

***Fieger, Fieger,  
Schwartz & Kenney***

19390 W. 10 Mile Rd.  
Southfield, Michigan  
(248) 355-5555  
Fax: (248) 355-5148

**Attorneys**

**Geoffrey Fieger**

Lisa Macavey, legal assistant

**Michael Schwartz**

Mary Mergos, secretary

**Jerry Kenney**

Sherry Johnson, secretary

**Ron Bowling**

**Paul Broschay**

**Robert Giroux**

**Ven Johnson**

**Arnie Matusz**

**Bill McHenry**

**Alan Oberc**

**Tammy Reiss**

**Rebecca Walsh**

**Todd Weglarz**

**Keitha Cowen, of counsel**

**Barry Fayne, of counsel**

**Receptionist**

Jennine

**Paralegals**

Tania Kushner Paige

Mary Wilson

Judy Lambertz

Suzy Sandner

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Toni Benedetti

Jill Brandana

Diane Butkiewicz

Sharon Peruchietti

Sue Jarvis

Michaelene St. Pierre

Stephanie Stipanovich

Shelli Ware

**Office Manager**

Nancy Wurth

**Jury Consultant**

Steve Hnat

**Copy Room**

Anna Huhta

**Bookkeeping**

Georgia Banyai

Ann Marie Keith

**Project Mgr./Security**

Jeff Cope

**Building Manager**

Tom Baulch

**In Memorium**

*Bernard J. Fieger*

# Fieger Times

*News from the law firm of Fieger, Fieger, Schwartz and Kenney*

Vol. 1 Number 1

Since 1950

Spring, 2001

## Firm fights for record results

### While thrusting larger issues in the public eye

There's no doubt the firm Fieger, Fieger, Schwartz & Kenney has been the most well-known practice of its kind in the state for years, but increasing media appearances by Geoffrey Fieger have spread the firm's renown across the nation.

Fieger, who received a bachelor's degree in drama and a master's degree in speech from the University of Michigan, and a law degree from Detroit College of Law in 1979, is recognized across the country. But it's more than just a name that draws clients to the firm -- it's results.

Each year, the 13 attorneys at Fieger, Fieger, Schwartz and Kenney handle hundreds of cases and win verdicts and settlements in excess of tens of millions of dollars.

The firm handles personal injury, wrongful death, medical malpractice and product liability cases, along with complex litigation including class actions, white collar crime, discrimination and civil rights cases.

In the shadow of the spotlight, the firm handles many more cases on a pro bono basis, that protect valuable resources like the environment.

The firm often accepts cases that offer opportunities to bring larger issues into the public dialogue. The tradition began when Bernard Fieger represented civil rights and labor interests in the 50s and 60s, and gained momentum in the 1990's with the firm's defense of Dr. Jack Kevorkian. Fieger



Photos by Video Enterprises

### Geoffrey Fieger and partners Jerry Kenney (left) and Michael Schwartz get record-breaking results.

calls Kevorkian "the civil rights issue of the 90s."

Through almost a decade of Kevorkian trials, Fieger and his associates never faltered in their defense that people have the right to end their suffering with dignity through doctor-assisted suicide. Fieger articulated Kevorkian's mission in a way the doctor himself never could.

Kevorkian broke from the firm to defend himself in the

case of Thomas Youk, to whom he gave a lethal injection on videotape later aired by "60 Minutes." It would be his last trial. Kevorkian was convicted of second degree murder and remains in Jackson State Penitentiary, much to Fieger's dismay.

Here's a look at some other important cases handled by the firm:

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## Schwartz marks decade at firm

It only takes one look in Michael Schwartz's office to see that after his family and the law, his passion is collecting frogs.

Hundreds of statues of frogs peer from his bookcases, hang from the ceiling and perch on his desktop. The extensive collection began 25 years ago with the purchase of Ponchito, an Aztec statuette from Mexico City, and has since grown along with his career.



**MICHAEL  
SCHWARTZ**

A native New Yorker, Schwartz, 53, graduated from Long Island University in 1968 with a degree in political science, then earned a law degree from Fordham University in 1972. After serving as a 2nd Lieutenant in the U.S. Army Reserves, he was hired as an assistant

district attorney in Brooklyn, a job he held for three years before joining the Committee on Grievances in the New York Bar Association and working his way up to Deputy Chief Counsel.

In 1979, Schwartz moved to Michigan to lead the Michigan Attorney Grievance Commission as Grievance Administrator, a post he held for nine years. After that, he joined the Detroit firm Charfoos & Christensen.

