



AITKEN ♦ AITKEN ♦ COHN
T R I A L L A W Y E R S

EXPERIENCE.

COMPASSION.

RESOURCES.

RESULTS.





AITKEN • AITKEN • COHN

TRIAL LAWYERS



You are not just hiring a lawyer...

you are becoming part of the family.



PROFILE

One of California's most respected civil litigation law firms, Aitken • Aitken • Cohn is dedicated exclusively to representing plaintiffs, whether it be the most seriously injured individual, a family that has lost a loved one or a business entity/consumer victimized by unfair and fraudulent business practices. The firm enjoys a national reputation for the quality of its trial skills and the aggressive representation it provides on behalf of its clients. This reputation was built on a foundation of numerous trial victories, settlements and precedent-setting appellate decisions and is nurtured by the firm's continuing commitment to each of its clients. While the firm's success has translated into substantial recoveries for its clients, the firm derives equal satisfaction from the knowledge that these cases have also promoted a safer, more fair society.

Aitken • Aitken • Cohn is committed to maintaining its distinctive size and selectivity in choosing the matters in which it becomes involved. The firm believes its clients are best served through the personal attention that its current staffing and caseload provide.

We're never going to win a popularity contest, nor should we.

“ One is rarely popular when opposing powerful, vested interests and holding them accountable for their misdeeds. ”

—Wylie Aitken, Founding Partner

OUR MISSION

Aitken ♦ Aitken ♦ Cohn is uniquely well positioned and committed to providing first class legal representation to the individual, family or business entity that has suffered injury or catastrophic loss in any variety of circumstances. The firm routinely battles against insurance companies, large corporations and governmental agencies. The firm also practices extensively within the commercial setting, handling business litigation, insurance fraud and wrongful termination matters with extraordinary results.

OUR FIRM'S AREAS OF EXPERTISE

Aitken ♦ Aitken ♦ Cohn has chosen to specialize its practice in a few precise areas of law. The practice of law has become increasingly complex, and the firm's sophisticated clientele expect and deserve legal representatives who are fully aware of the nuances of their particular situations. Members of the firm are, however, always willing to adapt to the changing legal environment and explore new opportunities that are consistent with the firm's mission and goals. The following is a brief exemplary list of our areas of practice.

- ◆ Personal Injury/Wrongful Death
- ◆ Insurance Bad Faith
- ◆ Business Litigation/Fraud
- ◆ Automobile/Pedestrian Accidents
- ◆ Products Liability
- ◆ Aviation/Railroad
- ◆ Commercial Trucking
- ◆ Maritime
- ◆ Medical Malpractice
- ◆ Pharmaceutical/Medical Device Liability
- ◆ Construction Site Accidents
- ◆ Unfair Business Practices
- ◆ Commercial Torts
- ◆ Professional Negligence
- ◆ Mass Torts
- ◆ Government Liability

LAWBUSINESS

Costa Mesa girl awarded millions

100 Influential lawyers in California

Southern California Super Lawyers

ACHIEVEMENTS AND VERDICTS

The Firm's Greatest Achievements And Results Are Measured By The Satisfaction Of Its Clients.

In over four decades, the firm has achieved countless verdicts, settlements and awards; and is recognized for its success on a nationwide basis.

(Fold-out>)

OC METRO
TOP TRIAL LAWYERS TELL ALL

AITKEN • AITKEN • ECKEN
Pinnacle Trial Lawyers

\$55 million worth of relief

THE ORANGE COUNTY Register

Los Angeles Times

CALIFORNIA

Man gets \$3.8 million for race injury

Los Angeles Daily Journal

Los Angeles Times CALIFORNIA
ORANGE COUNTY EDITION
\$23.4 Million Awarded for Car Accident Injuries

Ride-Death Suit Settled by Disney

Family, Disney Settle Suit Over Ride Death

Blinded Man, Doctor Agree on Settlement

SETTLEMENT: Blinded Patient Gets \$3.9 Million

Los Angeles Times

Los Angeles Times

Man paralyzed in '90 car crash gets \$3.4 million award

ORANGE COUNTY METRO

Girl Is Awarded \$2 Million for Mauling

People Get \$17 Million in Fire Insurance Case



RECOR

Verdicts & Settlements

'Assumption of Risk' Key To Settlement Of Back Yard Golfing Injury

FEATURED RESULTS

Automobile Accidents **\$23,400,000.00**

Child Sustains a Traumatic Brain Injury from an Auto Accident and is Awarded \$23.4 Million by a Jury - An exceptional 13 year old boy was awarded \$23.4 million dollars by a jury in Orange County, California, for significant brain injuries he suffered from a tragic automobile collision. One of the defendants in this matter was an out of state corporation, E.A. Pedersen Company doing business as Pederson Power Products. Their manager acknowledged in trial that he ran a red light. The jury determined the manager was in the "course and scope of his employment" at the time of the accident.



\$6,200,000.00

Roadside Assistance Phone Call Ends in Tragedy and an Immediate 911

Emergency Call - The plaintiff was called to assist his son, whose vehicle had a mechanical break down on an Orange County roadway. He arrived at the place of the breakdown and pulled his vehicle onto the shoulder, well out of the lanes of traffic. While on a call with AAA at the scene, the intoxicated defendant's vehicle drifted off the roadway and violently rear-ended the plaintiff's vehicle. The plaintiff was propelled onto the hood, windshield and flew several feet into the air. He suffered severe, life-changing injuries.

Aviation **\$2,760,535.00**

Contaminated Fuel Clogs Fuel Line Resulting in Crash of Small Plane - This incident arose from the crash of a Piper PA 32-260 airplane shortly after taking off at Fullerton Municipal Airport. The cause of the accident was found to be fuel starvation resulting from negligent maintenance of the plane. The plaintiff suffered permanent head injuries and other orthopedic injuries that prevented her from continuing her job as a paralegal.



