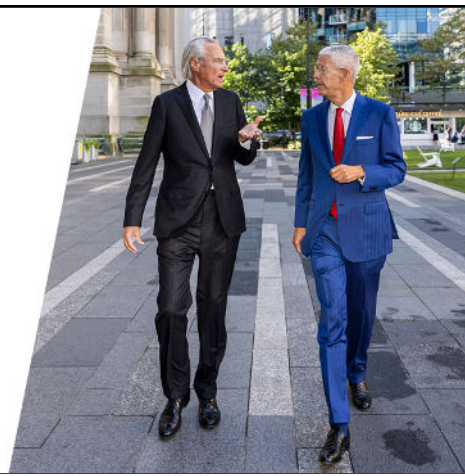


## Kline & Specter Eletter August 2022

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### Crawford achieves \$19 million settlement



Crawford

**Elizabeth Crawford** obtained a \$19 million medical malpractice settlement for a child who suffered a brain injury at birth. Crawford was assisted in the case by associate **Michelle Paznokas** and her legal team, **Liz Welsh, Franny Stipa** and **Elissa Griffin**. Further details of the settlement were confidential.

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### Bosworth settles case for \$7 million

**Thomas Bosworth** and **Sherrell Dandy**, assisted by **Courtney Wilson, Alex Esposito** and **Carolyn Metcalf**, secured a \$7 million settlement in representing a mentally disabled man who suffered severe injuries because of abuse or neglect at a group home. The settlement, which followed two weeks of trial, also included substantial policy remediation by the defendant.



Bosworth

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### Cavaliere obtains \$5.25 million settlement



Cavaliere

**Michael Cavaliere**, assisted by attorneys **Chip Becker** and **Andra Laidacker** and legal assistant **Maryellen Donahue**, obtained a \$5.25 million settlement for the family of a man who was killed in his home by a minor with severe mental health issues related to an inoperable brain condition. The minor had been hospitalized for homicidal and suicidal ideations and aggression in the weeks before the assault. The minor committed the stabbing just three days after being released from the hospital. Bringing a claim for gross negligence, Cavaliere alleged the assailant had been prematurely discharged without appropriate supervision.

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## Lepisto secures three settlements totaling \$5.5 million

**Braden Lepisto** obtained settlements totaling almost \$5.5 million in three separate cases involving medical malpractice or negligence. Working with Lepisto were **Gary Zakeosian** and assistants **Angela Fattizzo** and **Veronica Snekot**.



Lepisto

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## Verdict for Cavaliere and Gorman



Cavaliere



Gorman

**Michael Cavaliere** and **Richard Gorman**, one of the firm's doctors, nearly \$850,000 jury verdict on behalf of a 42-year-old Philadelphia man who died at Aria Torresdale Hospital. Assisting was **Maryellen Donahue**. Brian Reinhart, of Northeast Philadelphia, suffered a fall and arrived at the hospital in hemorrhagic shock with bleeding

into his stomach and abdomen. He was admitted to the trauma service but never had surgery to investigate the cause of the bleeding. The next day, Reinhart developed worsening pain and tachycardia over 10 hours with no evidence that he was examined by a physician. That night he suffered a cardiac arrest with an autopsy showing a perforated stomach ulcer, which was not diagnosed or treated during his 36 hours at the hospital. The trial lasted 15 days in Philadelphia Common Pleas Court.

