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Attorneys at Law

Moving the “Me Too” Movement Forward

A message from Managing Partner Ira Sherman



Ira Sherman

The exact date that the term “Me Too” was coined as a movement is uncertain, but we know that Tarana Burke first used the phrase in 2006. Since then, “Me Too” has taken on a meaning understood around the world: that women who have been abused are not alone, and that the epidemic of sexual abuse has affected millions of women worldwide. Although the “Me Too” movement is generally associated with abuse of women, a generic meaning, to include sexual abuse of any individual, minor or adult, male or female, by those who exercise physical or psychological control over them, has become widely accepted. Every member of Chaikin, Sherman, Cammarata & Siegel, P.C. is proud that we have successfully represented developmentally disabled adult males; seven women who alleged that Bill Cosby sexually assaulted and abused them; and a group of women who alleged that Rabbi Freundel, and the institutions with which he was associated, in their claims of sexual abuse and assault.

At the end of 2018, the law firm resolved claims on behalf of its clients who alleged that Freundel videotaped them during a ritual bath (called a “mikvah”) while the women were totally nude. The case, which unfortunately bears an unseemly resemblance to the allegations leveled against clergy in the Catholic church, increased the understanding of the local community, and individuals around the world, that even those clothed in the robes of spiritual leadership can abuse their trust in shocking and shameful ways. This sad realization serves both to make us all aware of our relationships, even with the clergy, and to demonstrate that the victim is not

alone, but is another one of the individuals who can sadly say “Me Too,” thereby providing both support to others and minimizing the shame and embarrassment that they feel.

In April 2019, the seven CSCS clients settled their cases against Bill Cosby. The women—Tamara Green, Joan Tarshis, Therese Serignese, Louisa Moritz, Barbara Bowman, Linda Tritz, and Angela Leslie—each heroically revealed their allegations of the horror they suffered as a result of Cosby’s abusive, sexually inappropriate behavior. The terms of the settlement are confidential, but each of the seven women can say that they are “satisfied with the settlement.” At the time of the settlement, Cosby’s public relations team expressed the view that Mr. Cosby would never dismiss the counterclaims he filed against the women (his defamation suit against each of the seven women). The “icing on the cake” of this litigation came in May 2019, when Cosby dismissed each of the seven claims for defamation against all seven of our clients. The Cosby case received international attention and was often the subject of front-page stories around the world. Our seven clients, and the case that CSCS brought on their behalf, consistently kept the “Me Too” movement in the spotlight of public attention. We are extraordinarily proud to demonstrate to the world that if you have the courage to reveal the abuse that you claim you suffered, and the will to fight back against the person or institution that was responsible for the abuse, the law firm of Chaikin, Sherman, Cammarata & Siegel, P.C. will be by your side to fight for justice for you.

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COSBY CASE SETTLES

As has been reported in previous newsletters, the law firm, led by Partner Joseph Cammarata, represented seven women who have accused Bill Cosby of sexual assault and/or abuse. Each of the women made their allegations against Mr. Cosby public and in response, Mr. Cosby, through his attorneys and agents, branded each a liar.

At the time the women made public their allegations, the time period within which a lawsuit could be filed to seek compensation for the assault and/or abuse had expired. However, Mr. Cammarata came up with a means by which the women could litigate the truthfulness of their allegations. Given that the women were branded as liars, Mr. Cammarata realized they had claims for defamation, which could be brought against Mr. Cosby. In a defamation lawsuit, the women would get an opportunity to prove the truthfulness of their allegations of sexual assault and/or abuse at the hands of Mr. Cosby, and at the same time restore their good name and reputation.

As a result, in December 2014, Mr. Cammarata filed a lawsuit in the Federal Court in Massachusetts on behalf of some of the women against Mr. Cosby for defamation and related claims. Eventually, additional women were added to the lawsuit, bringing the total number of clients to seven. Mr. Cosby denied the women's claims and filed his own claims against the women (a counterclaim), asserting that it was he who was defamed by the women.

In April 2019, after over four years of litigation, which included Mr. Cosby's unsuccessful attempt to dismiss the lawsuit, and depositions of the women and Mrs. Cosby, the women settled their lawsuit against Mr. Cosby.

Each of the women were satisfied with the settlement.

Shortly thereafter, Mr. Cosby dropped his counterclaims against each of the women.

PARTNER CAMMARATA WINS SETTLEMENT FOR CLIENT WHO SUFFERED BRAIN INJURY

On April 4, 2016, our client was driving along I-95, near the Fort McHenry Tunnel, when a tractor-trailer came into her lane of travel and struck our client's vehicle. The force of the impact caused our client's vehicle to spin out of control and eventually come to a rest on the shoulder of the roadway.

As a result of the collision, our client suffered, among other things, a traumatic brain injury, posttraumatic migraines, post-traumatic stress disorder, and cervical disc herniations. Due to her injuries, a guardian had to be appointed for her benefit.

At the time of the collision, our client, age 32, was a licensed special police officer. It was determined by a vocational rehabilitation counselor, in consultation with her neurologist, that she was permanently unable to return to work in any capacity.

Our client was forced to apply for disability benefits. Our client's loss of earnings was in excess of \$1.3 million.

Additionally, our client had ongoing medical and life care needs totaling, on a present value basis, in excess of \$7.6 million.

A lawsuit was filed and, after the factual development of the case, a confidential settlement was reached.

PARTNER ALLAN M. SIEGEL WINS SETTLEMENT FOR CLIENT WHO LOSES FRONT TEETH

Our client was a passenger in a vehicle that was involved in a collision with another vehicle on a highway. The collision occurred because one of the vehicles was changing lanes, but the drivers of both vehicles alleged that the other vehicle changed lanes. The collision caused the driver of our client's vehicle to lose control and strike a jersey barrier.

