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Attorneys at Law

HAPPY HOLIDAYS FROM ALL OF US AT CHAIKIN, SHERMAN, CAMMARATA & SIEGEL, P.C.

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24 hours a day, 7 days
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personal injury

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The entire **Chaikin, Sherman, Cammarata & Siegel, P.C.**, family would like to take this opportunity to wish you a joyful holiday season and a new year filled with health, happiness, peace, and prosperity. We would like to thank our past and present clients for the opportunity you have given us to not only represent you, but also to get to know you and your families in very difficult and trying circumstances. We understand and appreciate the confidence and trust you have shown in us by placing your concerns for your health and safety in our hands. We will always fight for justice and will never let you down.

We also want to remind all of our clients and their families that we are always here for you in good times and bad. In the new digital age, it is easier than ever to reach us or to get the latest CSCS news. You can find us on our Web site at www.chaikinsherman.com, or on Facebook at www.facebook.com/pages/Chaikin-Sherman-Cammarata-Siegel-PC/97536574659, or on Twitter at twitter.com/CSCSLaw, or on YouTube at www.youtube.com/chaikinsherman. Or, you can always use the old-fashioned way by picking up the phone and giving us a call. While the firm focuses on helping individuals injured by negligence, please do not hesitate to call us if you have any legal question or issue. If we cannot help you, we will likely be able to refer you to someone who can.

As the first year of this new decade draws to an end, we look to next year with optimism. Thank you again for giving us the responsibility and honor to represent you. We hope that you will continue to consider the law firm of Chaikin, Sherman, Cammarata & Siegel, P.C., as your family's law firm.

Joseph Cammarata named "Super Lawyer" for fourth consecutive year

Partner Joseph Cammarata was named to Washington, D.C. Super Lawyers for 2010 by *Law & Politics* magazine. This is the fourth consecutive year that Mr. Cammarata has received this honor. *Law & Politics* utilizes a rigorous multistep process that incorporates peer recognition and professional achievement to select lawyers for inclusion in its Super Lawyers publication.

Super Lawyers

Justice for the unnecessary loss of two lives

In the summer of 2009, our 16-year-old client went out with his friends for an evening bike ride in suburban Maryland. Our client was biking along the shoulder of a road, in a position of safety, in the direction of travel with the other vehicles. In other words, our client was proceeding properly, reasonably, and safely along the roadway. A motor vehicle came along, and without any reasonable explanation, struck our client while he was on the shoulder, forcing him into the roadway and ending his life. Our client was survived by his parents and sister. His parents were referred to Partner Ira Sherman by another law firm that felt that the clients would be best served if they were represented by **Chaikin, Sherman, Cammarata & Siegel, P.C.**, since the law firm has extensive experience in the area of personal injury and wrongful death. The matter was successfully resolved for **all** of the available insurance. The mother of the deceased young man was so satisfied with Chaikin, Sherman, Cammarata & Siegel, P.C., as well as with the results, that she volunteered to provide a video testimonial, which we have posted on the CSCS YouTube Channel (go to www.youtube.com/chaikinsherman).

A second tragic death took place when our client was operating his motorcycle on a thoroughfare in suburban Maryland. Our client was struck and killed by a van operated by an individual who simply failed to see him. We represented the surviving child of our deceased client, as well as the deceased's mother. The law firm of Chaikin, Sherman, Cammarata & Siegel, P.C., successfully resolved this matter, although this time in a mediation.

Although it is extremely difficult to continually deal with the losses that families suffer as a result of the carelessness of others, we take satisfaction and pride in our ability to communicate that justice can prevail in the face of wrongdoing that frequently takes a life or leaves an individual permanently or profoundly injured.



Case against Metro for June 22, 2009 Red Line train crash proceeds forward

On July 27, 2010, the National Transportation Safety Board (NTSB) issued its report detailing the cause of the June 22, 2009, Metro train crash, near the Fort Totten Metro station, which killed 9 people and resulted in injuries to at least 70 to 80 other people.

The NTSB found that the crash occurred because a track circuit malfunctioned, resulting in the automatic train control system failing to detect the lead train on the tracks. This caused the oncoming train to strike the rear of the lead train. The investigation revealed that there were two near-collisions in 2005 that were the result of the same problem. While Metro developed an enhanced circuit verification test

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procedure following these near-collisions, it failed to institutionalize and employ, systemwide, this enhanced track circuit verification test. The NTSB found that had this test been used after recent track circuit work near the Fort Totten accident location, Metro would have been able to determine that the track circuit was failing to detect trains, and actions could have been taken to avoid the deadly crash.

The NTSB also found that Metro's lack of safety culture contributed to the incident. In particular, it cited, among other things, the low priority Metro managers placed on addressing malfunctions before the accident, which likely influenced the inadequate response to such malfunctions by technicians, operation control center controllers, and train operators.

Unfortunately, despite the clear findings of the NTSB, Metro has failed to take responsibility for the deaths and injuries caused by its negligence. Instead, Metro has attempted to blame multiple parts manufacturers, despite its own failure to properly maintain its system. The result of this is delay and expense for all the innocent victims affected by this tragedy. The court has scheduled a trial date for January 2012. We will keep you informed of developments in this case.

