

Greetings from

NEW JERSEY

OUR SUCCESSES IN **PERSONAL INJURY LITIGATION**
SPAN THE STATE AND BEYOND!

BLUME FORTE FRIED
ZERRES & MOLINARI

A PROFESSIONAL CORPORATION

WINTER 2016-2017



FROM THE EDITOR:



For years, we at Blume Forte Fried Zerres & Molinari have shared information on our case victories and firm news through a regularly-published newsletter. Clients, past and present, and referring attorneys have always shared positive feedback on the piece. It allowed us to stay in touch and share updates that may not always enter into our regular communications or personal interactions.

It is for that very reason that we decided to expand upon the newsletter and produce a more informative and comprehensive piece: "Greetings from New Jersey."

In this, the premiere edition, we'll share news on recent and retrospective case successes, information on our expansive and growing referral network, community and business news, practice tips, and more. We hope you find this content valuable both professionally and personally as part of our ongoing relationship.

Relationships are everything to the attorneys of Blume Forte, because at the core of those relationships is one thing: trust. Trust that we bring skilled advocacy, creativity and aggressive representation to each case. Most importantly, trust that we will strive for the maximum recovery possible every time.

Thank you for your trust in the firm. We look forward to working with you in the future.

Very truly yours,

Jeffrey Zenna

JEFFREY J. ZENNA

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RECENT AND RETROSPECTIVE RECOVERIES

Here is just a sampling of the impressive results we have obtained in a variety of areas.

\$46,700,000

Toxic Exposure
/Premises Liability
/Unsafe Workplace

\$14,596,000

Chiropractic Malpractice

\$14,000,000

Medical Malpractice
/Wrongful Birth

\$11,175,000

(Five Cases) Automotive
Defects/Product Liability

\$10,500,000

Premises Liability
/Motor Vehicle Accident

\$9,600,000

Medical Malpractice
/Birth Injury

\$7,982,298.80

Motor Vehicle Accident
/Trucking Accident

\$7,346,000

Medical Negligence
/Construction Accident

\$7,000,000

Product Liability
/Bicycle Accident

\$7,000,000

Aviation Accident
/Product Liability

\$5,500,000

Premises Liability
/Unsafe Water
Temperature

\$5,000,000

Pharmaceutical Liability
/Product Liability

\$4,800,000

Product Liability

\$4,600,000

Railroad Accident
/Premises Liability
/Unsafe Workplace

\$4,500,000

Medical Malpractice
/Birth Injury

\$4,197,000

Motor Vehicle Accident

\$4,000,000

Birth Injury
/Medical Malpractice

\$3,900,000

Motor Vehicle Accident
/Police Negligence

\$3,750,000

Failure to Prenatally
Diagnose/Medical
Malpractice

\$3,700,000

Medical Malpractice
/Failure to Timely
Diagnose

\$3,500,000

Medical Malpractice
/Failure to Provide
Follow-up Treatment

\$2,850,000

Ice Hockey Accident
/Premises Liability
/Hazardous Condition

\$2,750,000

Inadequate Security
/Premises Liability

\$2,400,000

Construction Accident
/Unsafe Workplace

\$2,100,000

Medication Error
/Medical Malpractice

\$1,940,000

Wrongful Death
/Medical Malpractice

\$1,800,000

Inadequate Security
/Sexual Assault

\$1,750,000

Railroad Accident
/Unsafe Workplace

\$1,700,000

Inadequate Hotel
Security/Wrongful Death

During the past five years alone, and including only those matters where there have been recoveries in excess of \$350,000, our NJ attorneys have obtained more than 320 million dollars in significant verdicts and settlements for our clients.

WHAT WE DO

You can imagine that, as we approach a century of practice in New Jersey, we have seen almost every type of personal injury matter possible. Not only do we bring successful results and large recoveries to our clients and referring attorneys, but we are immensely proud of the fact that in many cases, these wins also result in changes in policy or product design for defendants.

You will see our expansive practice list on the back cover of this issue. However, the majority of our cases fall within five key areas: Motor Vehicle Accidents, Medical Malpractice, Product Liability, Premises Liability, Birth Injury and Work Injury.

[CASE IN POINT]

Every case is significant to us, in terms of recovery and how we were able to prevail. Here's an example:

When a patient had serious complications after gastric bypass surgery, the hospital staff didn't realize what was happening. Over the course of a weekend, the patient ended up requiring repeated surgeries and prolonged hospitalizations at several different hospitals, resulting in millions of dollars in medical bills. The defendants refused to admit that the charges were reasonable and necessary for proper treatment of her medical condition. This created an issue as to how those charges would be admitted into evidence at the time of trial. We obtained an expert in the field of healthcare billing practices to compare these charges to what other hospitals and physicians in the same geographical area would charge and secured a \$7,700,000 settlement for the client.



