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*Attorneys at Law*

## Happy Holidays from all of us at Chaikin, Sherman, Cammarata & Siegel, P.C.

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Attorneys available  
24 hours a day, 7 days  
a week.

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- Home appointments
- No recovery, No fee.  
We do not get paid  
unless you do.

As we conclude a very exciting year, we look to the future with optimism. We first take time to give thanks for the ability that we have been given to successfully represent our clients, who have put their greatest concerns for their health and safety and the health and safety of their loved ones in our hands. We have been extraordinarily privileged in 2008 to have represented individuals who have suffered the effects of a range of injuries, from soft-tissue injuries resulting from relatively minor rear-end automobile collisions, to brain injuries resulting from the same apparently "minor" automobile accidents, to terribly tragic, permanent injuries suffered as a result of truck/tractor-trailer/automobile collisions, medical malpractice, and a near-drowning. We have been humbled by the ability of individuals who have suffered devastating effects of the carelessness of others to be able to cope with grace in caring for their own injuries and the injuries of their loved ones. We have experienced a heightened definition of love and dedication. We hope that each one of us at **Chaikin, Sherman, Cammarata & Siegel, P.C.**, if confronted with similar circumstances, would have the same strength of purpose as those whom we have had the privilege to represent and work with over the past year.

We look forward to 2009 with a new optimism and excitement for the future. A new president, a new congress, and an invigorated sense of purpose is an exciting way to start the year. We thank you for the opportunity to have had the responsibility and honor to represent you, and we hope that you will continue to consider the law firm of Chaikin, Sherman, Cammarata, & Siegel, P.C., as your family law firm and the law firm for you and anyone you care about.

We wish you a wonderful, happy, and healthy holiday season.

## Brain Injury Association of D.C. becomes an affiliate of the Brain Injury Association of America

The Brain Injury Association of D.C. is a non-profit organization that was founded by **Partners Joseph Cammarata and Ira Sherman** in 2007. Affiliate status was awarded during the Brain Injury Association Annual Affiliate's Meeting in Kansas City, Missouri on December 4, 2008. The District of Columbia now joins 42 states, including Maryland and Virginia, as being able to provide education, information and resources to individuals with brain injuries. We are excited about this accomplishment and opportunity to provide assistance to those people who suffer with the effects of brain injuries. In addition, Mr. Cammarata was recently appointed to the Brain Injury Advisory Task Force created by the District of Columbia Department of Health. The Brain Injury Advisory Task Force has received a grant from the federal government to be used to assess community resources and to facilitate the coordination of services for persons with brain injury. We expect that the task force will work closely with the BIADC.

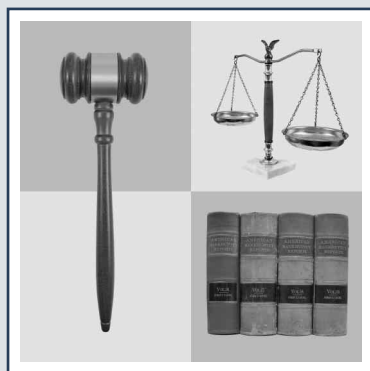
# President Allan M. Siegel lectures at trial lawyers seminar

**Partner Allan M. Siegel** was a featured lecturer at an all-day seminar on October 17, 2008, which focused on litigating automobile and tractor-trailer cases. The seminar was sponsored by the D.C. Metropolitan Area Trial Lawyers Association. Mr. Siegel is currently the President of that organization and was instrumental in the planning of the seminar.

The all-day seminar focused on teaching lawyers how to maximize results in car accidents, truck accidents, tractor-trailer accidents, or any other accident involving a commercial vehicle. Mr. Siegel made a presentation regarding uninsured and underinsured motorist cases in Washington, D.C., Maryland, and

Virginia. Uninsured or underinsured motorist cases arise when the victim of a motor vehicle accident is injured by a person who either does not have insurance, or does not have enough insurance. In such cases, the injured party must file a claim against his own insurance company. These claims can be very complicated, since each of the three local jurisdictions—Washington, D.C., Maryland, and Virginia—have very different laws relating to how the injured party must proceed. Mr. Siegel went through the differences in each state and shared some of the strategies he has used over the years to maximize settlements and trial results in these cases.