Bicycle Accidents **\$3,500,000.00**

Ten Foot Tall Hedges Block Driver's Line of Sight Leading to Collision with Young Boy - A 12 year old boy was riding his bike along a street. There was a service road that intersected the street he was traveling on. Unfortunately there were ten-foot tall hedges lining the service street, blocking the line of sight of both streets from one another. As the young boy entered the service road he collided with a truck traveling up the service road. Plaintiff brought suit against the driver and the City of Buena Park for liability of a dangerous condition of public property.

\$3,780,000.00

An Automobile Collides with a Contestant during a Traffic Regulated Triathlon - The plaintiff, a motivational



speaker and author, was noted for his record-breaking performances in marathons and Ironman Triathlons after having his left leg amputated below the knee as a result of being broadsided by a bus while riding his motorcycle. Eight years later, while racing another triathlon, a traffic officer misjudged the plaintiff's speed as he was approaching an intersection and waved through a van. The van and the plaintiff collided. As a result, the plaintiff broke his neck at the C-5 vertebrae, and he was paralyzed. An action was brought against the race organizers and the police agency responsible for traffic control.

Commercial Trucking **\$7,062,000.00**

A Missed Neck Injury after an Automobile Accident Causes Plaintiff's Paralysis - Plaintiff was involved in an automobile collision as he was broadsided by a delivery truck. CT and cervical spine scans were ordered; however, doctors proceeded with thoracic surgery to repair an aortic tear. The next morning, plaintiff discovered that he had lost all sensation below his neck. The earlier cervical x-rays were examined and it was discovered that he had suffered fractures at the C-5, C-6 levels that the doctors had missed the prior day. The plaintiff did not regain any function below his neck and was paralyzed. Legal actions were brought against the trucker who caused the collision and the physicians who failed to diagnose the neck injury.

\$4,127,000.00

Defendant's Law Breaking Actions Causes the Death of an Anaheim Hills Optometrist - Defendant, while under the influence of amphetamines and methamphetamine, was driving an overloaded dump truck with an attached trailer down a 12% steep grade. The commercial vehicle had defective brakes which went unchecked prior to the incident. Unable to brake, he ran a red light and struck a vehicle driven by an Anaheim Hills optometrist who died at the scene of the incident.

FEATURED RESULTS

Government Liability

\$55,000,000.00

Paralyzed 9 Year Old Girl and her Mother Receive a Precedent Shattering \$55 Million Dollar Judgment after a Five Year Ordeal - A



record setting \$55 million dollar judgment against the United States under the Federal Tort Claims Act was confirmed by the 9th Circuit Court of Appeals following a trial against the United States Government. The plaintiff in the action was an eleven year old girl from Costa Mesa, California, who became paralyzed as a result of a vehicle collision on Mother's Day, May 12, 2002, when she was 4 years old. A federal employee of the Department of Army ran a red light and broadsided the car in which the plaintiff was riding. The horrific accident rendered her a ventilator dependent quadriplegic.

\$2,100,000.00

5 Year Old Girl Attacked by a Mountain Lion in Orange County Wilderness Park - Jury Finds County Park Liable for her Injuries - During a family outing in an Orange County Wilderness Park, a 5 year old girl was mauled by a mountain lion.



She sustained severe and permanent injuries. Child and Mother brought suit against the County of Orange for failure to warn or remove danger from the public park. Discussions regarding the County's need to take public safety protective measures began as a result of this case.



Business Litigation/Insurance Bad Faith

Toyota Unintended Acceleration Recall and Multi-District Federal Litigation - Aitken ♦ Aitken ♦ Cohn is part of the national leadership of the consolidated multi-district Federal litigation brought by Toyota owners as a result of the unintended acceleration of those automobiles due to various mechanical defects. The firm serves as one of the State-Federal Liaison Counsel, tasked with the vital role of coordinating the combined Federal action with the dozens of similar actions currently pending in the various state courts.

\$17,062,000

Family Loses Home to a Fire but Wins a 3-Year Legal Battle against their Insurance Company for Higher Home Coverage -



Plaintiffs' home caught on fire damaging over 80% of their home and personal property. The plaintiffs had purchased a premier home insurance policy with a provision that almost doubled the basic policy if the home had to be rebuilt. The plaintiffs had to rebuild their home and fought with their insurance company for 3 years in order to receive the higher coverage to which they were rightfully entitled.

Construction Site Accidents

\$4,855,000.00

Failure to Supervise Contractor Leads to Catastrophic Injury

- Plaintiff was in the process of drilling core samples when his left arm became caught in the "kelly," the spinning part of the rig which powers the drilling mechanism, causing him to be pulled into the rig. As a result, his left arm was amputated at the shoulder, and he suffered cervical spine injuries which rendered him a quadriplegic.

Medical Malpractice

\$14,595,000.00

An Anesthesiologist's Negligence Renders a Promising Young Student Blind - While under general anesthesia during ankle surgery, the plaintiff was inadequately oxygenated and ventilated. As a result, he suffered cardiac arrest and slipped into coma. Upon awakening he was blind and suffered numerous other physical and mental limitations. Plaintiff brought a suit for medical malpractice against the anesthesiologist.

\$4,000,000.00

Hospital Staff's Failure to Recognize and Act upon Signs of Fetal Distress during Labor Causes the Brain Injury of an Infant - A mother was pregnant with her second child in what appeared to be a normal pregnancy. The newborn child, however, was significantly deprived of oxygen for too long of a period of time during labor before hospital staff finally determined that a C-section should be performed. The child was born with severe hypoxic brain injury and cerebral palsy, leaving him permanently disabled and facing a lifetime of future care.

FEATURED RESULTS

Premises Liability



\$20,000,000.00

Severely Brain Injured Child Collects Eight Figure Settlement due to Fall from a National Fast Food Chain Restaurant Playground - The plaintiff,

age 10, fell from the cross

bars of the playground at a national fast food burger chain restaurant and suffered a severe, traumatic brain injury when his head struck the restaurant floor tile. Due to the severity of the fall, he will require 24 hour life time care for the rest of his life.

\$10,125,000.00

High Profile Plaintiff Collects \$10 Million Suit - Plaintiff, who is the grandson of singer Pat Boone, fell three stories through a skylight on the roof of his apartment complex down to a concrete floor.



