

CHAIKIN
SHERMAN
CAMMARATA
SIEGEL P.C.

Attorneys at Law

Working for Justice

Winter 2015

Another super year for your Super Lawyers



Ira Sherman

A message from Managing Partner Ira Sherman

As 2015 comes to a close, we begin the new year with a great sense of satisfaction for what we have accomplished in 2015, and enthusiasm for what we have to look forward to in the coming year.

2015 was a year in which all three partners, **Ira Sherman, Joseph Cammarata, and Allan Siegel**, were again named to the list of "Super Lawyers." That is the fifth year in a row that all three partners were honored with that distinction. We are hopeful that the honor will be renewed in 2016.

2015 also brought the honor of having Joseph Cammarata and Allan Siegel again named to *Washingtonian Magazine's* Top Lawyers. They have been "Top Lawyers" every year the title has been awarded, since 1997 for Mr. Cammarata and since 2004 for Mr. Siegel.

The year also included the law firm pursuing two of the most notorious cases in the country. CSCS represents seven women who have filed a claim that Bill Cosby injured their reputations by stating that their accusations of sexual misconduct were false, frivolous, or fantastical. The law firm also filed a class action on behalf of women who were, or feared they were, videotaped in the nude by Rabbi Freundel while they attended a ritual bath, a mikvah, which is part of a Jewish practice that takes place both during the course of conversion to Judaism and on a periodic basis.

Joseph Cammarata was also elected president of the D.C. Trial Lawyers Association, and Ira

Sherman retains his position on the board of directors of the Brain Injury Association of America.

Our most notable successes included winning a settlement of \$4.8 million on behalf of a motorcyclist who ran into a trailer being pulled by a van out of an intersection.

In September 2015, Joseph Cammarata got a \$4.5 million verdict on behalf of a lady struck by a bus while crossing the street in Alexandria, Virginia.

Although we are very satisfied with our accomplishments and the results of 2015, we are most proud of the trust that you continue to place in us. We look forward to continuing to represent you with the aggressive, creative, and compassionate advocacy you have come to expect from Chaikin, Sherman, Cammarata & Siegel, P.C.

We wish you all a Happy, Healthy, and Prosperous holiday season and new year.

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***Washingtonian Magazine* names partners Joseph Cammarata and Allan M. Siegel two of “Washington’s Top Lawyers”—AGAIN!**

The December 2015 issue of *Washingtonian Magazine* has named partners **Joseph Cammarata** and **Allan M. Siegel** two of “Washington’s Top Lawyers.” Partners Cammarata and Siegel are especially honored, since Washington has a higher concentration of people with law degrees than anywhere else in the country. *Washingtonian Magazine* does this survey every other year. Mr. Cammarata has been included in every survey done by the magazine since 1997. Mr. Siegel has been included in every survey done since 2004. Both Mr. Cammarata and Mr. Siegel are named in the personal injury category.

The magazine’s staff does extensive research to compile this list. They start by sending surveys to nearly a thousand lawyers and asking them who they consider the best among their peers. Their investigative team then does additional research by reaching out to additional lawyers and researching recent successes of the local bar.

The magazine identified the “Top Lawyers” in 21 different categories of the law, and serves as a great resource for local consumers in need of an attorney. The list is also available online at **Washingtonian.com**.

PARTNER JOSEPH CAMMARATA OBTAINS \$4.5 MILLION VERDICT

Our client was crossing in a crosswalk near the King Street metro station in Alexandria, Virginia, when she was struck by a left-turning Alexandria Transit bus. She was struck from behind when she was approximately three-quarters of the way across the crosswalk. As a result of being hit, she was trapped under the front driver’s side tire of the bus. Video from three buses captured the movement of the bus and our client.

The bus company claimed that our client’s actions contributed to the collision. The bus company said that our client did not look before she stepped into the crosswalk and was looking down as she walked through the crosswalk. She testified at deposition that she did not see the bus that hit her at any time, but also that she did not see anything that was a danger to her. The bus was on its side of the double yellow line and had not started its turn when our client stepped off the curb, into the crosswalk.

Partner Joseph Cammarata filed a lawsuit on behalf of our client against the bus driver and bus company. During the fact-finding stage before trial, Mr. Cammarata established that the driver doubled her speed from the double yellow line to the moment of impact, and that as she drove the bus, she was not looking at the roadway ahead. Mr. Cammarata hired an accident reconstructionist, who investigated the collision and found that had the bus driver not increased the speed of the bus, the collision would not have occurred.

Also during the fact-finding stage, Mr. Cammarata determined that the driver had four preventable accidents before the collision. Mr. Cammarata claimed that the bus

driver should have been fired before the date of the collision with our client. The bus company contested this and insisted that our client was at fault for the collision. Under

Virginia law, if the jury found our client at fault in the slightest degree, she would not have been able to obtain any compensation.

