

Fieger Times

News from the law firm Fieger, Fieger, Kenney & Johnson

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Since 1950

Summer, 2004

Heather starts work at the Fieger Firm this month.

Photo by Steve Kaufman



Fieger picks 'The Intern'

In Detroit's own version of the television reality show "The Apprentice," six Michigan law school students vied for a chance to work for famed attorney Geoffrey Fieger.

After a week of grueling tasks on WXYZ's *The Intern*, Fieger selected Heather Thompson. She will spend six weeks working at the Fieger Firm, starting this month.

"I thought she was very intelligent, eloquent and ambitious ... all the qualities it takes to make it at my firm," Fieger said.

During the show, contestants had to compete in various tasks. They were called upon to navigate a high ropes course, earn money selling Calgary Flames hockey memo-

Watch for the next *Fieger Times* to see how Heather holds up at Michigan's busiest law firm.

abilia during a Red Wings playoff game and argue a case in front of a real judge. In the end, Fieger told everyone but Heather, "You're outta here!"

A world traveler, Heather has visited more than 15 countries and is multilingual. She earned her B.A. at Atlanta's Spelman College and spent a year studying textiles and metal smithing in Florence, Italy. Now, Heather is a second year law student at Wayne State University where she serves on the International Law Moot Court team, is a Kenneth V. Cockrel Scholar and a writer for the *Advocate*.

Heather served in the U.S. Peace Corps in Burkina Faso West Africa, and last summer studied International Business Law, Human Rights and European Union Law at the University of Passau in Germany and

\$30M verdict for disabled boy sets record

CLEVELAND, OHIO — A Cuyahoga County jury sympathized with a brain-damaged 17-year-old boy and slammed a doctor and hospital with a \$30 million medical malpractice verdict — the largest ever awarded in the county.

Walter Hollins of Cleveland, who has the mental capacity of a 1-year-old, clapped when the verdict was announced, but couldn't comprehend the historic event unfolding in Judge Robert Lawther's courtroom.

The panel of four men and four women decided 6-2 that Dr. Ronald Jordan and the medical staff at the now-defunct Mt. Sinai

Medical Center were negligent at the boy's birth Jan. 29, 1987. Witnesses testified that Harris waited for more than two hours to receive an emergency Caesarean section, during which time the flow of oxygen was cut off to Walter's brain. The majority of jurors found that the doctor and hospital staff shared responsibility for Walter's injuries, which include cerebral palsy and no use of his arms or legs. His condition is incurable.

Attorney Geoffrey Fieger had asked the jury for \$35 million in damages to pay for round-the-clock nursing care for

Walter, future surgeries, lost earnings and pain and suffering.

"If I were the defense, I don't think I would have taken me on in the first place," said Fieger, who called the circumstances of Walter's birth some of the most horrific he had ever seen.

The majority of the jurors were swayed by emotion and Fieger's theatrics.

Although Mt. Sinai no longer exists, a \$77 million insurance fund remains to be tapped for damages, Fieger said.

— James F. McCarty,
The Plain Dealer

Fieger, Fieger Kenney & Johnson

Attorneys

Geoffrey Fieger
Tania Rock, asst.

Jerry Kenney
Sherry Johnson, asst.

Ven Johnson
Shannon Ogden, asst.

Todd Weglarz
Rebecca Walsh
Bill McHenry
Paul Broschay
Arnie Matusz
Robert Giroux
Tammy Reiss
Victor Valenti
Jeffrey Danzig
Lloyd Johnson
Joseph Bird

James Harrington IV
Jack Beam, of counsel
Barry Fayne, of counsel

Receptionist

Jennine

Paralegals

Suzy Sandner
Mary Wilson
Victoria Andrews
Michaelene Sowinski
Liza Dodson

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Toni Benedetti
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Eric Humphrey

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Eric Donahue

Couriers

Jennifer Witkowski

In Memorium

Bernard Fieger
June Fieger

Bird fights for the underdog

For Joseph Bird, being a high profile lawyer is in the blood — his grandfather, George Rita, worked as a prosecuting attorney on the Al Capone tax fraud case. A photo of "Grandpa Rita" now hangs in Bird's bright, airy office at the firm of Fieger, Fieger, Kenney & Johnson.