**Hidden Trap:
40 Foot Free Fall
Below Innocuous Covering**

He suffered a traumatic brain injury and paraplegia. Ryan continues to progress in his rehabilitation and physical therapy treatment and has become an example for traumatic brain injury victims everywhere. From this incident, the families created a foundation for support of traumatic brain injury victims called "Ryan's Reach," for which information can be found at www.ryansreach.com.

Products Liability



Confidential Amount Mechanical Glitches on Disneyland's Big Thunder Mountain Railroad Cause a Deadly Accident

- This high profile matter involved the wrongful death of a 22 year old graphic designer on the Big Thunder Mountain Railroad roller coaster at Disneyland, California. The decedent and his best friend were seated in the front of the first car just behind the faux locomotive. Extensive

discovery showed that the train had been experiencing numerous mechanical problems for weeks prior to this tragic accident.



Wrongful Death

\$25,000,000.00

(Los Angeles Times Estimate)

Wrongful Death of Husband and Severe Facial Disfigurement of Wife by Cleat from Disney's Sailing Ship Columbia - A 34 year old man was tragically killed and his wife received severe facial disfigurement resulting from the dislodgment of a metal cleat on Disney's Sailing Ship Columbia. This case, later named the "Columbia" incident, sparked a national debate on the safety of theme parks. Additionally, this matter brought about changes to several theme park regulations which were later enacted into California law.

\$19,422,080.00

Wrongful Death of Prominent Physician Resulting in Multi-Million Dollar Settlement - A wrongful death suit was brought by a doctor's spouse and their three children after the plaintiff was killed when the Defendant, an "outside sales agent," made an unsafe passing maneuver, resulting in a fatal automobile collision. The firm was able to prove that the defendant was acting in the "course and scope of employment," as her employment duties required driving, even though she was on her way home during her evening commute.

Recreational Vehicles

\$5,600,000.00

Dune Buggy Headed for Blue Water Casino in Riverside is Recklessly Diverted into Manhole - The defendant driver, while under the influence of alcohol, was operating a dune buggy with four passengers at an excessive rate of speed when he veered off a paved road onto an unpaved gravel road. He lost control of the vehicle and negligently struck a manhole, catapulting the dune buggy into a nearby light pole and chain link fence, causing severe and life-threatening injuries to all of the passengers.

For more information on:

ATV, bicycle and motorcycle accidents, please visit our website at www.aitkenbikelaw.com.

Brain and spinal cord injuries, please visit our website at www.aitkenbrainspinallaw.com.

Truck and bus accidents, please visit our website at www.aitkentrucklaw.com.

Birth injuries, please visit our website at www.birthinjuryattorneycalifornia.com.

WYLIE AITKEN

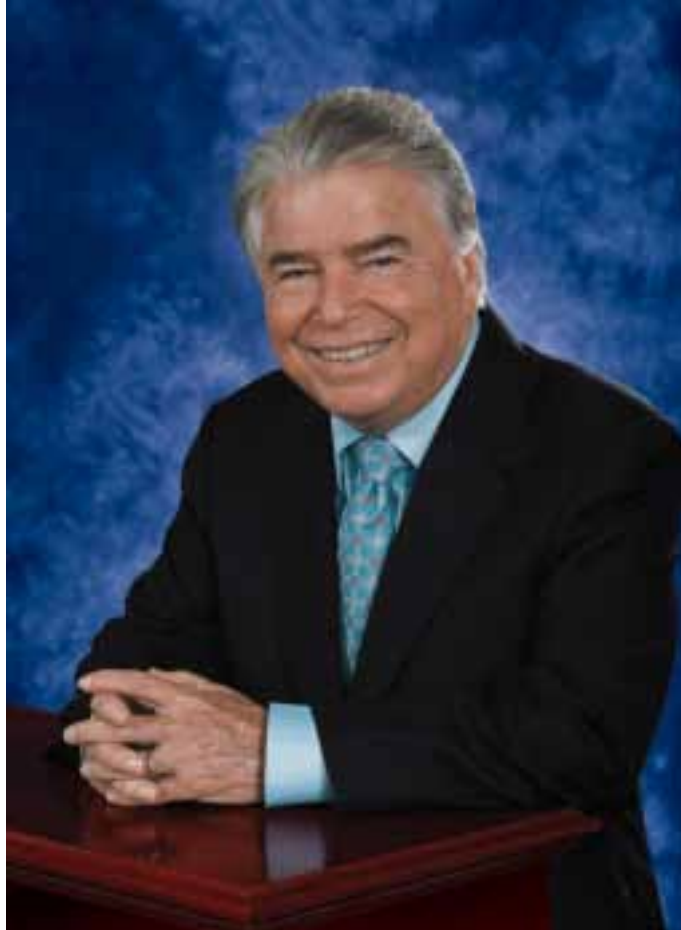
Partner

Wylie A. Aitken is a nationally recognized trial lawyer featured in *Best Lawyers in America* since 1979, rated Top 500 nationally and Top 100 in California. He is the founding partner of Aitken ♦ Aitken ♦ Cohn in Santa Ana, California, and at 35 was the youngest president in the history of the California Trial Lawyers Association (now Consumer Attorneys of California). He is a graduate of Marquette University Law School where he was a St. Thomas More Scholar and Associate Editor of the *Marquette Law Review*.

Mr. Aitken is the recipient of numerous awards including: Orange County Bar Association's highest honor, the Franklin G. West Award; ABOTA Plaintiff Trial Lawyer of the Year Award; OCTLA Top Gun Personal Injury Trial Lawyer of the Year and Business Trial Lawyer of the Year; Consumer Watchdog's Rage for Justice — Lifetime Achievement Award; OC Hispanic Bar Association Trial Lawyer of the Year; and Marquette University Law School Lifetime Achievement Award. He is repeatedly selected as one of the Lawdragon 500 Leading Lawyers in America and Lawdragon 500 Leading Plaintiff Litigators in America; named one of California's Top 100 Most Influential Lawyers and Top 2010 Rainmakers by the Los Angeles Daily Journal; Southern California Super Lawyers; Irish 100; and received a "Superb" 10/10 rating by AVVO.com. He was the 2010 President and Trustee of American Board of Trial Advocates Foundation and is a member of the ABOTA National Board. Mr. Aitken is also a member of the Federal Judicial Advisory Committee to Senator Feinstein and Senator Boxer, which is responsible for the nomination of judges in the Central District and is an attorney member of the Ninth Circuit Court of Appeals.