In addition to Mr. Siegel, there was a panel of elite lawyers from around the country discussing persuasion techniques; cross-examining expert witnesses; litigating truck, tractor-trailer, and other commercial vehicle cases; and ethical issues facing lawyers. The program was very educational and received very good reviews by all of those who attended.



*Mr. Siegel is currently the President of the D.C. Metropolitan Area Trial Lawyers Association.*



## Slip-and-fall case settles for \$100,000

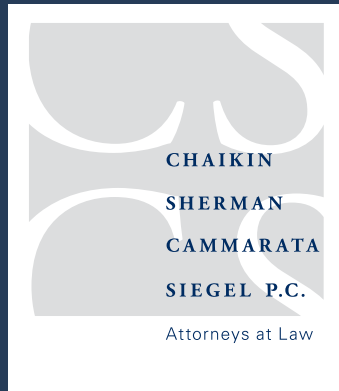
Our client had parked his car in the parking lot of a local retail store. He got out of his car and slipped and fell on a large puddle of oil and/or antifreeze, causing him to strike his head and neck. He ultimately was diagnosed as having a herniated disk in his neck.

The owner of the store claimed that it was not responsible for our client's fall since its employees did not cause the oil spill—arguing that the spill on the parking lot was likely caused by another vehicle on the parking lot for which the store had no control.

**Partner Allan M. Siegel** filed a lawsuit against the store owner and set out to prove that the fall was not merely caused by a leaking car on the parking lot, but rather was the result of the store's pattern and practice of failing to adequately monitor and police the activity on its parking lot. During the course of the litigation, Mr. Siegel learned that the store had a policy that forbade customers from doing mechanical work on its parking lot. Mr. Siegel also uncovered that this "no work" policy was regularly and consciously violated. The store's employees would frequently allow customers to work on their cars causing spills on the parking lot. In fact, a spot inspection by an expert retained by the firm revealed that plastic oil bottles were strewn across the parking lot, discarded by customers after adding oil to their cars, further demonstrating the consistent violation of the store policy. This inspection also revealed that the run-off of oil from the parking lot had caused a large patch of dead grass between the parking lot and the closest storm drain. The law firm had the soil tested which demonstrated that the soil surrounding the parking lot was contaminated with high levels of oil and other automobile fluids.

When Mr. Siegel had finished dissecting the store's policies and procedures, it was clear that our client's fall was a direct result of the store's failure to make any reasonable efforts to monitor or inspect its parking lot. The case settled at mediation for \$100,000.

## Chaikin, Sherman, Cammarata & Siegel, P.C., handles all cases—big and small



You may have noticed while reading our newsletters that we often provide information regarding some of our bigger successes. We are very proud of all the results we have obtained on behalf of our clients. However, it is important for our clients to know that we handle all cases—from multimillion-dollar tragedies to fender benders where people suffered real injuries that may not have been life altering, but certainly interrupted their lives and caused a great deal of pain and inconvenience.

Those cases are just as important to us because we realize how important they are to the people whose lives were changed. In fact, many of our client testimonials on our website are from clients who were in car accidents or slip-and-fall accidents who did not recover millions of dollars, but received fair compensation for their injuries and were provided the care and attention that we provide to all of our clients.

## Woman suffers brain injury while entering restaurant

On November 10, 2005, at approximately 2:30 p.m., our client was entering a restaurant in Washington, D.C., when her foot got caught on a portion of the floor that was not level with the door threshold, causing her to fall. Her knees struck the floor and her body fell forward, causing her head to strike a glass wall that was in the vestibule directly in front of her.

The door and its threshold had just been replaced, and the new door threshold was not flush with the tile floor, causing a trip hazard. The owner of the restaurant placed a “wet floor” sign near the door to allegedly warn customers of this hazard. However, he failed to take the most simple precaution of posting a sign on the door warning customers to “watch their step.”