Bird is the newest attorney to join the Fieger Firm, but he has decades of experience in the courtroom. Since he came on board in June, 2003, Bird has taken on responsibility for employment-related cases at the firm, including sexual harassment, discrimination and retaliation cases. He handles his share of medical malpractice and auto negligence cases, too, as a member of Jerry Kenney's legal team.

Bird also serves as a private arbitrator with the American Arbitration Association.

During his distinguished career, Bird has been awarded numerous large verdicts. One of his cases, Turner v. Allstate, was published in 1990 and set precedent when it comes to placing the burden of proof on the employer in wrongful discharge cases.

Bird earned his undergraduate degree in psychology and anthropology from the University of Michigan and went to law school at Wayne State University. He first worked for the marine and admiralty defense firm of Foster, Meadows & Ballard in Detroit. In 1984 he was hired by Stark, Reagan PC in Troy and worked his way up through the firm to partner.

His long-term loyalty to both firms lifted his resume to the top of the tall stack on Geoffrey Fieger's desk.

Bird said he was glad to join the Fieger Firm because he's always had an instinct for plaintiff law.

"I root for the underdog. If I feel someone's been picked on, taken advantage of or victimized, it gets my blood boiling," he said.

Plus, he said it's nice to work for a firm where there is no shortage of cases.

"Geoffrey Fieger is a marketing genius, and because of that he has built this firm up and has many cases for seasoned attorneys to handle," Bird said. "Here, instead of looking for cases, you can devote yourself to your clients."

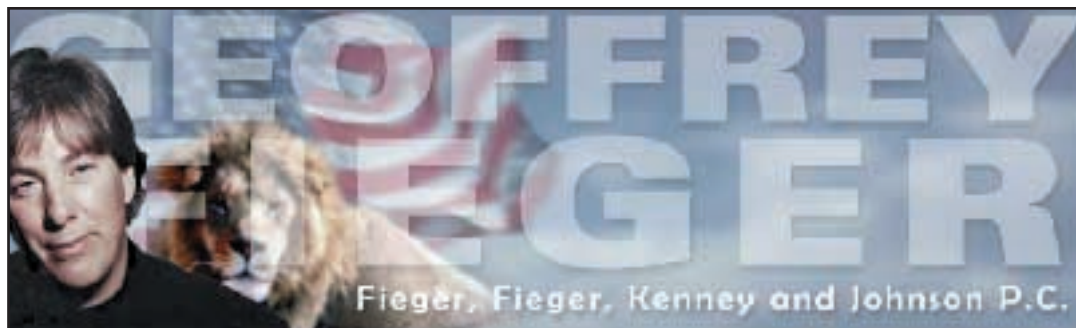


"Geoffrey Fieger ... has built this firm up and has many cases for seasoned attorneys to handle. Here, instead of looking for cases, you can devote yourself to your clients."

— Joseph Bird, Esq.

Bird lives in Lake Orion with his wife of 25 years, Laura, with whom he has three children. Andrew, 20, is a student at Marquette University; Ben, 16, is a musician at Lake Orion High School; and Sam, 12 is a budding athlete, especially fond of soccer.

You can reach Joseph Bird at j.bird@fiegerlaw.com.



Check out more attorney bios or submit a possible case at fiegerlaw.com

NEWS BRIEFS



Photo by Sharon Farmer for John Kerry for President

John Kerry and John Edwards greet supporters their first day as a team.

Fieger backs Kerry/Edwards

A staunch Democrat, Geoffrey Fieger backed John Edwards for President of the United States. Now that Edwards is Vice-Presidential running mate to John Kerry, Fieger is throwing his support behind the Democratic ticket.

Appeals court upholds verdict in drowning at Eagles Lodge

The Michigan Court of Appeals recently judged that the National Fraternal Order of Eagles is responsible for the death of 2-year-old Kegan McLelland, who died in a septic tank during a fundraiser at a Howell Eagles Lodge. McLelland fell into the tank through a faulty lid in April, 2000, while he and his mother, Lacy Harter, were at the picnic.

Geoffrey Fieger argued in a 2001 trial that Eagles at the local and national level were responsible for the boy's death, and a jury awarded McLelland's family \$8.3 million.

Attorneys for the Eagles appealed the verdict, claiming that the national organization shouldn't be held liable for actions at local chapters. The Court of Appeals justices disagreed with the arguments.