In 2010, Mr. Aitken was appointed by a Federal Judge to be liaison to all State and other Federal actions regarding Multidistrict Litigation In Re: Toyota, assigned to the Southern Division of the Central District of California — one of the largest MDL's in U.S. legal history.

Mr. Aitken has had significant trial and appellate accomplishments with multiple eight figure results. He has been lead counsel in such high profile and precedent setting litigation such as: *Gutierrez v. USA*, a record setting \$55 million dollar judgment for an eleven year old girl who was paralyzed in a vehicle collision on Mother's Day when a federal employee ran a red light, broadsiding the car in which she was riding; *Feitler v. Pedersen*, one of the Top 10 Verdicts of 2006 according to the Daily Journal, involving a traumatic brain injury suffered by a 14 year old boy after defendant ran a red light, verdict of \$23,500,000; major confidential settlements with Disneyland: *Torres v. Disneyland*, a wrongful death claim of a 22 year old graphic designer following an incident on Big Thunder Mountain and *Vuong v. Disneyland*. Both resulted in implementation of substantial changes to California law to ensure the safety of theme parks.



Boicourt v. Amex Assurance which involved an Insurer's refusal to disclose policy limits and timely settle the case; *Small v. The County of Orange*, involving a mountain lion attack which addressed the safety of public parks; *Gourley v. State Farm*, setting forth the validity of punitive damages under California and United States Constitution; *Schmid v. Federal Insurance Company*, a fire insurance bad faith case including \$15,000,000 in punitive damages and verdict of \$17,062,000; and, *Neal v. Farmers*, a leading Supreme Court case on uninsured motorist bad faith law and the method of assessing punitive damages.

As a consumer advocate, Mr. Aitken developed bilingual consumer protection brochures, brochures on lawyer selection and has served on college and charitable foundation boards and select commissions involving justice issues such as court congestion and justice facilities.

Wylie was recently appointed by the Governor to a four year term on the California Arts Council, and his community activities include: Orange County Performing Arts Trustee; Chapman University Trustee; Chair of Chapman Law Board of Visitors and the Wylie A. Aitken Courtroom, named in his honor; South Coast Repertory President and Board of Trustees; Mission San Juan Capistrano Preservation Foundation, Board Member; Cal State University Fullerton Philanthropic Foundation Board of Governors and President's Circle; Marquette University President's Council and Advisory Board; and, CSUF Special Games—Kathleen Faley Memorial, Chair. He continues to be honored by many philanthropic groups as a lawyer with a Big Heart including the "Titan Award" from Cal State Fullerton.

Wylie is married to Elizabeth (Bette), and has three children, Darren, Christopher and Ashleigh (all lawyers).



RICHARD COHN

Partner

other legal and charitable organizations, including the Orange County Bar Association and the United Cerebral Palsy Association of Orange County, among others. He is a frequent speaker at legal education seminars including the California Continuing Education for The Bar (CEB) as well as the State and Local Trial and Bar Associations. He is a frequent author of articles in legal publications. He has also been interviewed on multiple occasions by both television and print news media regarding a variety of high profile cases.

Mr. Cohn has been trial counsel in a variety of high profile trials which have resulted in multi-million dollar verdicts. Examples include: *Small v. County of Orange* (attack of a mountain lion on a young child in a public park — Verdict: \$2,100,000); *Chavez v. Altig* (25 year old man blinded as a result of anesthesia during ankle surgery — Verdict: \$3,800,000); *Scott v. Burges Transportation, et al* (plumbing contractor run over by a dump truck on a construction site — Verdict: \$1,900,000); *M. v. W. E. Aviation, et al.* (Piper Cherokee VI aircraft crashed at Fullerton Airport due to a combination of contaminated fuel and poor maintenance — Verdict \$2,760,535).

Mr. Cohn also has achieved numerous multimillion dollar settlements on behalf of his clients. Most recent highlights include: A \$4.5 million settlement on behalf of a man who suffered a quadriplegic injury when diving into a pool at a luxury resort; a \$3 million settlement for the wrongful death of a construction site worker killed by a dump truck (2006); a \$7.25 million settlement for a new mother who received a morphine overdose in the hospital after a C-Section (2007); a settlement for over \$3 million for the wrongful death of an elderly woman struck by a bus in a crosswalk (2006); a \$1.8 million settlement for the wrongful death of a husband/father electrocuted when he contacted power lines (2006); a \$2.4 million settlement involving the wrongful death of an executive/father of three due to an anesthesiology error; a record \$2.1 million settlement for an 80 year old auto v. pedestrian victim (believed to be the highest personal injury settlement in California history for a victim over the age of 80) (2003); and a \$4 million settlement in a complex birth injury case (2007).

Mr. Cohn has also briefed and argued a variety of appellate matters, and argued before the California Supreme Court.

Offices, Memberships, Services

- ◆ President, Orange County Trial Lawyers Association, (2001)
- ◆ United Cerebral Palsy of Orange County, Board of Directors, Vice President
- ◆ Consumer Attorneys of California, Member, Advocates Club and President's Club
- ◆ Orange County Bar Association, Member and Affiliate Bar Board Member (2001)
- ◆ Banyard Inn of Court, Orange County (Master Benchers)
- ◆ Chairman Orange County Bar Association, Products Liability Section
- ◆ California Continuing Education of the Bar (CEB) Speaker (multiple topics, including Jury Selection (2006); Cross-examination of Experts (2006).

Richard Cohn is a persistent, aggressive trial attorney who takes a "turn every stone" approach toward the legal matters he handles.