While still at the Grievance Commission, Schwartz met Geoffrey Fieger, who was his neighbor in West Bloomfield. With Schwartz serving as president of the neighborhood association and Fieger serving as vice-president in an adjacent subdivision, the two united to save a 200-acre parcel of wetlands from development. During the battle, they formed Organizations United to Save the Township, and began an effort to recall four of the seven members of the

**See Schwartz, Page 3**

## Partner strengthens legal team

Working on the other side of the courtroom has given Jerry Kenney an edge. Kenney, 51, spent more than 23 years working as a defense attorney with Kitch & Suhrheinrich before joining Fieger, Fieger & Schwartz in April, 1999. At the Detroit firm of Kitch & Suhrheinrich he represented hospitals, doctors and insurance companies -- the very defendants he now sues.



**JERRY  
KENNEY**

"I know most of the people on the other side. I know most of the clients and most of the lawyers so I think I'm able to accomplish a sizable amount in a non-confrontational way," Kenney explained. "Because I was a defense lawyer first, I try to anticipate the arguments the defense lawyers may raise and try to avoid them."

Kenney earned his law degree from the University of Detroit in 1974 after getting a bachelor's in government from the

College of William and Mary in Williamsburg, Va.

After a six-month stint at the Detroit firm of Zeff & Zeff, he joined the team at Kitch & Suhrheinrich in 1975. Kenney rose through the ranks to become managing partner of the firm for 10 years, and oversaw all aspects of running the firm's seven offices and 125 lawyers. For two years, he acted as National Counsel for a multi-million dollar company, handling all of its underground storage and roofing cases.

In his two years at Fieger, Fieger, Schwartz & Kenney he has handled mostly medical malpractice cases, and said he enjoys representing people. Kenney is a fellow of the American College of Trial Lawyers, a distinction bestowed upon the top 5 percent of lawyers in each state.

Kenney lives in Grosse Pointe Shores with his wife of 26 years, and their three children. Between working and attending his children's sporting events, he said he has little free time, but hopes to enjoy riding his new Harley Sportster as soon as the weather clears.

## First contact; friendly voice

*"Fieger, Fieger, Schwartz & Kenney, Can you hold please?"*

As receptionist for the busiest law firm in the state, Jennine repeats that phrase to 400-500 callers a day as she juggles 23 lines.

Although she would seem the prime candidate for the 15-minute chair m a s s a g e s Fieger recently ordered in to de-stress his staff, Jennine said she has no problem with the pressure.



**JENNINE**

"It doesn't bother me," she said. "I love the fast pace."

At the front line, Jennine often has to refer people to other firms or explain the procedure for submitting a case for review. Many callers are in fragile situations.

"They're just reaching out for help and Geoffrey's the good guy who people think can help them," Jennine said.

Many people who make the headlines also seek representation from Fieger's firm, so Jennine starts each day at 5 a.m. watching the morning news.

"That's my job. That way I know in the morning to look for different calls to come through," she said.

Plans are in the works for an automated phone system, but for now, Jennine will continue to be the gateway to the firm. In the seven years she's worked there, she's seen the business grow from 3,000 to 10,000 square feet, 23 to 52 employees, and become internationally known. Jennine, however, prefers to stay behind-the-scenes, and escape to the quiet outdoors after hours. Her favorite pastimes are fishing and gardening.

"I feel such a serenity in nature. I love being outside. I don't care if it's mowing the lawn or shoveling snow," she said.

# Limelight shines on Geoffrey Fieger

## Reality-based series launches Fieger to prime time television

Continuing his reign in the spotlight, Geoffrey Fieger recently announced he signed a deal to star in a reality-based legal drama called "Fieger & Associates."

Fieger has already begun flying to L.A. to tape the show, which will air during ABC Television's prime time line-up. Spokespeople for ABC said the show's debut will be announced after six initial episodes are in the can.

The series will put Fieger at the head of an L.A. law firm and tape the trials and tribulations as his staff strategizes actual cases and takes them into the courtroom.

"Fieger & Associates" will meld the wildly popular reality show genre with legal drama. Fieger describes the show as "Ally McBeal," "The Practice" and "L.A. Law" meets Geoffrey Fieger.

"I'll be caught in the act of being myself," he told The Detroit News.

Fieger has proven his flair before the camera in "Power of Attorney," the new, number 1-



**Fieger is courtroom star on the number 1-rated daytime hit "Power of Attorney," which is shown in 100 percent of television markets in the country. It airs locally on FOX-2.**

rated, nationally syndicated show that has high-profile attorneys battling head-to-head as they represent clients in a variety of civil cases. Since the show debuted in September, Fieger has stolen the spotlight from all the other high-profile attorneys -- including Christopher Darden of O.J. Simpson trial fame. Fieger now appears in 35 percent of the segments. The show airs locally on FOX-2, weekdays at 10:30 a.m. and 3:30 a.m.

