damaged in some way – physically, mentally, emotionally, monetarily – by the wrongful conduct of a business or corporation. As the cases in this publication exemplify, these David-and-Goliath battles usually pit the enormous financial arsenal of a bureaucratic or business defendant against the meager resources of an injured plaintiff. Ironically, plaintiffs’ attorneys are not generally paid unless they win.



Thomas M. Dempsey

However, many trial lawyers take great risk and overcome incredible odds to advance the common law, to make new law, and to win justice for their clients and for the common good of the public. Each year, The TLPJ Foundation presents the Trial Lawyer of the Year Award to the trial attorney or attorneys who have made the greatest contribution to the public interest within the past year by trying or settling a precedent-setting case. Finalists and recipients demonstrate how trial lawyers use their skills and determination to create a more just society. We honor such lawyers with *Trial Lawyers Doing Public Justice*.

This publication describes the extraordinary work and achievements of 31 winners and finalists in four outstanding cases. Here you’ll see examples of every quality that I believe makes a great trial lawyer. Take this year’s winners, the attorneys who achieved a groundbreaking settlement in *Leach v. E.I. DuPont de Nemours and Company*. Through sheer creative lawyering – and through unearthing a wealth of damning evidence against DuPont – they achieved a settlement in which the corporate polluter will pay to discover the health effects of its pollutant.

For perseverance and determination in the face of nearly overwhelming challenges, read about the trial team in *U.S. ex rel. Robinson v. Northrop Grumman*, who worked 16 long years to win justice for their whistleblower clients who uncovered a defense contractor’s massive fraud against the government.

For the bravery and heart to carry a just crusade into and beyond the courtroom, see the story of the trial lawyers in *Schechterle v. Ford Motor Company*. They not only battled Ford’s pantheon of lawyers to win a settlement for their client,

a police officer severely burned due to a safety defect in his cruiser, but also gave five years to a political and public education campaign to ensure that not one more American police officer would die needlessly on the job because of the dangerous design of the Ford Crown Victoria Police Cruiser.

And for the tenacity and courage to stand toe-to-toe with a megalithic industry, consider the plaintiffs' lawyers in *Scott v. American Tobacco Company*. The case went up to the Louisiana Supreme Court three times, before this team won a jury verdict ordering Big Tobacco to fund smoking cessation programs for the Louisiana smokers it addicted and deceived in the first place.

Cases and attorneys like these make me proud to be a trial lawyer. They exemplify the trial bar's dedication to winning justice and dramatically advancing the public good. Trial Lawyers for Public Justice (TLPJ) was created to further this goal. TLPJ came into being because some cases are so novel or demanding that, even though they involve the public good, they are unlikely to be pursued by private practitioners or other public interest organizations. TLPJ, a national public interest law firm with offices in Washington, D.C., and Oakland, California, handles such cases.

Founded in 1982, TLPJ chooses cases on its wide-ranging docket for their impact on the public good, using creative litigation to protect people and the environment, hold accountable those who abuse power, challenge governmental, corporate, and individual wrongdoing, increase access to the courts, combat threats to our judicial system, and inspire lawyers and others to serve the public interest. A volunteer network of more than 3,000 of the best trial lawyers in the United States and abroad supports the work of this firm. TLPJ litigates most of its cases by calling on these members.

Unfortunately, much of the public is unaware of how the work of trial lawyers corrects injustices and creates economic incentives that protect the public health, safety, and welfare. That is why The TLPJ Foundation exists. The TLPJ Foundation is the nonprofit, charitable membership organization that supports Trial Lawyers for Public Justice. For more information on how to join and support the Foundation's work, go to www.tlpj.org, or return the membership form on page 17.

I hope that you'll find *Trial Lawyers Doing Public Justice* both inspiring and cheering. The accomplishments of these outstanding trial lawyers remind us all to keep fighting the good fight – because, sometimes, if we simply refuse to be daunted, the good guys do win.