Mr. Cohn was designated as one of the "Top 500 Litigators in the Nation," (one of only three lawyers in Orange County, California to achieve that distinction) in the inaugural issue of LawDragon Magazine. He was also featured in LawDragon's "Top 3000." Mr. Cohn received the prestigious "Top Gun" Trial Lawyer of the Year Award in 2008 for his work on medical malpractice cases in Orange County. Mr. Cohn is "AV" rated by Martindale-Hubbell's Law Directory — which issues such ratings only to those attorneys who have demonstrated preeminent legal ability and the highest professional and ethical standards. Mr. Cohn was also awarded a 10/10 "superb" rating by AVVO.com. He has been repeatedly designated a Southern California "Super Lawyer" by Los Angeles Magazine and Law and Politics.

Mr. Cohn graduated, Cum Laude, from the University of California at San Diego in 1985 double majoring in Political Science and Communications. He graduated from U.S.C. Law School in 1989, among the top quarter of his class. He began his legal career in San Diego, California, specializing in the field of medical malpractice defense.

Mr. Cohn joined Wylie Aitken in practice in 1990 and then became a named Partner. Mr. Cohn handles a wide variety of cases, including wrongful death and serious personal injury, aviation disasters, insurance bad faith, products liability, construction site accidents, automobile and trucking accidents, premises liability, and governmental tort liability. However, his subspecialty of medical malpractice has always constituted the majority of his caseload.

Mr. Cohn is a past President of the Orange County Trial Lawyers Association. He has also served on the Board of Directors of a variety of

DARREN O'LEARY AITKEN

Partner

Darren Aitken is an Orange County native and has been a practicing attorney in California since 1989. Mr. Aitken is a partner of the law firm Aitken ♦ Aitken ♦ Cohn and has practiced with the firm since 1992. His practice is limited to civil litigation, where he represents plaintiffs in major matters involving insurance bad faith, personal injury, aviation, product liability and commercial torts. Mr. Aitken has successfully litigated and tried numerous civil actions both in the state and federal courts, and he has obtained numerous seven and eight figure results for his clients.

Mr. Aitken's recent notable achievements include a trial judgment on behalf of his clients in the amount of \$55,180,000 in *Gutierrez v. The United States*. The Gutierrez judgment is believed to be the largest amount ever awarded in Orange County in a personal injury matter to a single plaintiff, and the largest amount ever awarded in an injury action against the United States government. This judgment was subsequently upheld by the Ninth Circuit Court of Appeals. In a separate matter, Mr. Aitken negotiated a settlement in the amount of \$19,250,000 for his clients in a fiercely disputed action against a publicly traded international corporation. In 2009, Mr. Aitken obtained a jury verdict over \$2,600,000 for his clients after a hotly contested four week trial against Ford Motor Co. based on a product defect in a Ford F350 truck. His appellate practice is reflected in published opinions such as *Boicourt v. Amex Assurance Co.* and *Rothman v. Jackson*.

Mr. Aitken was named the Orange County Trial Lawyers "Top Gun – Personal Injury Lawyer Of The Year" in 2008 and one of the Top 5 Personal Injury Litigators in Orange County by OC Metro Magazine in 2010. He was named a "Rising Star" in 2004 by his peers in a vote conducted by Law & Politics, Inc., and was named a "Super Lawyer" by that same organization from 2005 through 2010. Mr. Aitken was further named one of the "Top 50" lawyers in Orange County by this organization in 2009 based on the number of votes he received from his fellow lawyers. In 2006, Mr. Aitken was named a "New Star" by LawDragon Magazine, and in 2007 was named by LawDragon as one of the top 3000 Leading Plaintiffs Lawyers in America.

Mr. Aitken holds an AV rating by the national Martindale-Hubbell legal directory, the highest rating that organization bestows in regard to legal ability and professional ethics and was also awarded a 10/10 "Superb" rating by AVVO.com.



Throughout his career, Mr. Aitken has volunteered a considerable amount of time and assumed leadership responsibilities in several legal and community organizations. Mr. Aitken is on the Board of Directors of the Orange County Bar Association, the Public Law Center, the Constitutional Rights Foundation of Orange County, the Consumer Attorneys of California, and the American Red Cross (Orange County Chapter). He serves on the Board of the Association of Business Trial Lawyers (Orange County Chapter), and served as that organization's President in 2011. Mr. Aitken is the first and founding president of the Celtic Bar Association of Orange County. He is a former president of the Orange County Hispanic Bar Association. He has also served on the Boards of the Orange County Trial Lawyers Association, the Orange County Legal Aid Society and the Notre Dame Club of Orange County.

Mr. Aitken has given numerous seminars on various trial related topics, and he has been published in the Los Angeles Daily Journal, Southern California Law Review, the OCTLA Gavel, the Advocate magazine (for which he served as the Orange County Editor for several years) and the CAOC Forum.

After earning a BA degree from the University of Notre Dame in Economics and Philosophy with high honors in 1986, he became a 1989 graduate of the University of Southern California where he served as managing editor of the Southern California Law Review. Mr. Aitken currently resides in San Juan Capistrano with his wife, Laurie and their four children.

CHRISTOPHER R. AITKEN

Partner

\$5,000,000 settlement for the wrongful death of a loving father and husband of two children in an automobile collision.

Mr. Aitken successfully litigated *Lieu v. Disneyland*, which reached national attention when a metal cleat dislodged from Disneyland's "Sailing Ship Columbia" killing a man and seriously injuring his wife. Settlement was estimated at \$25,000,000 by the Los Angeles Times and the case led to major changes in California law regarding the safety of theme parks. Shortly thereafter, Mr. Aitken successfully litigated *Torres v. Disneyland* involving a fatality on the Thunder Mountain roller coaster at Disneyland.

Other high profile cases litigated by Mr. Aitken include; *Larkin v. Peterson Brothers*, a wrongful death matter of a renowned optometrist in Anaheim Hills which resulted in a recovery of over \$4,100,000 and heightened County awareness for truck safety, and *Corbin v. Westbrent Limited*, involving the traumatic brain injury of Ryan Corbin, grandson of performing artist, Pat Boone, resulting in a \$10,125,000 settlement.