Fieger files suit in fatal U.S. Marshal shooting

A federal lawsuit filed by The Fieger Firm alleges the U.S. Marshal Service and two deputy marshals violated the

constitutional rights of Leon Dandredge when a marshal shot him dead in a Muskegon home in August 2003.

Federal fugitive Dandredge, 35, was fatally shot in the face in the basement of a female friend's home. According to an investigation by the U.S. Justice Department's Civil Rights Division, one of the marshals pulled the trigger of his handgun after Dandredge stood up from under a pile of clothing in a dimly lit basement laundry room. The federal investigation, completed in March, concluded no crime was committed.

"We're alleging that the marshals violated Mr. Dandredge's constitutional rights when they went to the basement and shot the guy in the head," said Paul Broschay, of the Fieger Firm. "It obviously was outlandish and irresponsible police procedure ... The defendants were not properly trained and did not have the supervision or experience to permit them to safely apprehend those wanted on warrants or for other reasons."

— John S. Hausman,
Muskegon Chronicle

Trip to Cedar Point turns deadly; firm represents victim of crash

The Fieger Firm was retained in July by the mother of 13-year-old Brandi Scott, who was injured in a deadly chain collision on State Rt. 2 in Ohio. The Firm sued the driver of the sport-utility vehicle who apparently triggered the wreck, and the driver of a tractor-trailer that was involved. Michelle LeFlore of Sterling Heights filed a personal injury lawsuit in Lucas County Common Pleas court on behalf of her daughter, who a passenger in a Cadillac Escalade that was struck head-on by the tractor-trailer rig. Brandi's father, Darryl K. Scott, 44, of Detroit, who was driving the Escalade, and five passengers died in the June 21 crash on Turtle Creek Bridge. The lawsuit asks for more than \$75,000 in compensation.

Brandi and the victims were returning from the Cedar Point amusement park in Sandusky. The lawsuit names Brian Woody, 28, of Toledo, who was the driver of the SUV; Shawn Tuffelmire, the driver of the tractor-trailer, and his employer, J.D.C. Logistics, Inc., of Milwaukee, as defendants.

Arnie Matusz of Fieger, Fieger, Kenney & Johnson said he believes the defendants were primarily responsible for the crash.

"We feel they are the ones who are liable. There may be others. But based on what we have seen so far, we don't think so," Matusz said.

Authorities said Woody's westbound Chevy Blazer careened across the center line, striking Tuffelmire's eastbound rig with its front left corner. The impact caused the semi to clip a Toyota Corolla in the left rear before smashing into Scott's SUV. A report released last week by the Ohio Highway Patrol showed Woody had a prescription sedative and marijuana in his bloodstream.

— toledoblade.com



Photo by J. L. VonBuskirk

Progress continues on Fieger Firm addition

The walls are up on the Fieger Firm's 15,000-square-foot addition. The new structure will double the size of the headquarters for Fieger, Fieger, Kenney & Johnson PC, on 10 Mile Road east of Evergreen. Plans for the \$10 million project include plenty of office space for the 15-attorney firm, along with a mock courtroom and television studio for press conferences and satellite feeds. Building Manager Jeff Cope said the addition is expected to be complete in December.

Fieger sponsors Fahrenheit 9/11 essay contest

Winner will get \$2,500 award

Attorney Geoffrey Fieger is asking high school students to enter a "Fahrenheit 9/11" essay contest to win a \$2,500 college scholarship. To enter, students must go and see the controversial documentary about President George W. Bush, then write a paper about it up to five pages long.

Made by famed filmmaker Michael Moore, who hails from Flint, the documentary details how Bush went to war in Iraq over oil interests.

"I think this is an important film and I hope this contest inspires students to watch it and give it some serious thought," Fieger said.

The nationwide contest is



Photo courtesy www.fahrenheit9/11.com

In a scene from "Fahrenheit 9/11" a secret service officer confronts Michael Moore across the street from the Saudi embassy in D.C.

open until Aug. 31. Winners will be announced Sept. 10. Judging will be done by Jack Lessenberry, an award winning journalist, professor, lecturer, reporter and feature writer for numerous local and national

publications. Lessenberry holds a master's degree from the University of Michigan.

For more information about the essay contest, visit www.fiegerlaw.com.