[strip in Tom's signature here]

Thomas M. Dempsey
President
The TLPJ Foundation

2005 Trial Lawyer of the Year Award Winners and Finalists

WINNERS

For Leach v. E.I. DuPont de Nemours and Company

HARRY G. DEITZLER, LARRY A. WINTER, ROBERT A. BILOTT,
GERALD J. RAPIEN, R. EDISON HILL, JAMES C. PETERSON

FINALISTS

For U.S. ex rel. Robinson v. Northrop Grumman Corporation

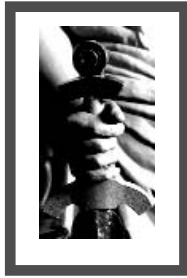
MICHAEL I. BEHN, STEVEN A. MILLER,
BRUCE C. HOWARD, MICHAEL JASKULA, AND THOMAS ASCH

For Schechterle v. Ford Motor Company

PATRICK J. MCGRODER AND DAVID L. PERRY

For Scott v. American Tobacco Company

RUSS M. HERMAN, STEPHEN J. HERMAN, BRUCE C. DEAN,
DEBORAH M. SULZER, ROBERT L. REDFEARN,
STEPHEN B. MURRAY, SR., STEPHEN B. MURRAY, JR.,
WALTER L. LEGER, JR., CHRISTINE L. DESUE, JOSEPH M. BRUNO,
DAVID S. SCALIA, W. JAMES SINGLETON, RAUL R. BENCOMO,
MEYER H. GERTLER, LOUIS L. GERTLER, DANIEL E. BECNEL, JR.,
AND JACK M. BAILEY, JR.



2005

Trial Lawyer of the Year Award

This nationally prestigious award is bestowed annually on the trial lawyer or lawyers who have made the greatest contribution to the public interest by trying or settling a precedent-setting case.

All of the finalists for the 2005 Trial Lawyer of the Year Award are deserving of our praise and thanks.

We honor them for exemplifying the best and noblest work of the trial bar.

The listing begins, however, with the 2005 Trial Lawyer of the Year Award winners:

Harry G. Deitzler
Larry A. Winter
Robert A. Bilott
Gerald J. Rapien
R. Edison Hill
and
James C. Peterson

for *Leach v. E.I. DuPont de Nemours and Company*.



PROTECTING THE PUBLIC WATER SUPPLY

Leach v. E.I. DuPont de Nemours and Company

HARRY G. DEITZLER, LARRY A. WINTER, ROBERT A. BILOTT,
GERALD J. RAPIEN, R. EDISON HILL, AND JAMES C. PETERSON

In October 2000, Mid-Ohio Valley residents living near DuPont's Washington Works plant in Parkersburg, West Virginia, received letters from water utilities stating that the plant had been leaking perfluorooctanoic acid (PFOA) – a chemical used in producing nonstick cookware – into their drinking water. Not to worry, the letter said: DuPont had assured the utilities that PFOA, also called "C8," was harmless. Concerned residents dug further and found that initial studies had linked C8 to heart attacks, breast cancer, and testicular cancer in humans.



Larry A. Winter



Harry G. Deitzler

So, in August 2001, 13 residents decided to buck "company town" rules and take DuPont to state court. In a grueling, three-and-a-half-year class action lawsuit in West Virginia's Wood County Circuit Court, the plaintiffs' legal team – Charleston, West Virginia attorneys Harry G. Deitzler of Hill,

Peterson, Carper, Bee & Deitzler, PLLC (Hill, Peterson), Larry A. Winter of Winter Johnson & Hill PLLC, Robert A. Bilott and Gerald J. Rapien of Cincinnati's Taft, Stettinius & Hollister LLP, and R. Edison Hill and James C. Peterson of Hill, Peterson – sued DuPont for damages and medical monitoring, and ultimately convinced the chemical giant that it should pay to determine whether the C8 it had leaked into the public water supply would harm human health and the environment.



Robert A. Bilott

Suing without evidence to prove causation was a novel, risky approach – but the attorneys achieved an unprecedented \$107.6 million settlement in February 2005. The bulk of the settlement funds will go toward creating the largest community health study ever. The study will take health histories and perform com-

prehensive screening of blood samples from some 80,000 people living along the Ohio River. The results will be reviewed by an independent panel of epidemiologists jointly selected by the plaintiffs and the defendant. If a health link is established, then DuPont must spend up to another \$235 million to monitor the health of residents exposed to C8 (who are free to pursue further litigation). In addition, DuPont will pay \$10 million to install filters at six water treatment plants in West Virginia and Ohio to reduce C8 in the water supply immediately.

Although plaintiffs' legal team did not sue DuPont to pay for studies to determine whether C8 is harmful, it convinced the company to agree to this groundbreaking settlement by uncovering damning evidence going back to 1961, revealing that DuPont was aware of C8's potential toxicity. This evidence included 1978 internal documents about company tests that showed C8 might be causing toxic effects among plant employees and a 1981 study that found C8 in pregnant women.