Mr. Aitken was named to the prestigious "Best Lawyers In America" list in 2011 and named one of the top 5 personal injury litigators in Orange County in 2011 by OC Metro Magazine. Mr. Aitken was voted as a "Rising Star" from 2004 to 2009 by his peers in Law & Politics, Inc., and named a "Super Lawyer" by the same organization from 2009 to 2011. Mr. Aitken was also awarded a 10/10 "Superb" rating by AVVO.com.

Throughout his career, Mr. Aitken has devoted considerable time and taken leadership responsibilities in several legal and charitable organizations. Mr. Aitken is a past Chairman of the Board and current board member of Laura's House (www.laurashouse.org), a non profit organization which provides shelter and services for the victims of domestic violence. He has been privileged to be involved with this organization since 1997. Mr. Aitken is a present member of the Orange County Bar Association Judiciary Committee, Charitable Fund Committee, Orange County Trial Lawyers, the Hispanic Bar Association, the Consumer Attorneys of California, and the Legion Lex Inns of Court. Mr. Aitken has also been a frequent speaker at Orange County Bar Association's and Hispanic Bar Association's continuing legal education seminars. As an author, Mr. Aitken has contributed to the 3rd Edition of Jefferson's California Evidence Benchbook and is presently working on revisions for its 4th Edition.

Mr. Aitken is a life long resident of Orange County, California, and currently resides in San Clemente, with his wife Maureen, and their four children.



Christopher Aitken was born in Placentia, California, May 10, 1969, and has been a practicing attorney since 1996. Mr. Aitken is a partner of the law firm Aitken ♦ Aitken ♦ Cohn, located in Santa Ana, California, and has practiced with the firm since 1996. Mr. Aitken is proud to represent plaintiffs in major civil jury trial litigation in the fields of personal injury, insurance bad faith, wrongful death and general business litigation. Mr. Aitken graduated from the University of California, Los Angeles with a Bachelor of Arts degree. He obtained his Juris Doctorate Degree from the University of Southern California.

Mr. Aitken is a strong advocate for consumer safety and has successfully litigated and tried numerous civil actions wherein he has obtained numerous seven and eight figure results for his clients. His recent notable achievements include a trial judgment on behalf of a 13 year old boy who sustained a severe brain injury in an automobile collision, resulting in a jury verdict of \$23,500,000 in *Feitler v. E.A. Pedersen Power Products, Peter Infranca*. Mr. Aitken has also recently obtained a \$20,000,000 settlement (and estimated over \$100,000,000 payout) for an 8 year-old boy who suffered a brain injury by falling from a self contained playground at a prominent fast food chain in *Buckett v. Doe Fast Food Chain*. Due in part to this matter, the food chain is in the process of performing retrofits for consumer safety on all their playgrounds on a national basis. His appellate practice is reflected in opinions such as *Huie v. Southland Sod*, which immediately thereafter resulted in a



CASEY JOHNSON

Partner

Casey Johnson earned his Bachelor of Arts Degree in Psychology, graduating *summa cum laude* from San Diego State University in 1997, where he was the recipient of the Herbert Peiffer Award, recognizing him as the male student most likely to bring honor to the

University. Mr. Johnson obtained his Juris Doctorate degree from USC Law School in 2002, graduating in the top quarter of his class after receiving the Edward S. and Eleanor J. Shattuck Award, recognizing him as one of the graduates exhibiting the greatest potential to become an outstanding member of the bar.

After beginning his tenure with Aitken + Aitken + Cohn in 2001 as a law clerk, Mr. Johnson was promoted to associate in 2002 upon passing the bar examination, and was named a partner of the firm in 2012. He specializes in litigation, with an emphasis on catastrophic injuries, wrongful death, insurance bad faith, premises liability and government torts.

Mr. Johnson is a member of the Executive Committee of the Board of Directors of the Orange County Trial Lawyers Association and serves on the Board of Directors for the Robert A. Banyard Inn of Court. He is a frequent author of articles in legal publications and has presented seminars on numerous litigation-related topics. Casey volunteers with the Orange County Constitutional Rights Foundation's Mock Trial Program, has repeatedly been recognized as a "Rising Star" by Southern California Super Lawyers Magazine, was awarded a "superb" rating by AVVO.com, and was named one of Orange County's top five personal injury attorneys by OC Metro magazine in 2011.



MICHAEL PENN

Attorney

Michael Penn obtained his Bachelor of Arts degree in Political Science with an emphasis in International Relations, graduating with honors from the University of California at Santa Barbara in 1998. He

studied abroad at Sophia University in Tokyo, Japan, from 1996 to 1997 and returned to Tokyo after graduation to work for Toyo Corporation. Mr. Penn obtained his Juris Doctorate degree from Chapman University School of Law in 2004 and was elected student commencement speaker.

In May 2003, Mr. Penn began working at Aitken + Aitken + Cohn as a law clerk focusing on legal research and complex law and motion matters. He was promoted to an associate after passing the July bar exam in 2004. He specializes in litigation with an emphasis on wrongful death, products liability and premises liability.

Mr. Penn is currently Chairman of the Orange County Association of Business Trial Lawyers' Leadership Development Committee, Co-Chairman of the Orange County Bar Association Products Liability Section, Executive Committee Member with the Warren J. Ferguson Inn of Court, and Advisor to the Orange County Asian American Bar Association. Mr. Penn also serves as an attorney coach for the Canyon High School Mock Trial Team in Anaheim, California, and as a Local Board Member of the California Selective Service System for Region III.

Michael Penn was named a Southern California Super Lawyers Rising Star by Los Angeles Magazine for the past five years and received a "superb" rating by AVVO.com.



ASHLEIGH E. AITKEN

Of Counsel

Ashleigh Aitken is Of Counsel at Aitken + Aitken + Cohn. Ms. Aitken is a graduate of Boston College and the University of Southern California School of Law.

Prior to joining the firm, Ms. Aitken was a federal prosecutor in the Office of the United States Attorney in the Central District of California. While serving as an Assistant United States Attorney, Ms. Aitken prosecuted cases involving armed bank robbery, narcotics, mail and wire fraud, child pornography and firearms violations. She has tried several criminal cases and argued before the 9th Circuit. Prior to becoming a prosecutor, Ms. Aitken was a civil litigator with the law firm of Morrison Foerster, where she tried civil cases in both federal and state court. Ms. Aitken is a recognized trial lawyer, has been named a "Rising Star" by *Super Lawyers Magazine*, and has been featured in articles in *Orange Coast Magazine* and *Orange County Lawyer*.