Contest Rules

- Entrants must have seen the documentary "Fahrenheit 9/11."
- Entrants must be Michigan high school students entering their senior year this fall.
- Essay must be about the movie/documentary.
- Essay must be typed, double spaced and not longer than five 8-1/2 x 11 pages.
- Essay must be submitted no later than Tuesday Aug. 31, 2004.
- Clearly mark envelope "Fahrenheit 9/11 Essay Contest" and mail to:
Fieger, Fieger,
Kenney & Johnson
19390 West Ten Mile Rd.
Southfield, MI. 48075
or
Michigan Film Office
c/o Janet Lockwood
702 W. Kalamazoo St.
Lansing, MI. 48909
- Or, e-mail to:
info@fiiegerlaw.com
No attachments please. Essay must be contained in the body of e-mail.

Fieger represents girl who died from abortion

Geoffrey Fieger has filed a wrongful death suit on behalf of the family of Tamiia Russell, a 15-year-old Detroit girl who died following an abortion at a Lathrup Village abortion facility.

Russell sought an abortion on Jan. 7, six months after becoming pregnant by her 24-year-old boyfriend, Stacy Glenn. That day, Glenn's sister, Taisha Glenn, drove Russell to five different abortion clinics. All of them turned Tamiia away, claiming it was too late to perform a second-trimester abortion. Russell finally ended up at WomanCare in Lathrup Village.

Russell reportedly used a fake ID to claim she was over 18 — the legal age in Michigan to have an abortion without parental consent. Glenn paid the \$2,000 cost of the late-term abortion, and the procedure was under way.

According to Russell's

cousin, Nicole Redden, the clinic began the abortion by vaginally inserting laminaria, a seaweed used to begin dilation. Russell was then sent home, where she confessed to her family that she was pregnant and had begun the abortion procedure.

When her mother and aunt called WomanCare, they said the abortion could not be stopped once the laminaria is inserted.

That fact is disputable. Though there are some medical risks, pregnancies have safely been carried to term after laminaria insertion and removal. Many crisis pregnancy centers offer laminaria removal for women who have



TAMIIA RUSSELL

changed their minds after beginning an abortion procedure.

Russell's mother drove her daughter to the abortion facility the next day to finish the abortion, which was performed by Alberto Hodari. Upon her return home, the teen experienced severe bleeding.

WomanCare told her family such bleeding was "normal" following an abortion, and not to take her to the hospital. However, the family called paramedics anyway. Russell died on the way to Sinai-Grace Hospital.

The Wayne County Medical Examiner's Office deemed her cause of death "Uterine infarction with sepsis, due to status post second

trimester abortion."

There allegedly have been 23 lawsuits filed against WomanCare facilities and Alberto Hodari in the past 20 years. All were dismissed, with many referring to an undisclosed settlement. The suits were filed for various injuries suffered as the result of abortions, including hysterectomies on 19, 22, and 23-year-old women, and even the death of Chivon Williams in 1996, who died after having a first-trimester abortion performed by Hodari.

Russell's case has become a rallying point for anti-abortion activists, who have picketed WomanCare and are calling for a criminal investigation of Hodari.

Traditionally, pro-life advocates have opposed Fieger in the past due to his representation of assisted suicide advocate Jack Kevorkian.



From left, intern candidates Kevin, Naomi and Cat, Fieger Firm Jury Consultant Steve Hnat, Fieger's Assistant Tania Rock, Geoffrey Fieger, Heather, Fieger Firm Partner Ven Johnson, and intern candidates Felipe and Ahmad.

That's a wrap!

Success of 'The Intern' is cause for celebration

After weeks of hard work filming *The Intern*, everyone involved gathered at WXYZ's 7 Action News studios in Southfield to celebrate the success of the show. The entire Fieger Law Firm, all the intern candidates and staff from Channel 7 came together to watch the final episode broadcast live, and to toast Heather's victory.

Photos by Steve Kaufman

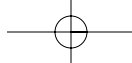


Geoffrey Fieger has some laughs with Ray Sayah, host of *The Intern*. Below, Heather (left) enjoys the proud moment with Tiffany Jackson, her mother, Margaret and father, Gerald.



Fieger employees (from left) Stephanie Stepanovich, Georgia Banyai and Jennine raise their glasses.





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Geoffrey Fieger was named the top fund raiser in Michigan for John Edward's campaign for President. Fieger met with the fellow trial attorney several times over dinner in Detroit, to talk about the future of the Democratic party in both the state and the nation.

Fieger, Fieger, Kenney & Johnson

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