The plaintiffs' team reviewed more than a million-and-a-half documents, traveled the country to take 35 depositions, and argued before the West Virginia Supreme Court of Appeals twice to keep the claims alive. And while the lawsuit was pending, DuPont "voluntarily" reduced emissions of C8 by more than 95 percent.

The settlement achieved in *Leach v. E.I. DuPont de Nemours and Company* holds corporate polluters accountable at a new level, forcing them to pay for an impartial public health study to discover the health effects of their actions. With C8 exposure appearing in animal species worldwide, the case is sparking intense national and international regulatory interest. The evidence uncovered by the plaintiffs' team has led the U.S. Environmental Protection Agency (EPA) to initiate a \$300 million suit against DuPont for illegally withholding its data about the potential dangers of C8 exposure.

In June 2005, the evidence uncovered by the attorneys helped spur the EPA to reclassify C8 from a "suggested" to a "likely" carcinogen. ■



Gerald J. Rapien



R. Edison Hill



James C. Peterson



EXPOSING DEFENSE CONTRACTOR FRAUD

U.S. ex rel. Robinson v. Northrop Grumman Corporation

MICHAEL I. BEHN, STEVEN A. MILLER,
BRUCE C. HOWARD, MICHAEL JASKULA, AND THOMAS ASCH



Michael I. Behn

When test engineer Rex Robinson and company auditor James Holtzrichter were fired and blackballed by defense titan Northrop Grumman for exposing the company's fraud - and the United States Justice Department declined to intervene - a team of trial lawyers fought for 16 years to hold Northrop accountable for overcharging the Pentagon on multiple defense programs. Using the *qui tam* or "whistle-blower" provisions of the federal False Claims Act, which allow citizens to file lawsuits to stop fraud against the federal government, the plaintiffs' team ultimately won the legal marathon. In March 2005, Northrop agreed to settle the case for a total of \$133 million.



Steven A. Miller

Thanks to the persistence and investigative genius of the plaintiffs' Chicago-based legal team - **Michael I. Behn** of Futterman Howard and **Steven A. Miller** of Sachnoff & Weaver, co-lead counsel; **Bruce C. Howard** of Robert D. Allison & Associates; **Michael Jaskula** of Soule, Bradtke &

Lambert; and **Thomas Asch**, then "of counsel" with Sachnoff and Weaver - one of the nation's largest defense contractors was finally brought to justice.

The case arose from events in the mid-to-late 1980s, when Robinson and Holtzrichter alerted the FBI to pervasive fraud in Northrop's accounting and engineering systems for the B-1 and B-2 bombers and F-15 fighter jet programs at its facility in Rolling Meadows, Illinois. In retaliation, Northrop fired them, then blackballed them throughout the industry. In 1989, the pair filed suit in federal court in the Northern District of Illinois. Over the following years, the two men suffered poverty and intermittent homelessness. In 2003, Robinson died penniless in a trailer. For the past several years, Holtzrichter has managed a newspaper route for the *Chicago Tribune*.

Northrop defended the case aggressively, filing numerous motions for dismissal. The arduous discovery by the plaintiffs' legal team included 100 days of depositions and testimony, and the analysis of millions of documents involving arcane military acronyms, esoteric electronic devices, and accounting intricacies. Their painstaking discovery uncovered damning internal documents dating from 1986 showing that Northrop officials concealed major accounting irregularities, misled Pentagon auditors, and trained managers to manipulate the billing system. These documents included memos in which Northrop managers admitted that "we lied our teeth off" and "we can't tell the truth" to the Pentagon about cooking the books, cost-padding, billing for defective parts, and designing incomplete testing systems to be rebuilt at the government's expense.



Bruce C. Howard

The "smoking gun" evidence that the plaintiffs' attorneys gathered – which also included affidavits from Northrop legal department employees stating that they were ordered to destroy or withhold key documents – finally persuaded the Justice Department to reverse its 1992 decision to stay out of the case (the first such reversal ever in a *qui tam* case).



Michael Jaskula

The plaintiffs' team retained primary responsibility for the case and, in March 2005, achieved a \$133 million settlement from Northrop which included \$62 million to the federal government, \$12.4 million to Holzrichter and Robinson's family as their share of the government's recovery, a confidential amount to Robinson's estate and Holtzrichter for their retaliatory discharge claims, and a confidential amount for plaintiffs' attorney fees and reimbursement to the government for legal costs previously billed by Northrop for litigating this case.