MOTOR VEHICLE ACCIDENTS

With nearly 6.5 million automobile accidents in the U.S. each year, there is a significant likelihood that you will eventually be involved in one. Don't opt for a quick settlement through your insurance company. They may not provide the compensation to which you are entitled.

An experienced auto accident attorney can provide advice on the true value of your claim. This includes damages surrounding lost wages, rehabilitation and medical treatment related costs, the costs of potential future medical care, and pain and suffering claims. Your own records – from medical bills to photos of the accident – can assist your attorney in securing appropriate compensation.

With more million-dollar settlements than any other New Jersey law firm, Blume Forte has handled thousands of cases for injured victims. Known for our extensive experience, and aggressive strategy, we're committed to protecting the rights of our clients and getting them the compensation they deserve.



MEDICAL MALPRACTICE

Specialties in the practice of medicine are as diverse as the conditions treated. However, there are standards of treatment that must be followed. When a healthcare provider negligently deviates from those standards, there may be medical malpractice.

Delayed or incorrect diagnosis or treatment, surgical mishaps, birth defects or injuries, and more can constitute medical malpractice. If a healthcare provider commits medical malpractice, and their negligent treatment causes the patient to sustain an injury, a civil lawsuit may be brought to seek monetary damages for the patient's and/or family's losses.

Blume Forte handles more medical malpractice claims than any other law firm in New Jersey. Our experience coupled with the knowledge of an in-house physician and three Registered Nurses on staff, as well as the resources to research, investigate and litigate successfully, allows us to consistently produce the best possible results for our clients.



PRODUCT LIABILITY

As thousands of Americans discover each year, reputation and regulation don't always guarantee a product is safe. From medications to chain saws, bicycles to toaster ovens, products have defects that may result in serious injury. A failure to properly protect a product's user from harm, or warn a consumer of potential dangers, may constitute product liability.

New Jersey law imposes strict liability on manufacturers for the injuries their products cause. You may hold companies liable for an inherently faulty design, flaws or contamination introduced during manufacturing, inadequate safeguards, shortcomings in warnings and/or instructions. You can be awarded compensation for a serious injury, permanent disability or wrongful death, as well as to compensate for medical bills, lost wages, and other costs.

Call upon the experienced team at Blume Forte. In the past five years alone, we've secured \$320+ million in settlements for our seriously injured clients.



PREMISES LIABILITY

Slipping on ice, getting bitten by a dog, crashing your car because you couldn't see past some overgrown foliage... these are common hazards you could face. Property hazards can result in car crashes, serious falls, dog attacks, toxic exposure and violent crimes. Property owners and operators are legally responsible for removing these unsafe conditions, including:

- Ice/snow on walkways
- Dogs not confined by a fence or leash
- Toxic fumes or substances
- Signs or plant life that dangerously obscure drivers' views
- Discarded refrigerators, cars and other objects that could be "attractive nuisances" to children
- Vermin, unsafe structural conditions, criminal activity
- Building code violations

If you were hurt because a property owner failed to fulfill these duties, you have the right to hold them responsible. At Blume Forte, we have nearly eight decades of experience securing compensation for serious injuries, including \$320+ million for our clients in the last five years alone.



BIRTH INJURY

The birth of a child is considered one of the most joyous events in one's life. However, when an injury or complication occurs during labor or delivery, it also can be one of the most stressful.

Whether it's a normal delivery or a complex one, healthcare professionals must follow the accepted medical standards. Failure to do so may result in medical malpractice, putting the fetus/child at risk for brain injury, nerve injuries, soft tissue tears/fistulas, sterility, and even death. Proper monitoring and correct diagnoses of both mother and child are integral to the provider making the correct treatment decisions (including whether a C-section delivery is needed and its timing).

This includes treatment after the baby is born, and in the care of the neonatologist or pediatrician and nurses.

Blume Forte has New Jersey medical negligence attorneys with particular knowledge in cases involving labor, delivery and neonatal care medical malpractice.



WORK INJURY

Workplace accidents can have a devastating impact on one's life. Not only might you become seriously injured, you might never be able to work at the same occupation again. That's why you may be entitled to file for compensation for medical costs, physical pain and suffering, disability, job retraining, and in the case of a fatality, family members may seek pecuniary losses as a result of wrongful death.