But Fieger's television pres-

ence doesn't end there. He is also a frequent commentator on "Geraldo Live." From the Farmington Hills studio of Grace & Wild, Fieger is broadcast live via satellite to offer his opinions on cases of national import.

Although it is a challenge to juggle all of his roles, Fieger said he has no intention of leaving his practice behind.

"That's my life's blood," he said recently. "I will not stop litigating cases here in Michigan."

## Schwartz

### Continued from Page 2

West Bloomfield Township Board. Three subsequently resigned, and Schwartz was later elected to serve as a West Bloomfield Township Board Trustee from 1992-96.

He was brought into the firm of Fieger & Fieger 10 years ago, and his background in criminal law was indispensable during the defense of Dr. Jack Kevorkian.

"Being here has not just been interesting work, it's been a lot of fun. Every day is something new that's exciting and challenging. The bottom line is our clients end up benefitting from the reputation we've built," Schwartz said.

Schwartz specializes in attorney malpractice prosecution, professional disciplinary defense and

white-collar criminal defense. He also lectures widely and has served as an adjunct professor at Wayne State University and the University of Detroit.

He has published many articles on law, co-authored "Michigan Rules of Professional Conduct and Disciplinary Procedure," and is a member of the American Bar Association and the Association of Trial Lawyers of America.

He is listed in Best Lawyers in America, a distinction accorded to 1 percent of all lawyers, and has an AV rating in Martindale-Hubbell, the best available.

His wife of 27 years, Sara, is also an attorney. The couple have two children, Carl, 24, and Justin, 22.

## Michigan's "Bad boy"

Love or hate him, the media can't get enough of Geoffrey Fieger. In addition to being dubbed "Michigan's Bad Boy" by Triumph magazine, and "a maverick" and "flamboyant" by Business Venture magazine, here's a sampling of what the media has said about the man who's never afraid to speak his mind:

● *Every once in a while, our culture seizes upon someone and makes him the lawyer of the moment ... in our time, Geoffrey Fieger is the manifestation of our still developing thoughts on personal responsibility.*

... *Fieger's cases do seem to center around a theme and push us toward a cultural question.*

-- GQ Magazine

● *Whether setting records for jury awards, appearing on television's lurid daytime follies or floating his name as a 2001 mayoral candidate, Fieger is riding a singular combination of roles to prominence among major litigators nationally.*

-- The Detroit News

# Cases

Continued from Page 1

- When 11-year-old Nathaniel Abraham was tried for murder, Fieger questioned to what extent juveniles should be treated as adults in our courts.

- In the Jenny Jones case, the firm represented the family of Scott Amedure, a guest who was murdered by Johnathan Schmitz after he revealed a homosexual crush on Schmitz during the show. The case, tried in Oakland County Circuit Court in 1999, dealt with how the media exploits individuals.

- Fieger questioned the responsibility of parents in relation to the recent rash of school shootings when he represented the families of two victims of the Columbine High School massacre: Isaiah Shoals, who was killed, and Mark Taylor, the first student targeted, who survived nine gunshot wounds.

- The issue of guns and children again arose with Fieger's representation of the family of Kayla Rolland, the first grader shot and killed in a school outside of Flint by another first grader.

- Fieger protested a restaurant's right to serve patrons to deadly intoxication in a recent drunk-driving case. Lori Ann Smith, 33, tragically took the lives of three Troy teenagers after leaving T.G.I. Friday's in a state of extreme intoxication. After seven days in trial, the restaurant offered the families a generous out-of-court settlement.

- Fieger confronted the sensitive issue of racism in the cases of both Travis Shelton

and Frederick Finley. Both men were killed at the hands of security guards after they were suspected of petty theft. Fieger protested the fact that inadequately trained, armed security guards cost the young men their lives. He also wondered if insidious racism trains people to value black life less than white. In both cases, nationally known civil rights leaders joined protests, including the Rev. Al Sharpton.

## In other news:

- In what is thought to be the largest medical malpractice award in the history of the U.S. District Court for Western Pennsylvania, Fieger recently won \$26 million for a little boy who will suffer the rest of his life from delivery room mistakes.

- Detroit Edison paid a generous settlement to the firm in the case of Matthew Fletcher, a Redford Township father who was killed by a fallen electrical line.

- Fieger and attorney Rebecca Walsh received more than \$5 million in the case of Mary Curry, who was slammed five years ago by a Ryder Truck while she was stopped for a presidential motorcade. One friend in the car died in the accident, and Curry was severely injured.