Thomas Asch

The settlement in *U.S. ex rel. Robinson v. Northrop Grumman Corporation* demonstrates that, when the federal government refuses to hold corporations accountable for fraudulently misusing taxpayer dollars, the trial bar's dedication and determination fills the void. ■



IMPROVING POLICE CAR SAFETY

Schechterle v. Ford Motor Company

PATRICK J. MCGRODER AND DAVID L. PERRY



Patrick J. McGroder

Phoenix police officer Jason Schechterle sued Ford Motor Company in Arizona state court because he felt he owed it to 18 fellow officers burned alive in high-speed, rear-impact collisions in Ford's Crown Victoria police cars. Schechterle, a then-28-year-old husband and father, sustained burns to 50 percent of his body when a speeding taxicab slammed into the back of his Crown Victoria police cruiser on March 26, 2001, igniting the fuel tank on impact. Typically, officers are uninjured in such crashes, only to die in the fireball that engulfs the vehicle in milliseconds.

Schechterle survived, rescued by firefighters coincidentally at the scene. The flames mangled his hands, seared away his face, and scorched his corneas.

Now Schechterle and his legal team - **Patrick J. McGroder** of the Phoenix firm Gallagher & Kennedy, P.A., and **David L. Perry** of Perry & Haas in Corpus Christi, Texas - have made the country's most popular police car safer for officers across the nation. In April 2004, McGroder and Perry won a settlement in *Schechterle v. Ford Motor Company* that represents a tour de force of trial preparation and five years of tireless battling, inside and outside the courtroom.

Among the crowning achievements of their efforts - which included litigating eight other Crown Victoria police car cases and working with various states' attorneys general and legislatures, national police groups, victims' families, law enforcement agencies, and the press - is that McGroder and Perry forced Ford to correct the police cruiser's safety defects. Ford spent over \$350 million to retrofit approximately 350,000 police cruisers - known as "Crown Victoria Police Interceptors" - with a shield package that protects the gas tank at high-speed impacts greater than 100 m.p.h. McGroder and Perry also won a settlement for Officer Schechterle that included a confidential amount of damages, and the family is extremely pleased with the settlement.

The central issue in *Schechterle* was the platform design in Crown Victoria Police Interceptors, which make up approximately 85% of the nation's police car fleet. The car's platform design sandwiches the fuel tank between the rear axle and the trunk, leaving it vulnerable to puncture by sharp-edged suspension, brake, and trunk parts. The attorneys battled against Ford's 50-lawyer defense team and reviewed nearly two million documents to demonstrate that Ford knew the vehicle was a fire risk and ignored simple, cost-effective fixes.



David L. Perry

McGroder and Perry also developed innovative evidence for *Schechterle*, which included commissioning the first-ever Crown Victoria Police Interceptor crash tests at speeds over 75 m.p.h. These tests proved that, with basic retrofits, the cruiser can withstand high-speed rear impacts without the tank igniting. The trial lawyers then invested hundreds of thousands of dollars to create retrofits, including bladder tank and fire suppression technology, which have been adopted by several law enforcement agencies and have saved six officers' lives in crashes to date.

McGroder and Perry's creative lawyering not only held Ford publicly accountable for valuing profits over lives, but forced Ford to take corrective action that will save hundreds of police officers' lives. In addition to retrofitting older models of the Crown Victoria police cruiser with shield packages, Ford has developed a new fire suppression system for the 2005 model of the police cruiser. ■



MAKING BIG TOBACCO HELP SMOKERS QUIT

Scott v. American Tobacco Company Corporation

RUSS M. HERMAN, STEPHEN J. HERMAN, BRUCE C. DEAN,
DEBORAH M. SULZER, ROBERT L. REDFEARN,
STEPHEN B. MURRAY, SR., STEPHEN B. MURRAY, JR.,
WALTER L. LEGER, JR. , CHRISTINE L. DESUE, JOSEPH M. BRUNO,
DAVID S. SCALIA, W. JAMES SINGLETON, RAUL R. BENCOMO,
MEYER H. GERTLER, LOUIS L. GERTLER , DANIEL E. BECNEL, JR.,
AND JACK M. BAILEY, JR.



Russ M. Herman



Stephen J. Herman

More than 90 percent of smokers get addicted by age 14. The smoking rates among Louisiana school children are over six percent higher than the national average, which may explain why the state has one of the highest lung cancer rates in the nation.