It's in your best interest to hire an experienced legal team to ensure that you receive just compensation—especially because workers' compensation benefits alone may not be enough to cover your financial burden for the long-term.

A thorough and timely investigation can make all the difference.

At Blume Forte, our team has recovered more personal injury million-dollar settlements than any other firm in New Jersey. We utilize private investigators and qualified technical experts to evaluate our client's claims, and to help establish fault.

BLUME ATTORNEYS LISTED IN:



Several attorneys from Blume Forte Fried Zerres & Molinari were selected for inclusion in the 2017 edition of The Best Lawyers in America in multiple areas of practice:

DAVID FRIED (first listed in 2007):

- Personal Injury Litigation – Plaintiffs
- Product Liability Litigation – Plaintiffs

CAROL FORTE (first listed in 2003):

- Medical Malpractice Law – Plaintiffs
- Personal Injury Litigation – Plaintiffs

MICHAEL ZERRES (first listed in 2007):

- Medical Malpractice Law – Plaintiffs
- Personal Injury Litigation – Plaintiffs
- Product Liability Litigation – Plaintiffs

CYNTHIA CRAIG (first listed in 2008):

- Personal Injury Litigation – Plaintiffs

RONALD GOLDFADEN

(first listed in 2007):

- Medical Malpractice Law – Plaintiffs
- Personal Injury Litigation – Plaintiffs

Additionally, two attorneys were named “2016 Lawyer of the Year” in the Newark region:

DAVID FRIED: Product Liability Litigation – Plaintiffs

CAROL FORTE: Personal Injury Litigation – Plaintiffs

Only a single lawyer in each practice area and designated metropolitan area is honored as such, making this accolade particularly significant.

Inclusion in “Best Lawyers” is based entirely on peer-review and more than 6.7 million detailed evaluations of lawyers by other lawyers.

Founded in New Jersey in 1929, Blume Forte was named the 2015 Top Medical Malpractice Earner for the past five years by the New Jersey Law Journal.

OUR REFERRAL NETWORK

Not only do we litigate cases in every county in New Jersey, we work for clients who have come to us from almost every state in the country (not to mention other countries).

PHOENIX, AZ

"I have been fortunate enough to have learned from, worked with and gotten to know several members of the firm. Never before have I encountered a firm that is, without exception, populated by so many brilliant, hard-working and talented attorneys. They are a credit to our profession, and are professionals in every sense of the word."