TESTED LITIGATION EXPERIENCE

Proven Results

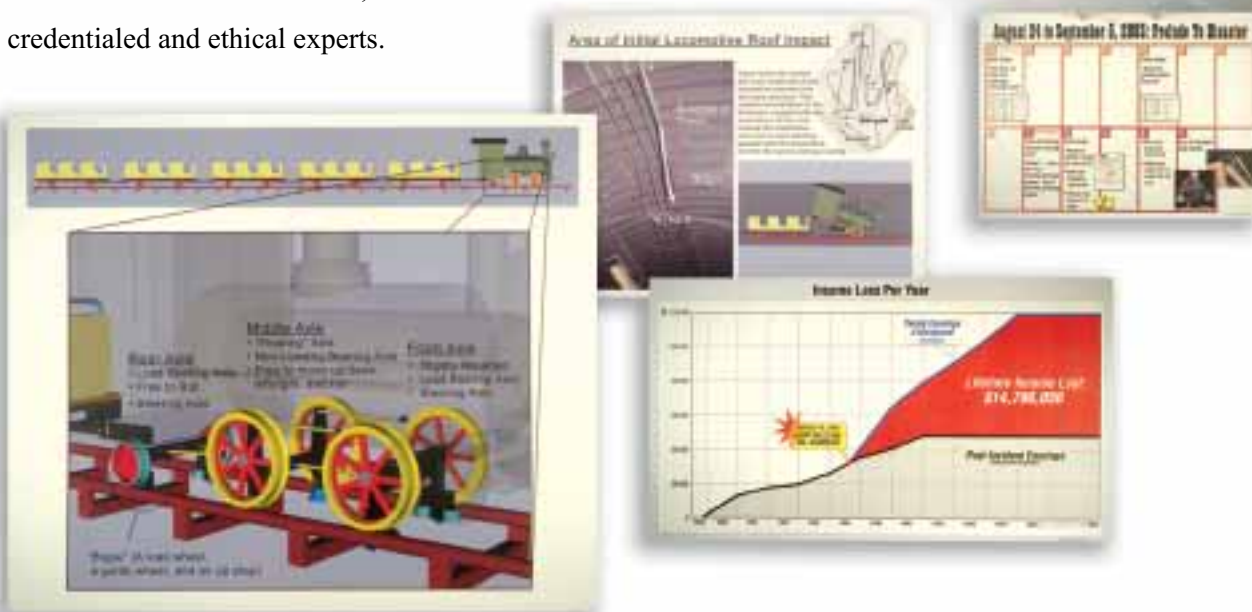


Aitken + Aitken + Cohn's trial litigation results speak for themselves. Having achieved the highest personal injury trial verdict in Orange County history, along with a multitude of record-setting verdicts and settlements, Aitken + Aitken + Cohn has earned a reputation as one of the most prominent personal injury and litigation firms in California, as well as the nation.

SOPHISTICATED CASE DEVELOPMENT

Financial Strength

With resources and resolve, Aitken + Aitken + Cohn routinely employs cutting edge technology in the creation of dynamic case exhibits, captivating settlement documentaries and the development of the most sophisticated trial presentations possible. The firm maintains an "excellence is born from details" approach to litigation...from aggressive and thorough initial investigation to the retention of the most effectual, well-credentialed and ethical experts.





Personal Injury/Wrongful Death

For over 30 years, Aitken • Aitken • Cohn has built its reputation as a premier personal injury and wrongful death law firm nationally recognized among only a handful of California’s top attorneys. While placing integrity squarely at the forefront of all that we do, the firm proudly



leads the way in aggressively representing its clients in this area of the law. The extensive and impressive list of the firm’s exemplary cases and extraordinary achievements is well-documented and includes dozens of seven- and eight-figure results as well as hundreds, if not thousands, of six-figure settlements and verdicts.

Insurance Bad Faith/Commercial Torts/Business Litigation



Uniquely set apart from other business litigation firms, Aitken • Aitken • Cohn handles business and insurance related disputes on a contingent fee basis.

Combined with the firm’s comprehensive experience in a multitude of commercial and insurance matters, our clients are afforded exceptional resources to “level the playing field” against well-funded opponents.

Representative commercial litigation matters include:

- ◆ Pioneering Multi-Million Dollar Results in Insurance Bad Faith Litigation
- ◆ Wrongful Interference with Contractual and/or Business Relations
- ◆ Wrongful Termination/Harassment/Discrimination
- ◆ Commercial Fraud
- ◆ Unfair Business Practices
- ◆ Breach of Fiduciary Duties





Catastrophic Brain Injury/Spinal Cord Injury



Catastrophic brain or spinal cord injuries present enormous physical, emotional and psychological challenges that are distinctive from other severe injuries. Aitken + Aitken + Cohn prides itself on its ability to compassionately support our clients with individualized assistance, based on our unparalleled experience, to help them overcome these seemingly insurmountable hurdles. Our willingness to dedicate every resource to achieve unmatched results in this field is just one of the countless reasons why the firm has been able to garner such remarkable settlements and incredible verdicts for our clients over a period of decades.

For more information on brain and spinal cord injuries, please visit our website at www.aitkenbrainspinallaw.com.

Construction Site Accidents

Hard working individuals deserve hard working lawyers who understand the unique defenses and legal issues which go far beyond typical personal injury matters in regard to construction site accidents. Aitken + Aitken + Cohn is not only continuously recognized for its expertise in this area of law, it is renowned for its distinctive methods and skilled practices which have been born out in the extraordinary outcomes achieved for its many clients time and time again.