Bruce C. Dean

Now Louisiana smokers will have the nation's first tobacco industry-funded program to help them quit, thanks to the perseverance of a consortium of lawyers including **Russ M. Herman**, lead counsel, and **Stephen J. Herman** of Herman, Herman, Katz & Cotlar, L.L.P., in New Orleans, **Bruce C. Dean** of Bruce Dean, L.L.C. in Metairie, Louisiana, **Deborah M. Sulzer** of Deborah M. Sulzer, L.L.C. in



Robert L. Redfearn

Metairie, Louisiana, **Robert L. Redfearn** of New Orleans' Simon, Peragine, Smith & Redfearn, **Stephen B. Murray, Sr.**, and **Stephen B. Murray, Jr.**, of New Orleans' Murray Law Firm, **Walter J. Leger, Jr.** and **Christine L. DeSue** of New Orleans' Leger and Mestayer, **Joseph M. Bruno** and **David S. Scalia** of New Orleans' Bruno and Bruno, **Kenneth M. Carter** of New



Deborah M. Sulzer



Stephen B. Murray, Sr.



Stephen B. Murray, Jr.

Orleans' Kenneth M. Carter, PLC, solo practitioner **W. James Singleton** of Shreveport, **Raul R. Bencomo** of New Orleans' Bencomo and Associates, **Meyer H. Gertler** and **Louis L. Gertler** of New Orleans' Gertler, Gertler, Vincent & Plotkin, **Daniel E. Becnel, Jr.**, of the Law Offices of Daniel E. Becnel, Jr., and **Jack M. Bailey, Jr.**, of the Law Offices of Jack M. Bailey, Jr.

In May 2004, the plaintiffs' legal team won an unprecedented jury verdict ordering the tobacco industry to pay \$590 million for a 10-year program of nicotine patches, telephone hot lines, and other smoking cessation strategies to help Louisiana smokers kick the habit. *Scott v. American Tobacco Company*, a class action lawsuit against Big Tobacco - including R.J. Reynolds, Philip Morris USA, Brown & Williamson, Lorillard, and The Tobacco Institute, the industry's public relations "front" - covers hundreds of thousands of state residents who took up smoking between 1954, when the tobacco industry began its 50-year cover-up about nicotine addiction and smoking's connection to disease, and May 1996, when the suit was filed.



Joseph M. Bruno



David S. Scalia

The three-year trial began in June 2001. The first phase ended in July 2003, when the jury found that the cigarette makers should provide free smoking-cessation programs because they had engaged in fraud, conspired to distort information about the dangers of smoking, and targeted Louisiana children in their marketing. (The jury also found that smokers have a right to medical monitoring, but rejected the plaintiffs' calls for such monitoring based on the present state of medical science, leaving open the possibility of revisiting the issue.)

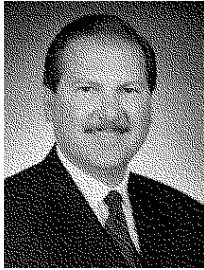
The second phase of the trial ended with the landmark 2004 damages verdict. A third phase, which is



Walter L. Leger, Jr.



Christine L. DeSue

**W. James Singleton****Raul R. Bencomo****Meyer H. Gertler**

pending the tobacco defendants' appeal, will address how the cessation programs will operate.

The trial was preceded by years of unsparing effort by the plaintiffs' legal team to file the lawsuit and carry out discovery. The case involved a stag-

**Louis L. Gertler**

gering number of motions and writ applications, including 150 motions filed by the defendants on the day of the motion deadline alone. Jury selection took 18 months, a record for the Louisiana courts. And the case went up to the Louisiana Supreme Court three times - twice on jury selection issues, once on the trial's venue. The legal team also successfully fought off the defendants' attempts to recuse the trial judge.

A key plaintiffs' witness was whistleblower Dr. Victor DeNoble, a research scientist hired by Philip Morris to develop a nicotine substitute. He testified that he discovered a molecule in 1983 that could replace nicotine, but

**Jack M. Bailey, Jr.**

This landmark class action verdict could ultimately save thousands and thousands of lives by helping Louisiana smokers quit on the dime of the companies that addicted them in the first place.

**Daniel E. Becnel, Jr.**

corporate management shut down his lab in the belief that producing a safer cigarette would be an admission that the company had been lying to the government for 30 years about its product's addictive and deadly properties. Dr. DeNoble also testified that Philip Morris pursued research designed to increase cigarettes' addictiveness.