– Brian T. Leonard | The Leonard Law Firm, PLLCT

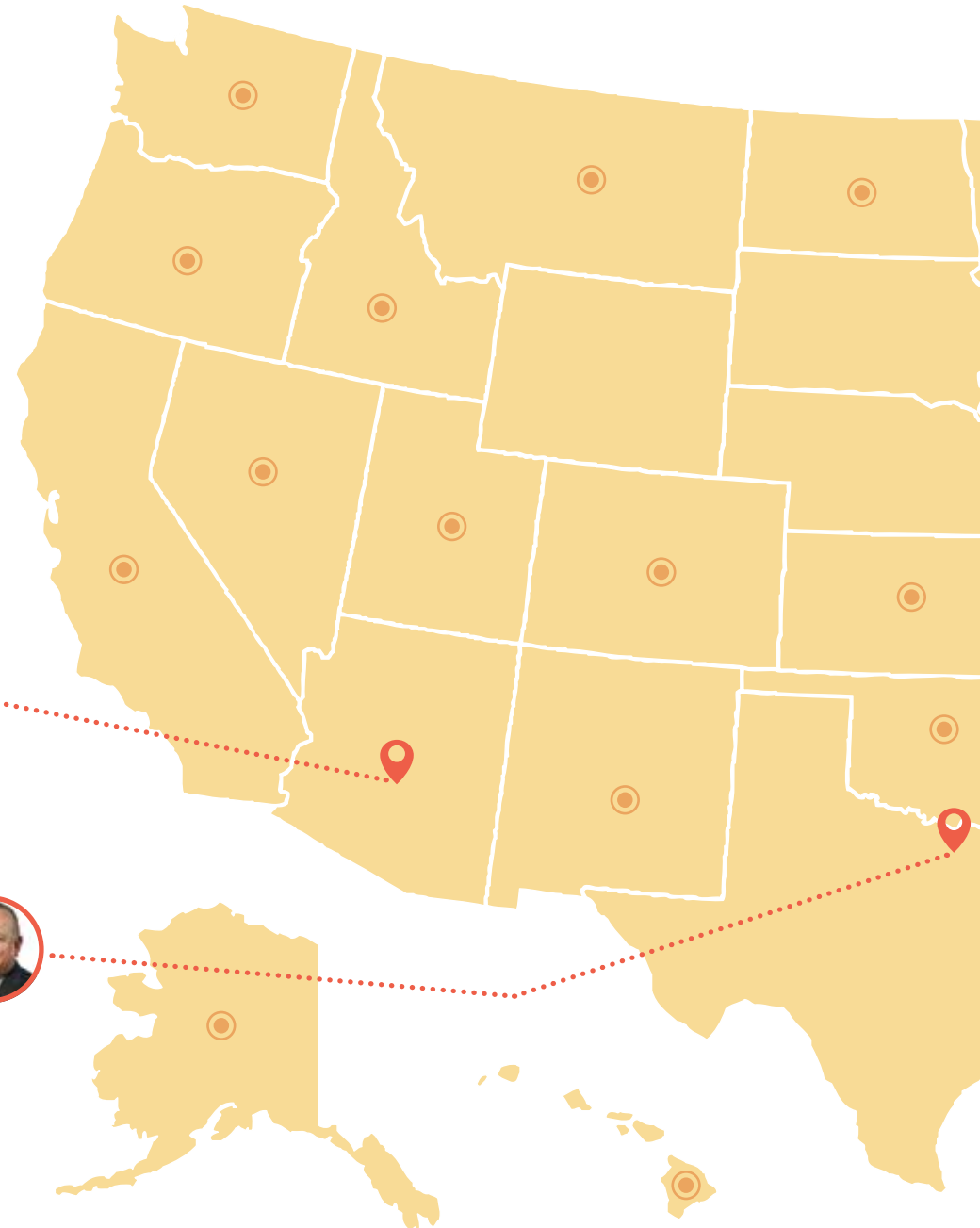


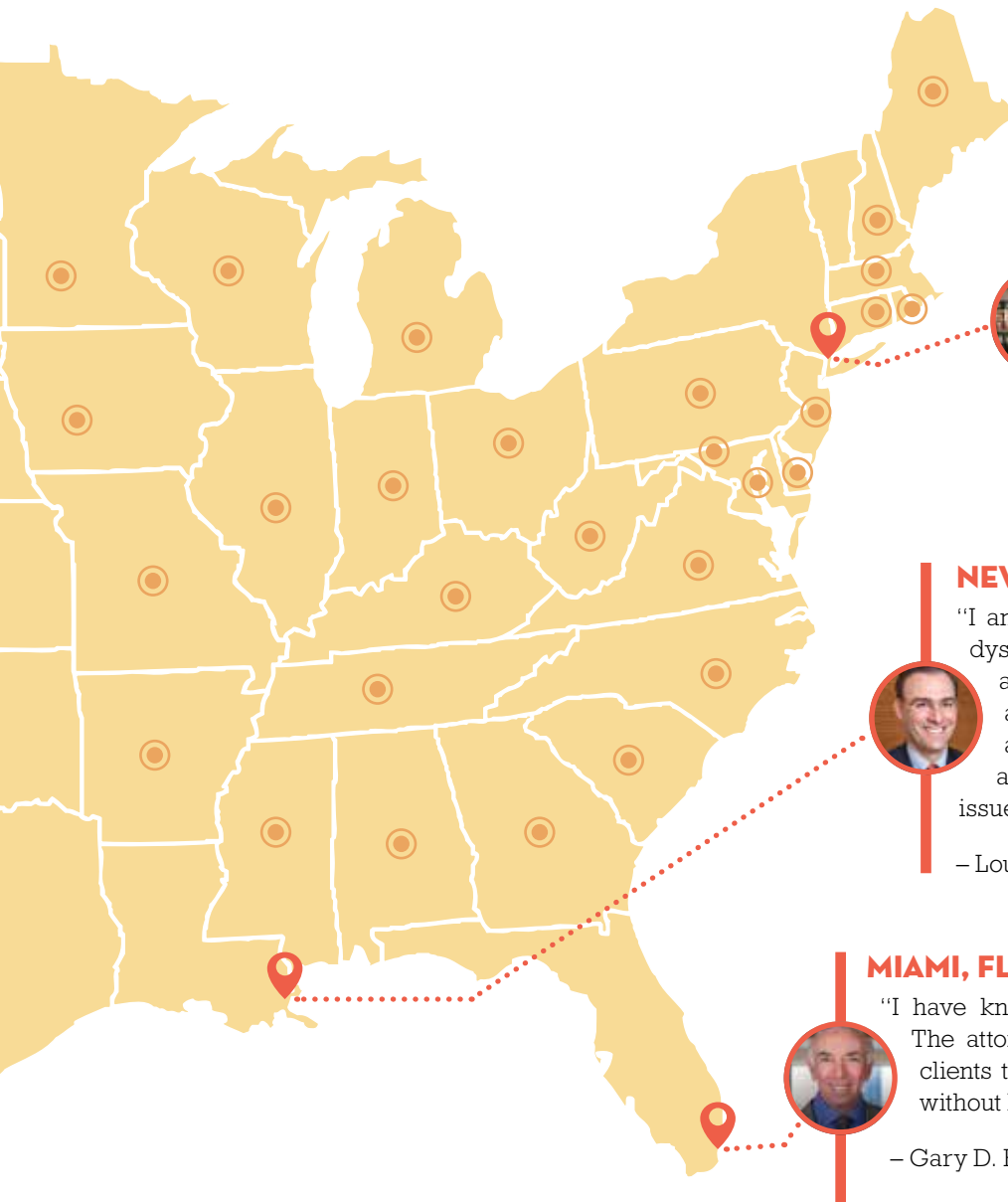
DALLAS, TX

"We have known partners in the Blume firm for over 25 years and have referred or worked together with them on many cases. They have special expertise in obstetric shoulder dystocia/brachial plexus injury cases and we refer any of those case to them that are in their geographic area. We have also relied on the firm as our local counsel in pharmaceutical product cases."

– Les Weisbrod | Miller Weisbrod LLP

Past President, American Association for Justice (formerly known as the Association of Trial Lawyers of America, or ATLA)



**NEW YORK, NY**

“Our firm has worked closely with Blume Forte Fried Zerres & Molinari, P.C. for over thirty years. Their firm works extremely hard to get terrific results on all matters that we entrust to them. The entire staff of Blume Forte Fried Zerres & Molinari, P.C is knowledgeable, helpful, and accessible. I would highly recommend their services to any person or attorney looking for a New Jersey personal injury firm.”



– Kenneth Halperin | Wingate, Russotti, Shapiro & Halperin, LLP

NEW ORLEANS, LA

“I am working with Mr. Fried as co-counsel on a shoulder dystocia/ Erb’s Palsy case in Louisiana. Mr. Fried’s legal skills are renowned, and his knowledge regarding this unique area of medicine is beyond impressive. Additionally, although he is half a country away, Mr. Fried is always accessible and available to discuss legal and strategic issues. It has been a true pleasure working with him.”



– Louis L. Gertler, Esq. | Gertler Law Firm, LLP

MIAMI, FL

“I have known John Blume and his firm for many years. The attorneys are extremely talented and fight for their clients to achieve optimal results. I recommend the firm without hesitation.”



– Gary D. Fox | Stewart Tilghman Fox Bianchi & Cain P.A.