Scholarship winner for 2010

On August 5, 2010, the law firm proudly presented the second annual award of its Ethiopian Heritage College Scholarship. The recipient of the award was **Yonit Addissie**, a senior from James



Hubert Blake High School. Yonit was accepted and is currently attending Princeton University. The award ceremony held in the offices of our law firm was well attended by members of the Ethiopian community as well as friends and employees of the law firm. We are proud to be able to now have two students enrolled in college receiving \$1,000 each year, for a total of \$4,000 for each individual, to assist them in paying the frequently burdensome cost of getting an education. Our first recipient, Ida Daniel, is now a sophomore at the University of Maryland, majoring in political science.

We will keep you informed of the progress of our awardees. In two short years, we will have a total of four students enrolled, receiving scholarships totaling \$16,000.

The law firm is proud to participate in the Washington, D.C., metropolitan area community to assist members of our community in gaining a college education.

Medical malpractice case settles

Our client had a total vaginal hysterectomy. Our client elected to have the hysterectomy vaginally so that she would not have any scarring. Prior to the surgery, our client repeatedly received assurances from the doctor that the vaginal hysterectomy would not result in any scarring.

During the course of the operation, a 2.5-centimeter (or 1 inch) piece of the surgeon's latex glove was sewn into our client. After sewing the piece of glove into our client, the surgeon noticed that her glove was torn, and changed it. However, she failed to notify our client of the torn glove, nor did she note that the glove had torn in the operative report.

After being discharged from the hospital, our client began suffering severe abdominal pain, fevers, sweats, chills, and nausea. After suffering for approximately three weeks, she was admitted to the hospital, where an exploratory surgery was performed to determine the cause of her symptoms. The surgeon found the glove tip which had been negligently sewn into her three weeks earlier.

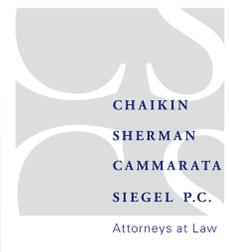
Unfortunately, our client who was promised there would be no scar, was left with a scar that ran down her abdomen. In addition, as a result of the doctor's negligence, she had to have multiple additional surgeries to remove incisional hernias that formed at the site of the original incision.

Partners **Joseph Cammarata** and **Allan M. Siegel** settled the case at mediation. The terms of the settlement are confidential.

Woman who falls in grocery store recovers \$400,000

Our client was leaving a grocery store when she entered the exit vestibule and slipped and fell on a wet floor, which was in the process of being mopped by one of the store's employees. The employee claimed that he was standing in the exit vestibule, with his mop and bucket, and that our client should have seen him. The store also had a video of our client talking on her cell phone as she exited the store and claimed that she was not paying attention to where she was going.

Partner **Allan M. Siegel** filed suit against the grocery store. He claimed that the store should have placed signs or other warnings to notify customers of the wet floor before they entered the vestibule area. Alternatively, he argued that the store should have blocked off the area if it was going to mop during business hours.



When our client fell, she struck her right arm and the back of her head. She felt dazed at the time of the fall, but did not lose consciousness. She did not report to the emergency room or get any medical care the day of the incident. Five days later, she fainted in her home and lost sensation in her hands.

She was diagnosed as having suffered a stroke, which her treating neurologist said was caused by the accident five days earlier. The grocery store disputed that the stroke was caused by the accident and hired a nationally known stroke expert, who testified that it was highly unlikely that the stroke was caused by her hitting her head five days earlier.

The case went to mediation and settled approximately three weeks before trial for \$400,000.

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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.

Nia Morson celebrates **10 YEARS** with the firm!

By Nia Morson

I first started working at CSCS, P.C., when I was only 26 years old; the unforgettable day was November 18, 1999. Throughout my career, I have had the great opportunity and pleasure of meeting many wonderful people, while creating lasting relationships and memories.

Of those shared memories, December 2009 will never be forgotten. The firm had our usual holiday luncheon, but this year came very different. To my great surprise, Partners Ira Sherman, Joe Cammarata, and Allan M. Siegel presented me with a 10-year anniversary gift. I was in complete awe when presented with an all-expense paid, 7-day cruise to anywhere of my choosing. "Thrilled" could not begin to describe how overcome with joy I was.

Mr. Sherman later sat down with me, and together we read over the travels of the Carnival Pride Ship. With so much to choose from, I finally found my trip of a lifetime: the Bahamas. I not only visited Nassau, but I also traveled to Half Moon Cay, Freeport, and Atlantis as well.

I would like to thank everyone in the Chaikin Sherman, Cammarata & Siegel family for 10 great years, and Ira, Joe, and Allan, once again, for my 10-year anniversary surprise and experience of a lifetime. I am forever grateful.

Holiday celebration results in tragedy

On July 4, 2007, our clients—a father and his son—went to a Fourth of July celebration in the Town of Vienna, Virginia, to enjoy a fireworks display. Instead, the celebration turned to horror and tragedy when a fireworks shell malfunctioned. The malfunction caused a box of shells to flip over and fire mortars in many directions. One mortar went into the crowd of spectators and struck our client in the chest. The mortar bounced off his chest and exploded near his young son. The father and son suffered multiple burns, puncture wounds, and scarring. In addition, the young child suffered a perforated eardrum that required surgery to repair.

Partner Joseph Cammarata and **Associate Kiran Sharma** filed suit against the fireworks company, the manufacturer of the fireworks, the town of Vienna, and Fairfax County, alleging negligence in product use and design, negligent selection of the site to shoot the fireworks, and negligent approval to shoot the fireworks. After extensive fact gathering, many depositions, and defeating attempts by the defendants to dismiss the lawsuit, the case proceeded to mediation, where it was settled. The terms of the settlement are confidential.