As a result of the collision, our client broke his two front teeth and had to incur significant expenses to repair the teeth.

Partner Siegel filed the lawsuit and then conducted the depositions of both drivers. Following the depositions, the parties agreed to go to mediation. The cases settled at mediation for a confidential amount. The settlement covered all of our client's past and future dental expenses, and compensated him for the pain and suffering associated with his injuries. Both drivers contributed to the settlement.



MATTHEW TIEVSKY NAMED PARTNER

We are proud to announce that Matthew W. Tievsky has been named the firm's newest partner. Mr. Tievsky has played an instrumental role in many of the firm's achievements since he began his career here as a practicing attorney in 2011. For example, in 2013 Mr. Siegel and Mr. Tievsky together tried a case against WMATA (Metro) for causing a bus collision. WMATA refused to make an offer to their client before trial. Together they won a jury verdict of over \$780,000. That same year, Mr. Tievsky successfully argued the case of *Davis v. Martinez* before the Maryland Court of Special Appeals, which established new law favorable to persons injured in automobile collisions. Mr. Tievsky has also played a vital role in some of the high-profile cases that the firm has litigated and settled, including the firm's class-action lawsuit against the National Capital Mikvah on behalf of women who were secretly videotaped by a D.C. rabbi; and the firm's lawsuit against comedian Bill Cosby on behalf of seven women who came forward to accuse Cosby of sexual assault.

During his time with the firm, Mr. Tievsky has had leadership positions with the Trial Lawyers Association of Metropolitan Washington, D.C., serving on the Board of Governors and as co-chair of its Amicus Committee. He is also a member of the Amicus Committee of the Maryland Association for Justice.

Mr. Tievsky is a native and nearly lifelong resident of the District of Columbia. Before joining the firm, Mr. Tievsky graduated from Georgetown University Law Center and served two clerkships with judges on the Maryland Court of Special Appeals.

THREE PARTNERS NAMED WASHINGTON, D.C. 2019

Super Lawyers[®]

FOR NINTH CONSECUTIVE YEAR



PARTNERS CAMMARATA AND SIEGEL NAMED TO TOP 100



NEW PARTNER MATTHEW TIEVSKY NAMED RISING STAR

We are proud to be consistently named as Washington, D.C. *Super Lawyers*.[®] This is the ninth consecutive year that Partners Ira Sherman, Joseph Cammarata, and Allan M. Siegel have been named to this prestigious list. It is a major accomplishment to be selected any given year, but to be selected nine years in a row demonstrates their consistent and exemplary legal work over an extended period of time. In addition, we are proud to announce that Partner Matthew Tievsky has been named a Rising Star for the sixth consecutive year.

Super Lawyers[®] uses a patented multiphase selection process, evaluating each nominee on 12 indicators of peer recognition and professional achievement. The magazine solicits peer nominations and evaluations from local lawyers, in addition to conducting its own independent research.

We are also proud to announce that Partners Joseph Cammarata and Allan M. Siegel made the list of the Top 100 Lawyers. This is the seventh time Mr. Cammarata has made the Top 100 list. Mr. Siegel has made the Top 100 list for the second consecutive year.

In addition to consistently being selected by *Super Lawyers*,[®] Partners Ira Sherman, Joseph Cammarata, and Allan M. Siegel were all named "Top Lawyers" by *Washingtonian* magazine in December 2018, and have been rated "AV Preeminent" by lawyer rating service *Martindale-Hubbell*. In fact, Mr. Sherman has been AV rated for over 20 consecutive years.

GOOD LUCK TO CLAIMS MANAGER RAND CHATMAN; WELCOME NEW CLAIMS MANAGER KIERAN WILCOX

There is nothing as certain as change—whether we expected it or not. After 17 years as a claims manager at CSCS, Rand Chatman has left the firm to explore other opportunities. We wish him the best of luck in his future endeavors.

We are excited to welcome Kieran Wilcox as our newest claims manager. Kieran is very experienced in handling claims. He worked for Allstate Insurance Company, State Farm Insurance Company, and in Marriott's claims department. We are looking forward to him using the experience he has gained working on the insurance/defense side to benefit our clients. He will be working closely with our attorneys and senior claims manager Erik McConnell to make sure your cases are efficiently, aggressively, and professionally managed.

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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SAFETY AT BASEBALL GAMES

On May 29, 2019, a young fan was struck by a foul ball at a Cubs-Astros baseball game and was seriously injured. This comes after a Dodgers fan was killed in 2018 and a young girl suffered brain damage at Yankee Stadium in 2017. In fact, *Bloomberg Finance* found that approximately 1,750 fans are hurt each year by foul balls at Major League Baseball games across the country. So why doesn't Major League Baseball do something to prevent these injuries? It seems like it would be easy enough to put nets around the field to protect fans from 100+ mile-per-hour foul balls.

Unfortunately, in many states and the District of Columbia, the concept of "assumption of risk" bars or reduces an injured fan's right to recovery against a Major League Baseball team under the theory that a fan voluntarily and knowingly assumes the risk of being hit by a

foul ball when they go to a baseball game. Language to this effect is very often printed on the tickets to the game.

The good news is that many teams, including our hometown Nationals, have decided to take the responsible action and expand the nets down the first- and third-base lines. The Nationals installed these new nets during the All-Star break.

We are glad that some MLB teams are doing the right thing and hope all teams follow suit. With or without nets, when you attend a baseball game, you must be hypervigilant about foul balls—especially if you are attending the game with young children or others who can't protect themselves. Make sure that you, your friends, and your families don't become another statistic.