OTHER COUNTRIES:

- Barbados
- Canada
- Israel
- Turks and Caicos
- Vietnam

APPROACHING A CENTURY OF SUCCESSES

Founded in Newark, New Jersey in 1929 by Charles Blume, our firm began with his vision. John Blume joined his father in 1959, together building what The National Law Journal reported in a May 8, 2000 article as “the most successful medical malpractice plaintiff’s firm in New Jersey.”

But it wasn’t just medical malpractice. Blume Forte excels in product liability, vehicular and pedestrian accidents, industrial/construction injuries, worker’s compensation, premises liability and more. In the last five years alone, we won 50+ settlements and verdicts of \$425,000 to \$46.7 million.

Today, you’ll find us in Chatham, Jersey City, North Bergen and Sea Girt. If you need a New Jersey personal injury attorney, call us at (973) 635-5400.

[CASE IN POINT]

A 46-year-old woman who was being treated for ongoing neck problems, and had a cervical fusion eleven years earlier, was struck from behind by another driver. The accident aggravated her neck injury, resulting in two additional cervical fusions. We demonstrated how the impact - depicted in photographs as minimal - produced a serious spinal injury that permanently disabled her from working and obtained a \$1,624,000 settlement.

1929

After attending law school at night, at the age of 25 and at the beginning of the Great Depression, Charles Blume establishes a law practice in Newark, New Jersey upon his graduation from the University of Newark Law School.

1959

John Blume joins his father in the family law practice.

1963

John Blume opts to solely handle matters involving personal injury.

1997

The firm obtains a precedent-setting settlement of **\$10.5 MILLION** in a car accident case.

1999

A **\$12.7 MILLION** verdict is awarded to a client in a medical malpractice case.