Our client, age 55, suffered an internal degloving injury to her leg—which means an extensive portion of the skin was torn off, severing her blood supply. The injury required multiple surgeries. She was also diagnosed with posttraumatic stress disorder (PTSD) as a result of the collision. She was deemed unemployable due to her injuries, which cause limitations on sitting, standing, and walking. Before the accident she had been employed as a corporate relations specialist for a nonprofit entity for eight years.

Our client had past medical expenses of approximately \$188,000, a life-care plan for future medical and life-care expenses, valued at approximately \$700,000, and a diminished earning capacity claim of \$823,000.

After a four-day jury trial in Alexandria, Virginia, the jury found in favor of our client and awarded her \$4.5 million.



BILL COSBY LITIGATION UPDATE

As we previously reported in our last newsletter, partner **Joseph Cammarata** and associate **Matthew Tievsky** filed a lawsuit in federal court in Massachusetts against Bill Cosby on behalf of three women who claim they were defamed after Mr. Cosby labeled them liars after their public disclosure that Mr. Cosby sexually abused or assaulted them. After the filing of the lawsuit, Mr. Cosby filed a motion asking the court to throw out the lawsuit. In October 2015, the court denied Mr. Cosby's motion and allowed the case to continue.

The law firm has added four additional women to the lawsuit who also claim they were defamed by Mr. Cosby, bringing the total number of women represented by the firm to seven. Also, partner **Ira Sherman** has joined Mr. Cammarata and Mr. Tievsky on the litigation team.

On November 30, the court set a schedule for the fact-finding stage of the case, with a deadline in August 2016. The law firm intends to vigorously litigate the case in an effort to restore the good name and reputation of each of the women. To that end, Mr. Cammarata is scheduled to take the deposition of Mrs. Camille Cosby on January 6, 2016, and the deposition of Mr. Cosby on February 22, 2016.

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THE MOVIE *CONCUSSION* IS A MUST-SEE

The law firm has been a leader in brain injury litigation for decades, and a staunch supporter of brain injury victims. Accordingly, we urge our clients to see *Concussion*, starring Will Smith, which comes out in movie theaters on Christmas Day. The movie exposes the NFL for covering up the serious effects of repetitive hits to the head, and knowingly putting its players at risk for financial gain.

The movie *Concussion*, originally based on a 2009 *GQ* article called "Game Brain," tells the story of Dr. Bennet Omalu, a forensic pathologist who discovered chronic traumatic encephalopathy (CTE), a progressive, degenerative disease found in individuals who have suffered repeated brain trauma. Individuals suffering from CTE have a variety of troublesome symptoms, including increased aggression, memory loss, dementia, anxiety, confusion, and depression.

Dr. Omalu, portrayed by Smith in the movie, studied deceased former NFL players and found extensive brain damage. In addition to exploring the destructive effect of brain injuries on football players' lives, *Concussion* depicts the NFL's troubling reaction to Dr. Omalu's devastating medical findings, including extensive efforts to delegitimize his work and to harass his family.

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PARTNER IRA SHERMAN'S SON CAN HELP YOU REACH YOUR FINANCIAL GOALS

We always enjoy sharing the accomplishments and experience of our loved ones with our clients. Partner **Ira Sherman**'s son is a financial planner and recently started Sherman Wealth Management, an independent Registered Investment Advisory firm.

Brad Sherman is committed to making financial advice accessible to everyone, not just the wealthy. He also specializes in focusing on his clients' unique circumstances, and creates individual plans and strategies that are right for each client's specific goals, timelines, risk tolerance, and circumstances.

Brad has 15 years of experience and a master's degree in finance, with a special focus in behavioral finance, the study of how financial choices are frequently influenced by emotions or subtle psychological habits and biases.

He is happy to assist his clients with any aspect of their financial life, whether it be retirement saving, budgeting, or even advice on a big purchase like a house or car.

Please feel free to call Brad if you have any questions or would like to learn more about his services. He can be reached at **(240) 428-1622**, by e-mail at bsherman@shermanwealth.com, or via his website, shermanwealth.com.

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.

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THE MOVIE *CONCUSSION* IS A MUST-SEE (continued from page 3)

Many of you have read about the NFL class-action settlement and may think that the NFL has finally taken responsibility for the damages suffered by its players. However, the NFL class-action litigation does not have a happy ending for many former NFL players. Many of the retired NFL players who experience the debilitating effects of brain injuries are excluded from the class action and will not receive compensation. The NFL concussion settlement's terms categorize most brain injuries as non-serious or unrelated to head trauma. The terms also improperly exclude so-called "mild" traumatic brain injuries that often lead to later

permanent disabilities. Among other problems with the terms, players' eligibility to participate in the settlement depends on a scientifically flawed study that ignores the physical, emotional, and behavioral injuries that often follow concussions.

We are hopeful that many people see the movie and learn about the devastating effects of traumatic brain injuries. We further hope that as the public gets more educated, through this film and other stories in the media, the NFL begins to take more responsibility for players injured in the past, and enacts improved safety precautions to prevent these devastating injuries from occurring in the first place.