Our client suffered extensive injuries and damages, including a closed head injury (also referred to as a traumatic brain injury, or concussion), with cognitive impairments, posttraumatic headaches, a left rotator cuff tear, cervical radiculopathy, cervical strain, lumbar strain, and bilateral knee contusions. As a result of the closed head injury, our client’s doctors diagnosed her with a condition called dysautonomia. Dysautonomia is a malfunction of the autonomic nervous system, which can cause lightheadedness, dizziness, headaches, and syncope episodes (fainting). Following the incident, our client had multiple fainting spells, which required extensive hospitalizations. The defendants disputed that the fainting spells were caused by the incident.

The law firm filed a lawsuit against the owner of the restaurant, the owner of the building, the management company of the building, and the company that installed the door. The case settled at mediation. The terms of the settlement are confidential.

## Family of man who dies on Interstate 495 obtains settlement

**Partners Joseph Cammarata and Ira Sherman** successfully represented the family of a man who died as a result of his car striking the underside of the rear corner of a flatbed tow truck. The man, age 50, was travelling along the beltway in the left travel lane. The operator of the flatbed tow truck parked his vehicle in the median and left a portion of the trailer jutting out into the travel lane. The trailer could not be seen by oncoming traffic from a sufficient distance to permit a driver to take evasive action to avoid a collision. The man’s vehicle struck the underside of the trailer, causing the trailer to slice through the man’s vehicle, decapitating him. The law firm filed a lawsuit against the tow-truck company and the operator of the tow truck in the Circuit Court for Prince George’s County on behalf of the man’s widow and five children. After engaging in discovery (fact-finding), the parties settled the matter at a mediation. The terms of the settlement are confidential.

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## We are your law firm

We want you to think of us as your law firm.

If you have legal matters that need attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can.

Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.

**Call us. You're going to feel a whole lot better about things.**

## Allan M. Siegel testifies in front of D.C. Council

**Partner Allan M. Siegel** testified before the D.C. Council regarding a very important piece of legislation the Council is considering implementing. The legislation would require that all public spaces, including city recreation centers, make defibrillators available. A defibrillator is an electronic device that applies an electric shock to restore the rhythm of a fibrillating heart. The legislation would place these devices at city recreation centers, where citizens are engaged in strenuous physical activity and cardiovascular emergencies can occur suddenly. The legislation has the potential to save hundreds of lives.

Mr. Siegel, testifying as President of the Trial Lawyers Association of Metropolitan Washington, D.C., supported the bill, but expressed concern that the legislation, as written, provided overly broad immunity to the District of Columbia. The proposed legislation provided that a facility that made a defibrillator available which did not work because it was not properly maintained, or that failed to have a staff member available who could operate the defibrillator, could not be sued. This was clearly contrary to the intent of the legislation, which was to have a working defibrillator at these sites, and qualified people on site who could use it to save lives. Mr. Siegel proposed an amendment to eliminate this problem. The testimony was well received, and we are hopeful that the Council implements the proposed amendment.

## Client Corner

### A SPECIAL THANK YOU!

A special thank you to **Willie Mae Fields** for remembering every year to grace our Thanksgiving table with the best sweet potato pie this side of the Mississippi River!

*In this section, we acknowledge the achievements, events, special recognitions, honors, awards, and promotions of our clients. If you would like to be part of our newsletter, please contact us; we will put you in the next edition.*

## Law firm's success against the post office continues

The law firm recently settled a case against the United States Post Office for \$97,500. Our client was driving home from a nightclub when she was struck in the rear by a tractor-trailer owned by the postal service. The postal worker alleged that he struck our client's vehicle because her rear taillights were not working. However, he admitted that he saw her vehicle 50 yards back, yet still struck it at a high rate of speed. Our client suffered injuries to her neck and back, and incurred approximately \$30,000 in medical expenses.

This settlement follows a \$450,000 verdict entered against the postal service by United States District Court Judge Thomas Penfield Jackson in a case that **Partner Allan M. Siegel** tried, as well as a \$600,000 settlement against the postal service in a case where a United States Post Office tractor-trailer cut off our client while he was traveling on his motorcycle. The \$97,500 settlement was obtained at mediation, prior to trial.