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## Becker, Laidacker hold Waldenberger's Lycoming verdict

**Charles "Chip" Becker** and **Andra Laidacker** successfully defended an appeal of a \$2.3 million verdict reached in 2020 by a Lycoming County jury for a man who lost part of his foot when his ride-on lawnmower toppled over on a steep hill. The case was won

by James Waldenberger in one of the first pandemic-era verdicts in Pennsylvania. The verdict was for Harold and Veronica Getting against Mark Sales & Leasing Inc., which rented Harold



Becker



Laidacker



Waldenberger

Getting a mower that was smaller than those he had rented in the past and did not have stabilizing weights. On appeal, Pennsylvania Superior Court affirmed the verdict on various grounds and ruled that the judicial emergency in 2020 due to COVID-19 did not curtail delay damages. It stated: "Here, closure of the court of the Court of Common Pleas of Lycoming County did not alter the indisputable fact that the rental company retained and had unfettered use of the Gettings' money throughout the judicial emergency. As such, the rental company must compensate the Gettings for using their money." The decision on delay damages will apply to jury verdicts throughout the Commonwealth for years to come. A contrary ruling would have meant generally that cases filed before the pandemic would have received a reduction in delay damages even though the cases did not come up for trial until years after the judicial emergency ended.

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## Bezar a finalist for Attorney of the Year



Bezar

**Nadeem Bezar** was named a finalist for Attorney of the Year by *The Legal Intelligencer*. He was recognized among the newspaper's Professional Excellence Award winners for his representation of the victims of sexual abuse and human trafficking. *The Legal Intelligencer* noted Bezar's ability to achieve a litany of settlements and verdicts over his career and even during the pandemic in 2021. In one unusual case — a trial based in Rhode Island and tried entirely over Zoom — Bezar won a \$2.5 million verdict for

a college student who was raped while studying abroad. In December 2021, he obtained a \$5.05 million settlement for a girl who was sexually assaulted by her foster father after a child welfare agency failed to ensure her safety. That followed a \$10.6 million settlement Bezar secured from a private child welfare agency and a youth residential care facility for three sisters who were sexually and physically abused after they were reunified with their abusive father. Bezar has also written about the epidemic of child sexual abuse and trafficking and testified before a state government committee on the problem. *The Legal Intelligencer* noted his efforts and stated: "... Bezar in 2021 has worked tirelessly to hold responsible the agencies and institutions that have the power to help mitigate this terrible blight on society in the hopes of saving future victims." The attorney of the year award, presented June 29, ultimately was awarded to combined nominees Philadelphia Common Pleas Judges Lisette Shirdan-Harris and Daniel Anders for their efforts in reopening the state's largest court system after it was shut down due to COVID-19.

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## Millrood receives PAJ President's Award

**Tobi Millrood** received the President's Award from the Pennsylvania Association for Justice at the organization's 54th annual summer retreat. The award was bestowed to Millrood for his commitment to and preservation of the civil justice system.



## Becker organizes 300th anniversary event of PA Supreme Court



Becker (left) with Joel Fishman of Duquesne Law

**Charles "Chip" Becker** was instrumental in the planning and organizing of a two-day symposium commemorating the 300th anniversary of the Supreme Court of Pennsylvania. Held at the National Constitution Center, "The Pennsylvania Supreme Court at 300: Past, Present & Future" featured a long list of impressive speakers, including all seven current justices of the state Supreme Court, **Gov. Tom Wolf**, **Chief Justice Emeritus Thomas G. Saylor**, several federal circuit judges, chief justices from other states, and Retired Associate **Justice Anthony M. Kennedy** of the U.S. Supreme Court. The speakers also included law professors from the Kline School of Law at Drexel University and nearly every law school in Pennsylvania, as well as Stanford law professor **Pamela S. Karlan**. Becker served as a panelist for the first session that focused on the high court's establishment and development into the early 19th century. He also moderated a later session on principles of judicial federalism, the independence of state supreme courts when deciding questions of state constitutional law, and decisions by the Pennsylvania Supreme Court "that illustrate how judicial federalism informs the American constitutional system." About 300 people attended the program.

## Kline & Specter lawyers named Super Lawyers and Rising Stars



Twenty-three attorneys at the firm were named 2022 Pennsylvania Super Lawyers or Rising Stars. The independent attorney survey organization named **Tom Kline** the No.