2002

\$11.2 MILLION in settlements are obtained in five cases involving a very complex area of the law known as “uncrashworthy vehicle” cases.

2003

The firm wins a **\$25 MILLION** settlement over an injury case that occurred in the Turks & Caicos islands, the largest settlement of its kind in New Jersey history.

2005

The firm secures a **\$46.7 MILLION** verdict over a case involving toxic exposure.

2006

A wrongful birth verdict of **\$14 MILLION** is awarded by a jury to a client of the firm.

2009

An **\$11 MILLION** settlement is obtained for a client in a personal injury case.

2013

A **\$14.6 MILLION** jury verdict is obtained for a client who suffered a chiropractic malpractice injury.

WE ARE NEW JERSEY

WE HAVE THE STATE COVERED.

From our four offices situated around the state, we help clients with matters in every county in New Jersey. We draw referrals from colleagues in each of these counties, as well. It's due to our successful track record and reputation for record-breaking verdicts and settlements.



1. CHATHAM

One Main Street
Chatham, NJ 07928



2. JERSEY CITY

26 Journal Square
Jersey City, NJ 07306



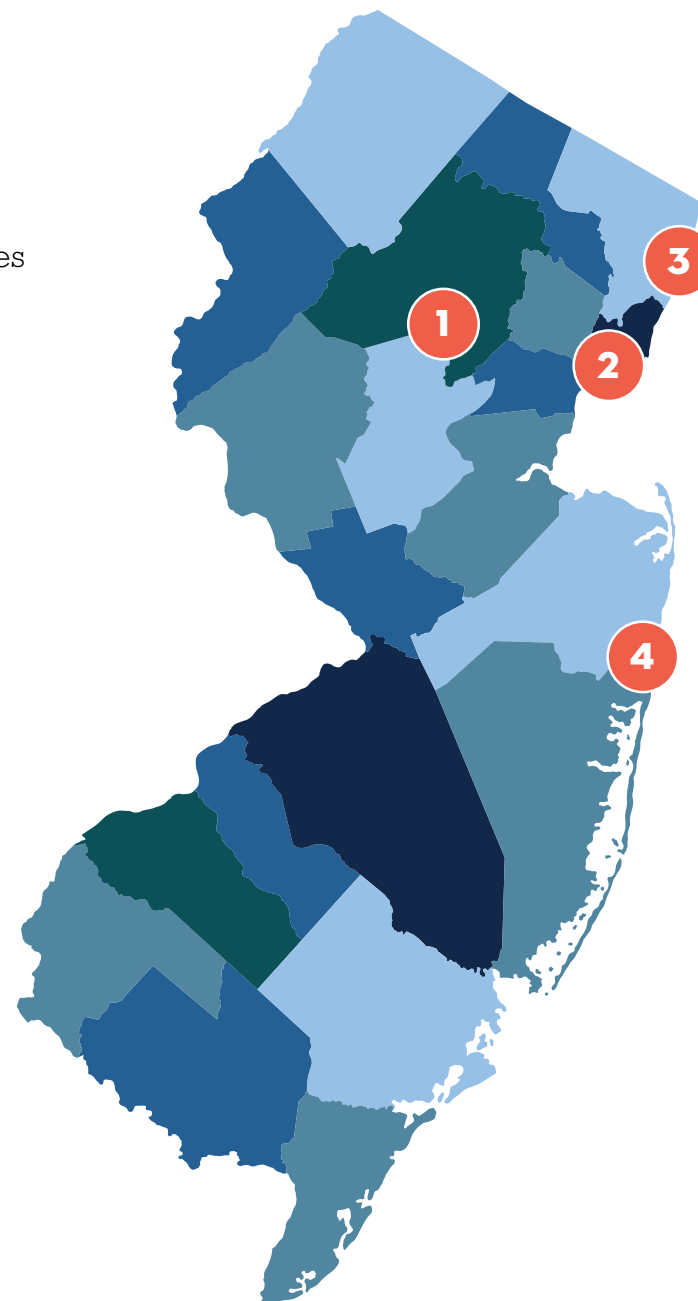
3. NORTH BERGEN

7300 Bergenline Avenue
North Bergen, NJ 07047



4. SEA GIRT

2150 Highway 35,
Suite 250, Brook 35 Plaza
Sea Girt, NJ 08750



COLLEGIALITY

EDUCATING COLLEAGUES, FOSTERING BONDS.

Blume Forte hosts educational programs each year that not only benefit our colleagues in other firms with continuing legal education credits, but provide valuable networking connections.