We also wish to acknowledge and thank paralegal **Regina Westenfeld**, of Herman, Herman, Katz & Cotlar, L.L.P., for her work in this case. ■



Nominations Sought for Nationally Prestigious 2006 Trial Lawyer of the Year Award

Please help honor the best of the trial bar – and all trial lawyers – by submitting nominations now for the 2006 Trial Lawyer of the Year Award.

The TLPJ Foundation will bestow this nationally prestigious award upon the trial attorney or attorneys who made the greatest contributions to the public interest by trying or settling a precedent-setting case between April 1, 2005, and April 1, 2006. Finalists and recipients exemplify how trial lawyers use their skills and determination to create a more just society. Typically, the cases won or settled by the finalists cover a broad range of public interest work, including but not limited to civil rights, consumer protection, workers' rights, human rights, environmental preservation, and corporate and governmental accountability.

To nominate a trial attorney or litigation team, please send a letter, e-mail, or fax that includes: (1) the nominee's name and firm or organization, if any; (2) the name of the case that the nominee won or settled; (3) the date of the verdict or final settlement approval (on or after April 1, 2005, and before April 1, 2006); (4) the outcome of the case, and (5) why you believe this attorney or litigation team deserves the award. For example, you may want to include a statement of how the case impacts the public interest, a summary of the skills and resources demonstrated by the trial lawyers you are nominating, and/or a description of obstacles that the plaintiff's counsel overcame in fighting for public justice. If you have news clippings about the case, you may submit those as well. However, please do not send videotapes or DVDs.

Nominations should be sent to Communications Director Jonathan Hutson at The TLPJ Foundation's national headquarters, 1717 Massachusetts Avenue, NW, Suite 800, Washington, D.C. 20036, fax 202-232-7203, e-mail jhutson@tlpj.org. The deadline for nominations is April 1, 2006.

TLPJ will select the finalists for the Trial Lawyer of the Year Award in June 2005. The finalists will be honored and the winners(s) will be announced at TLPJ's Annual Party and Awards Dinner in Seattle on Tuesday, July 18, 2006.

Descriptions of recent Trial Lawyer of the Year Award finalists and winners are posted on TLPJ's web site, www.tlpj.org.



THE TLPJ FOUNDATION

Join the fight for justice!

What makes TLPJ's public interest work possible is the active and generous support of The TLPJ Foundation's members. While TLPJ litigates in the courts, The TLPJ Foundation – a nonprofit educational membership organization – supports TLPJ's cases and educates the public about the important issues at stake.

In 2005, Trial Lawyers for Public Justice and The TLPJ Foundation launched Access to Justice, a campaign to preserve all Americans' right to a day in court. The campaign was created in response to recent attacks on access to the courts by the powerful in both the public and private sectors. For example, corporate wrongdoers are increasingly amending consumer, employment, and investors' contracts to explicitly ban individual and class action litigation. They're also expanding federal preemption, mandatory arbitration, and court secrecy to preclude many lawsuits and bury the rest. Meanwhile, Congress and state legislators are increasingly considering – and passing – legislation that bars court access and eliminates Americans' rights.

The Access to Justice Campaign aims to expose and defeat these efforts. We will fight with full force to preserve the right to a day in court. The work is essential. The danger to our democracy and our cherished civil justice system is real.

We hope you will join us.

Join The TLPJ Foundation

Please enroll me in the following annual giving category:

- Member (\$250)
- Supporting Member (\$500)
- Sustaining Member (\$1,000)
- Advocate (\$2,500)
- Benefactor (\$5,000)
- Patron (\$10,000)
- Associate Member (\$100)

(limited to non-lawyers, professors, government and legal services lawyers, and lawyers in practice less than five years)

- Student Member (\$25) Year of graduation _____.

Membership contributions to The TLPJ Foundation are fully tax-deductible.

I do not want to enroll or renew as an annual member at this time, but I do want to make the following tax-deductible special gift contribution in support of TLPJ's *Access to Justice Campaign*:

- \$5,000 \$2,500 \$1,000 \$500 \$250 Other

Name _____

Firm/Organization _____

Address _____

City/State/Zip _____

Phone _____ Fax _____

E-mail _____

Please make your tax-deductible contribution payable to The TLPJ Foundation, 1717 Massachusetts Ave., NW, Ste. 800, Washington, DC 20036.

- My check is enclosed. Please bill me.

Please bill my MC Visa AmEx

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Send form to the above address, or fax it to us at 202-232-7203.

Thank you!

The TLPJ Foundation Board of Directors

2005-2006

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