1 attorney in the state a nationally unprecedented 19th straight year and **Shanin Specter** among the state's Top 10 also for the 19th year. Super Lawyers includes the best 5 percent of all lawyers in a state. Other Kline & Specter lawyers selected by Super Lawyers 2022 are **Lee Balefsky**, senior counsel and also a 19-year selection, chief appellate attorney **Charles Becker**, who was named in Super Lawyers Top 100 Philadelphia and Pennsylvania lists, **Michael Trunk**, named for the 11th year; **Dominic Guerrini**, **Nadeem Bezar**, **Christopher Gomez**, **Priscilla Jimenez**, and **Tobi Millrood**, head of Mass Torts, who was selected for his 14th year. Super Lawyers uses voting by fellow lawyers and a blue-ribbon panel to select its Super Lawyers. Named as Pennsylvania Rising Stars, designating those among the top 2.5 percent of attorneys in the state who are 40 or younger or practicing 10 years or less, were **Thomas Bosworth**, **Michael Cavaliere**, **Aaron Dunbar**, **Kyle Nocho**, **Philip Pasquarello**, **Elizabeth Crawford**, **Braden Lepisto**, **Patrick Fitzgerald**, **Ben Present**, **Elia Robertson**, **Frank Mangiaracina**, **Terrance DeAngelo**, and **Timothy Burke**. Additionally, **Jordan Merson**, who heads the firm's New York City office, has been named a New York Super Lawyer and **Gilbert Shelsby** and **Robert Leoni**, members of the firm's Delaware office, have been named Super Lawyers in that state.



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## Kline & Specter attorneys named among Law Power 100

**Tom Kline** and **Shanin Specter** were selected by the publication *City & State Pennsylvania* as one of the “most powerful people in the legal profession” in Pennsylvania. Both were to be profiled in a special commemorative online and print magazine recognizing those named to the multi-media news firm’s Law Power 100. City & State PA cover’s state and local government with a daily e-brief, print magazine, and various events.



**Sherrell Dandy** was named by City & State Pennsylvania to its “Forty Under 40” selections, those younger than 40 who are “up-and-comers” in the commonwealth and who share the goal of improving the lives of its citizens. Those chosen include people from a variety of professions, including government, business and union officials, politicians, a professor and a pastor.

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## Former ADA, union counsel Jack O’Neill joins firm

**John “Jack” O’Neill** spent a decade with the Philadelphia District Attorney’s Office, where he was lead counsel on some of the city’s high-profile criminal trials, before joining Kline & Specter. O’Neill also handled civil litigation with another firm and was counsel for the building trades and electrical workers unions in Philadelphia. He





O'Neill

focuses on medical malpractice and catastrophic injury cases, including workplace and construction site injury litigation. Immediately prior to joining Kline & Specter, the Philadelphia native represented the Philadelphia Building Trades and was counsel and chief of staff for IBEW Local 98, where he developed a deep relationship with the city's labor community. As an assistant district attorney, O'Neill worked with a series of units, including those dealing with municipal court, juvenile cases, family violence and sexual assault, and homicide. He won

more than 100 jury trials and several hundred bench trials. Among his more celebrated cases, O'Neill won a guilty verdict and sentence of 50-100 years against the so-called Kensington Rapist, Marcos Camacho, one of the worst serial rapists in Philadelphia history. O'Neill earned his undergraduate degree from Rutgers University, where he graduated *summa cum laude*, and his law degree from Florida State University.