Would you like to be added to our CLE invitation list?
Email your full contact information to events@njatty.com.

PRACTICE TIPS:

A MOTOR VEHICLE ACCIDENT SCENARIO

A potential client seeks advice, saying he was seriously injured in an automobile accident involving an unknown hit-and-run vehicle. He was wearing his seatbelt and traveling within the posted speed limit, but his car went off the road in an effort to avoid the vehicle. Despite minor physical damage to his car and no airbag deployment, he sustained serious injuries that required emergency services at the scene. After a delay in being transported to the hospital, he underwent extensive treatment that worsened his condition. He was then discharged to a rehabilitation facility where he developed pressure ulcers. These facts suggest a number of potential claims:

1. An uninsured motorist claim, despite the lack of physical contact
2. A tort claims case against the public entities responsible for design, construction and maintenance of the road
3. A negligence claim against contractors involved in the construction and/or maintenance of the roadway
4. A professional negligence claim against the architects/engineers involved in the design and/or construction of the roadway and areas adjacent to the roadway
5. Products liability claims against the automobile manufacturer for inadequate crash safety design, seat belt design, airbag design, and design of acceleration, braking, control and/or stability components
6. A negligence claim against the emergency medical squad in assessing and transporting to the hospital
7. A medical negligence claim against the physicians providing care in the hospital and thereafter
8. A nursing negligence claim for deficient in-patient assessment and care
9. A negligence claim against the rehabilitation facility and its staff for failure to properly assess and monitor the patient, comply with skin integrity protocols and/or timely refer the patient for medical care

Many of these potential claims require timely service of Tort Claim notice and exhaustion of administrative remedies, affidavits of merit by like-credentialed experts, preservation of the vehicle, its components and its “black box” data, coordination of payment for medical expenses and governmental benefits, and the prompt and efficient investigation of witnesses, physical evidence and video footage. These types of complex cases require knowledge, skill and experience – qualities that the attorneys at Blume Forte bring to bear in representing our clients.

[CASE IN POINT]

A patient in an intensive care unit required a ventilator to breathe. When the electrical power went out in the ICU and the emergency generator came on, the ventilator did not turn back on; neither did the central nurses’ station alarm. The nurses were unaware that the patient’s ventilator was not functioning, and he died before this was recognized. We worked with a biomedical engineer with experience in emergency backup solutions for hospitals, who determined that the backup power system was not properly wired and that certain equipment in the unit was not integrated into it. We obtained a \$1,600,000 settlement in the case.

BLUME IN THE NEWS

We're making news, and it's not just with our award-winning verdicts. Here are some of our recent accolades and noteworthy achievements.



Partner Kenneth Elwood, right, along with assistant Ely Del Sol-Revuelta, presents a check to Dr. E. Hani Mansour for the St. Barnabas Burn Foundation. The donation was made on behalf of a client, Benjamin Schmidt, who suffered second and third degree burns to 20% of his body as a result of an explosion accident at work. After receiving substantial treatment by the burn center at St. Barnabas, the client asked the firm to make the donation in grateful recognition of excellent care provided.



Jeff Zenna recently delivered a lecture to fellow attorneys for the New Jersey Institute of Continuing Legal Education, the educational division of the New Jersey State Bar Association. The topic was "Tips on Avoiding Legal Malpractice."



This year, Carol Forte was selected as a Lifetime Achievement Award honoree by the New Jersey Law Journal and was also given the New Jersey Association or Justice Gerald B. O'Connor Award, an award that celebrates attorneys who earn the respect of their colleagues through skill, professionalism and humanity.



In a recently-published New Jersey Law Journal supplement, Blume Forte was responsible for four of the reported Top 20 Personal Injury Awards of the Year, more than any other firm on the list.



Blume Forte had three cases listed in the 2015 Top Verdicts and Settlements in New Jersey special report, published by the New Jersey Law Journal.

BLUME IN THE COMMUNITY

Partner **MITCH MAKOWICZ** and his family regularly participate in the Saint Joseph's Soup Kitchen in Elizabeth, NJ, through the collective outreach of Saint Agnes Church in Clark, NJ and a number of other churches of various religious denominations. The churches assemble teams of volunteers to serve hot meals to the needy and underprivileged on a rotating basis every Saturday. Saint Joseph's also collects donations of food from local businesses, as well as clothing and shoes, for distribution to the needy.

Attorney **CYNTHIA CRAIG** is a volunteer Guardian Ad Litem (called "CASA" in NJ) for medically needy children in foster care, and a GAL mentor. She is also the court-appointed trustee of a special needs trust for one of those children.