- Fieger received a \$7 million verdict in Cottrell vs. the City of Detroit, after a police officer driving down the center of Jefferson Ave. struck and killed two pedestrians.

- In another case, Ven Johnson won a large settlement from Detroit after a police car did a U-turn and plowed over a pedestrian.

## Our History

The firm was started in 1950 by Bernard J. Fieger, a Harvard Law School graduate. Over the years, Fieger paired up with various partners, including George Lee, who made it the second inter-racial firm in Detroit, and Roger Craig, a state senator who made a bid for governor in 1968. As Fieger, Golden & Cousens, the firm specialized in labor law and acted as general counsel for the Michigan Federation of Teachers.

Geoffrey Fieger joined his father's firm when he graduated from Detroit College of Law in 1979. Fieger & Fieger has continued growing ever since, becoming Fieger, Fieger & Schwartz in 1990, and Fieger, Fieger, Schwartz & Kenney in 1999.

## Ask the Attorney

**Q:** How does your firm select new cases?

**A:** I have the luxury of being able to pick and choose cases, unlike most attorneys. Therefore I get to pick cases that interest me rather than simply taking whatever cases come to me.

I'm never really sure what cases will interest and motivate me because all cases are different.

Certainly, cases involving powerful forces against ordinary citizens inspire me to get involved. I also think about whether the cases that I take will have an opportunity to change public opinion in a certain area. Changing existing values for the better has always been of interest to me.

Finally, because I'm so busy, I can't possibly take all the cases that come to me and I confess to feeling really guilty about turning down many cases, but I just can't do it due to time constraints.

*The first step toward having a case reviewed by Fieger, Schwartz and Kenney is to call the general information line, (248) 355-5555.*

*You will be referred to the appropriate intake attorney so you can explain the details of your case for further review.*



# Parties have forgotten roots

The “Conservative Revolution” ushered in by Ronald Reagan promised to reduce government involvement in our daily lives. However, what commenced as a promising movement toward increasing personal liberty has been transformed into a caricature of the original. Rather than less government, we see more government intrusion into our personal affairs.

The political battleground is not between Republicans and Democrats, or even liberals and conservatives, but rather between collectivism vs. individualism. The Republicans, a majority of whom claim to be conservatives, have forsaken the traditions of Lincoln and have become the champions of the wealthy and corporate America.

The Democrats, who have a proud liberal tradition dating back to Jefferson, Franklin D. Roosevelt and John F. Kennedy, have forgotten the examples of those leaders and have become the protectors of special interest groups. Thus, both parties have become the organs of powerful groups which are able to provide large sums of money in the form of political contributions. In the process, neither party speaks for the individual.

Conservatives at one time were also known as “rugged individualists,” people who preferred to make it on their own rather than take government handouts and the shackles which went with those handouts. They would rather risk failure than become beholden to government, with the attendant regulations, restrictions and controls.

Forty years ago, the term “liberal” was not thought of as a four-letter word. A “liberal” was one who stood for progressive political thought and



who valued individual liberties. The Founding Fathers of this country were liberals. Today, very few politicians of any party are willing to be branded a “liberal,” for fear that such a label would mark their political ostracism.

What has become of our political landscape? The Republican Party, which has been captured by religious zealots who seek to impose their own personal values on the rest of society, is a grotesque imitation of its former self.

The Democratic Party, which has an honorable tradition as the party of the working man and woman, has forgotten its roots and plays a “me-too” role to the Republican Party. Who speaks for the individual today? Who stands at the door ready to protect the citizenry from the overwhelming power of government?

We need a party which has the moral and political courage to “just say no” to the powerful interest, irrespective of the money which they

wield. We need people in political life who have the fortitude to stand up for individual rights and liberties. We need people from all walks of life who cherish the Constitution and who remember that the Bill of Rights was promulgated to protect individuals from the excesses of government.

When enough good women and men step forward to challenge the powerful political interests who infest and infect the political parties, then we shall witness a renaissance in our political life and a rebirth of the ideals which made this country a shining example for the rest of the world.

- Geoffrey Nels Fieger



ATTORNEYS AND COUNSELORS AT LAW  
19390 WEST TEN MILE ROAD  
SOUTHFIELD, MICHIGAN 48075-2463  
**FIGER, FIGER, SCHWARTZ & KENNEY**

*From the law firm of  
Fieger, Fieger,  
Schwartz & Kenney, P.C.*



**Our Mission**

*To provide the very best legal service available for each and every client.*

*To defend individual liberty against government intrusion, and protect individuals against the power of corporations.*

*To do these things with all the cutting edge tools available including state-of-the-art computers, research methods, libraries and medical references.*