## Bezar featured in Inquirer enterprise article

**Nadeem Bezar** was prominently featured in a front-page article in *The Philadelphia Inquirer* about how efforts by him and a team of students from Temple University's Beasley School of Law led to the discovery of the fate of a former client and ultimately helped police track down his killer. The criminal case started when Bezar became curious when a client who had become

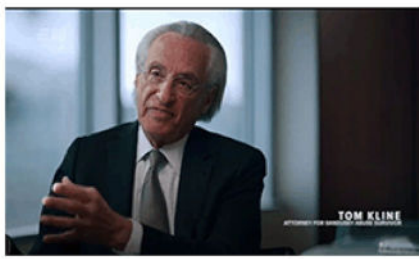


Bezar following a vigil for Rashid Young Inquirer photo

a friend, Rashid Young, dropped out of sight at the age of 22. Not only could Young not be reached, but he had not withdrawn any money from a bank account set up from proceeds secured for Young by Bezar and **Emily Marks** from a civil suit. Not a penny, *The Inquirer* noted, had been taken out of the account in several years. So Bezar enlisted the assistance of two students at Temple, where he earned his law degree and now teaches as an adjunct professor, and also hired a private investigator to help solve the mystery. For months, Bezar sought answers, interviewing family members and people who knew Young. Finally, he and authorities found the truth — the young man had been stabbed to death in August 2019 in Pottstown and buried in a makeshift grave in a Philadelphia arboretum. Police later caught the alleged killer, Young's boyfriend, Keshawn Sheffield, who was arrested in June. Sheffield has denied involvement in the murder. ([Read the article](#))

## Tom Kline interviewed for ESPN Paterno documentary

**Tom Kline** gave his views on the late Penn State head football coach Joe Paterno in an interview with ESPN for the program's *E60* series. Titled *The Paterno Legacy*, the program took an in-depth look at how the legendary coach is remembered and regarded a decade after the sexual abuse scandal involving one of his former assistant coaches, Jerry Sandusky. Kline achieved the first and a substantial settlement resulting from a civil suit in which he represented "Victim 5" in the case. In the ESPN



interview, he did not lay complete blame on Paterno but said he should have acted differently in dealing with the matter. Said Kline: "It's become saint or sinner, and Joe was neither. He was a man who was flawed, He should have been able to recognize the seriousness and significance of what was presented to him and, had he done so, then

this blemish would not have been on his record." Among others interviewed by *E60* were journalists Bob Costas and Howard Bryant, former PSU president Graham Spanier; former PSU vice president Gary Schultz; former players Matt McGloin, Mike Wallace and Matt Millen; Aaron Fisher, one victim in the case; Mark Dyreson, co-director of the Penn State Center for the Study of Sports in Society; and, finally, Sandusky himself, who, convicted of abusing 10 boys and serving a 30-year minimum sentence, answered questions via telephone from prison.

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## Articles, one citing Kline & Specter lawsuit, win Pulitzer Prize

**Tom Kline** was quoted by *The New York Times* last December in one of a series of articles that won the newspaper's staff the 2022 Pulitzer Prize for national reporting. Published last fall, the series "quantified a disturbing pattern of fatal traffic stops by police, illustrating how hundreds of deaths could have been avoided and how officers typically avoided punishment," noted the Pulitzer Prize

**The  
New York  
Times**

Board. The series revealed the killings of hundreds of unarmed motorists across the country after vehicle stops for nonviolent offenses. One of the articles was about the killings of four people by the same Pennsylvania state trooper, which *The Times* termed "an extraordinary tally for an officer responsible for patrolling largely rural areas with low rates of violent crime." Tom Kline and **Ben Present** filed suit in federal court over one of those cases involving the 2020 shooting of Charity Thome, 42, of Jackson Township in central Pennsylvania. Thome was shot in her car in Lebanon County, near Harrisburg. The civil suit on behalf of the Thome family cites a violation of her civil rights. *The Times* noted that state police regulations call for trying to "calm/de-escalate" situations involving people with mental illness and to "assume a quiet, non-threatening manner." Kline was quoted by *The Times* saying that police did not do that in the Thome case. He said: "Their job was to talk her out of the vehicle and into safety. And instead, they did just the opposite, which was to fire multiple rounds of bullets into her pinned-down vehicle, leaving her defenseless and tragically dead." ([Read the article](#))

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## Polin quoted in Medscape on controversial birth injury case