Legal assistant **MARGARET RUSSO** volunteers every Monday night and at events throughout the year at Menlo Park Veterans Hospital. She also contributes time and talents (cooking, fundraising, coordinating donations) for the several VFWs in the state, giving hundreds of hours of time each year. Additionally, she has taught religious education to young children for over 30 years.



Blume Forte paralegal Andy Colon (standing, yellow shirt), traveled to Mozambique, Africa this summer to help build four churches in rural communities.

Look for more examples of fine citizenship from the Blume team in future issues!

OUR ATTORNEYS

John M. Blume
David M. Fried*
Carol L. Forte*
Michael B. Zerres*
John E. Molinari*
Mitchell J. Makowicz, Jr.*
Jeffrey J. Zenna*
Kenneth W. Elwood*
Richard J. Villanova*
Robin A. Donato
Kelly M. Stoll
Jessica L. Di Bianca
Ronald P. Goldfaden*
Cynthia M. Craig
Brian E. Mahoney*

**Certified by the Supreme Court of New Jersey as a Civil Trial Attorney*

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Sea Girt, NJ 08750

7300 Bergenline Avenue
North Bergen, NJ 07047

OUR PRACTICE AREAS

AUTO PRODUCT LIABILITY

- Air Bag Defects
- Brake Defects
- Car Seat Defects
- Electronic Stability Control
- Gas Tank Defects
- Seat Belt Defects
- Structural Defects
- Tire Defects
- SUV Rollovers

BIRTH INJURY

- Abrupted Placenta
- Baby Brain Damage
- Bell's Palsy
- Birth Defects
- Cerebral Palsy
- Cystic Fibrosis
- Down Syndrome
- Fetal Distress
- Forcep Injury
- Hyperbilirubinemia/
Kernicterus (Jaundice)
- Inadequate Prenatal
Screening
- Klumpke's Palsy
- Shoulder Dystocia/Erb's Palsy
- Sickle Cell Anemia
- Spina Bifida
- Tay-Sachs Disease
- Thalassemia
- Wrongful Birth

BURN INJURY

- Explosion Injuries
- Fires
- Hot Water Heater Injuries
- Scalding

CANCER MISDIAGNOSIS

- Breast Cancer
- Cervical Cancer
- Colon Cancer
- Cancer FAQ's
- Lung Cancer
- Ovarian Cancer
- Prostate Cancer
- Uterine/Endometrial Cancer
- Other Cancers

CAR ACCIDENTS

- ATV Accidents
- Auto Insurance Coverage
- Bicycle Accidents
- Distracted Driving
- Intersection Accident
- Motorcycle Accidents
- Truck Accidents
- Pedestrian Accidents
- Waving Accidents

DRUG INJURY

- Accutane Claims
- Actos Claims
- Fosamax Claims
- Stryker Hip Implants
- Yaz/Yasmin Claims
- Zimmer Knee Implants

MEDICAL MALPRACTICE

- Clostridium Difficile Colitis
- Delayed/Incorrect Diagnosis
- Hemochromatosis
- Wilson's Disease
- Hospital Malpractice
including V.A.
Hospital Claims
- Nursing Malpractice
- Delayed or Incorrect
Treatment
- Failures in Emergency
Room Care
- Nursing Home

MALPRACTICE

- Testing Errors
- MRSA Infections Resulting
in Serious Injury
- Physician Malpractice
- Testicular Torsion

PERSONAL INJURY

- Aviation Accidents
- Catastrophic Injury
- Child Injury
- Dog Bites
- Legal Malpractice
- Wrongful Death

PREMISES LIABILITY

- Construction Accidents
- Inadequate Security
- Lead Poisoning
- Slip & Fall

PRODUCT LIABILITY

- Asbestos
- Defective Appliances
- Defective
Household Products
- Defective Tools/Machinery
- Defective Medical Devices
- Defective Drugs

SURGICAL MALPRACTICE

- Anesthesia Accidents
- Informed Consent
- Preoperative
Clearance Failures
- Postoperative Care Failures
- Surgical Mishaps

WORK INJURY

- Burn Injury
- Chemical Exposure
- Construction Worker
Accidents
- Crane Accidents
- Electrocutation Accidents
- Industrial Accidents
- Machinery Accidents
- Nail Gun Accidents
- Scaffolding Accidents
- Trench Accidents
- Welding Accidents

Super Lawyers

 Best Lawyers®
THE WORLD'S PREMIER GUIDE



Avvo

LITIGATOR
AWARDS™

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