**Mark Polin** was called upon to comment by Medscape, the nationally recognized website providing information for clinicians, on the controversial and complex case involving a woman's death after undergoing a Cesarean-section delivery. The lawsuit was filed by Charles Johnson, whose wife died at a Los Angeles hospital after a C-



Polin

section that was performed in just 17 minutes. What makes the highly publicized matter different from most medical malpractice cases is that Johnson is also claiming a civil rights violation, alleging his wife received inferior care because she was Black. Kira Johnson, 39, died of massive internal bleeding after she gave birth to the couple's second child and after her husband had asked for doctors to take action after he noticed blood in her urine. His alarms went unheeded, according to his claim. The lawsuit seeks damages and penalties under

California's civil rights law that prohibits unlawful discriminatory actions in providing healthcare. Polin, who is one of Kline & Specter's doctor/lawyers, told *Medscape Medical News*: "It's not uncommon for women to have hemorrhage or some postpartum bleeding externally or internally" after such a procedure. However, he said, obstetricians and hospital staff are trained to detect and manage such cases, adding, "It's not typical for a patient to [hemorrhage and] get to the point where they die. In this day and age, it should not happen." He noted that such bleeding can usually be stopped when detected early and the patient can get transfusions. Polin is not involved in the lawsuit but was sought out for his expertise, having worked 19 years as an OB/GYN. When asked if 17 minutes was too fast to perform a C-section, he responded that while that is "extraordinarily fast, it doesn't mean it was done poorly." Cesarean surgeries generally take about 45 minutes, but emergency cesarean deliveries can take much less time. ([Read the article](#))

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## OTHER MEDIA:

**Chip Becker** commented on legal contingencies should Lt. Gov. John Fetterman have to withdraw from the U.S. Senate race due to his heart condition. [ABC27, 6/6/22](#)



Efforts by **Nadeem Bezar** toward eliminating or raising damages caps on Pennsylvania government-related agencies in sexual abuse cases was the focus of an article carried by [billypenn.com](#)

**Frank Mangiaracina** was interviewed by the *Great Trials Podcast* on his \$2.1 million verdict won in 2021 against Domino's Pizza involving an accident caused by a franchisee delivery driver. The popular legal podcast has nearly 200,000 downloads. ([Listen here](#))

**Helen Lawless** was named as co-representing congressional candidate Ashley Ehasz in a defamation suit, [The Legal Intelligencer](#).

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## From the photo gallery:





Tom Kline (right) and Frank Wolf

Tom Kline helps dedicate a center named for his late wife, Paula – [The Philadelphia Jewish Exponent](#)

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## CHARITY:

When Kline & Specter formed an Excellence Committee last autumn to help improve life at the firm, one subcommittee was charged with something that makes everyone feel better – helping others. The Volunteerism Subcommittee made up of **Amy Guth**, **Jen Levito**, **Kim Kelly**, **Kat Paffett**, **Tracy Leonardis** and **Amanda Lorentson** has since planned and completed several undertakings and has set plans for future outreach programs. Among them are events to benefit Ronald McDonald House Charities, Cradles to Crayons and MANNA, which provides nutritional services to people with serious illnesses.

Kline & Specter sponsored the Maccabi USA golf tournament, which helps support the Maccabiah Games in Israel. The games, held every four years, feature a variety of sports and is the third largest sporting event in the world, featuring 10,000 athletes. Golfing together at the Manufacturers' Golf & Country Club were (from left) the firm's **Eric Bowen**, **Tobi Millrood**, **Lee Balefsky** and **Chris Gomez**. The foursome finished in fifth place among the 30 teams entered.



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*"That's what I consider true generosity: You give your all, and yet you always feel as if it costs you nothing." – Simone de Beauvoir*

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"One of the country's leading personal injury firms"  
*Philadelphia Inquirer*

"The most powerful plaintiffs firm in the city"  
*Philadelphia Business Journal*

"A powerhouse law firm"  
*The New York Times*



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