- ◆ Unsafe Work Practices
- ◆ Defective Construction Equipment and Tools
- ◆ Dangerous Worksite Conditions/Premises Liability
- ◆ General Contractor/Subcontractor Liability
- ◆ Construction Site Trucking/Machinery Accidents
- ◆ Scaffold Falls/Collapses





Transportation Related Cases



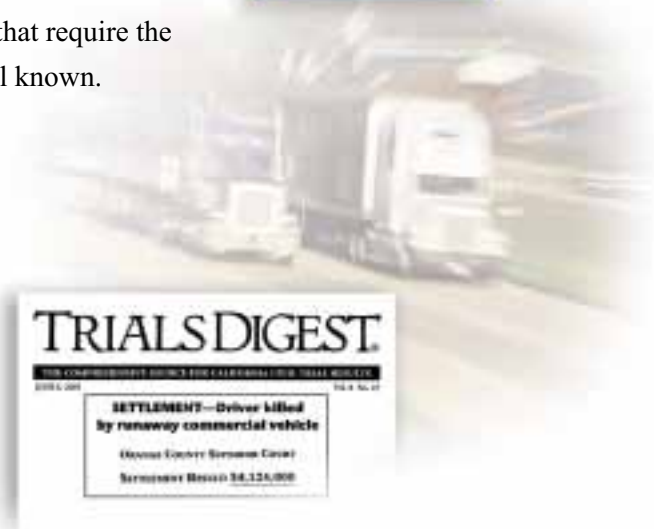
From biking accidents to railroads disasters, Aitken + Aitken + Cohn has secured solid, precedent-setting settlements for our clients by continually devoting our distinctive expertise and robust resources where and when it matters. Transportation issues

oftentimes involve convoluted aviation and admiralty nuances that require the substantial capacity for which Aitken + Aitken + Cohn is so well known.

Exemplary matters, available upon request, include the areas of:

- ◆ Automobile/Motorcycle Accidents
- ◆ Commercial Trucking Accidents
- ◆ Aviation Disasters (Commercial and Private)
- ◆ Railroad/Train Collisions
- ◆ Dangerous Roadways and Intersections
- ◆ Boating, Cruise Ship and Admiralty Law Matter

For more information on ATV, bicycle and motorcycle accidents, please visit our website at www.aitkenbikelaw.com. For more information on truck and bus accidents, please visit our website at www.aitkentrucklaw.com.



Pharmaceutical/Medical Device Litigation



Aitken + Aitken + Cohn is well-versed in sophisticated complexity. Our in-depth knowledge of and vast experience with defectively designed or manufactured medical products make us formidable champions against seemingly impenetrable and affluent pharmaceutical and corporate interests. Our firm welcomes the opportunity to play the role of David against these Goliath corporate defendants and our repeated successes have played a significant role in earning our unrivaled reputation in this area of law.

Exemplary cases include:

- ◆ Medication Infusion Pump Overdose
- ◆ Drug Products Liability Cases
- ◆ Hip Prosthesis Failure
- ◆ Surgical Device Burn Injury
- ◆ Operating Room Equipment Failure
- ◆ Intubation/Airway Device Cases
- ◆ Medication Mislabeling/Pharmacy Negligence
- ◆ Calaxo Orthopedic Screw Failure



Medical Malpractice/Birth Injury

Undaunted by California's damage caps, Aitken + Aitken + Cohn has effectively developed successful legal strategies to maximize our clients' results. Our firm has demonstrated time and time again that inequitable legislation and biased protection sought by those upon whom our clients have relied to help and to heal is no match for our effective representation, powerful resolve, and expertise in the medical arena.

Exemplary cases include:

- ◆ Birth Injury/Brain Injured Infants
- ◆ Failure to Diagnose Cancer/Disease
- ◆ Anesthesia Administration Error
- ◆ Surgical Error
- ◆ Medication Overdose/Administration Error
- ◆ Nursing Negligence
- ◆ Emergency Room Negligence
- ◆ Radiology Misinterpretation
- ◆ Elder Abuse/Nursing Home Negligence



Products Liability

Aitken + Aitken + Cohn's vast accomplishments as a resilient advocate for our clients in the area of products liability has been bolstered by meticulous analyses, conscientious research, and hard-hitting scrutiny. There is no element or facet of a product that our firm's resources and know-how won't get to the bottom of in order to attain the relief our clients are seeking.

Exemplary cases include:

- ◆ Automobile Rollover/Crashworthiness Defects
- ◆ Seatbelt and Doorlatch Failures
 - ◆ Theme Park Attraction Accidents
 - ◆ Aviation Engine Parts Failure
 - ◆ Contaminated Aviation Fuel
 - ◆ Barbeque/Propane Gas Explosion
 - ◆ Medical Products Failures



COMMITTED TO THE LOCAL AND LEGAL COMMUNITY



Each year, both the attorneys and staff at Aitken • Aitken • Cohn are honored to donate hundreds of hours of time to charitable activities. In addition to providing free legal services to many in need, Aitken • Aitken • Cohn's attorneys serve on boards and committees for numerous legal organizations and lecture on pertinent legal topics. Community service is a passion at Aitken • Aitken • Cohn and our firm family is associated with and serves in numerous capacities.

A representative sample of some of the organizations and charities which Aitken • Aitken • Cohn serves includes:

- ◆ American Red Cross
- ◆ Elizabeth Glaser Pediatric AIDS Foundation
- ◆ United Cerebral Palsy of Orange County
- ◆ Laura's House
- ◆ Ryan's Reach
- ◆ Constitutional Rights Foundation of Orange County
- ◆ Public Law Center
- ◆ American Board of Trial Advocates
- ◆ Consumer Attorneys of California
- ◆ Civil Justice Research and Education Project
- ◆ Orange County Trial Lawyers Association
- ◆ Celtic Bar Association
- ◆ Orange County Bar Association
- ◆ Orange County Asian American Bar Association
- ◆ Association of Business Trial Lawyers
- ◆ Chapman Law School
- ◆ Whittier Law School
- ◆ University of Southern California Law School
- ◆ California State University, Fullerton
- ◆ South Coast Repertory Theatre
- ◆ Public Justice Foundation
- ◆ Orange County Women Lawyers Association
- ◆ Orange County Performing Arts Center
- ◆ National Association of Women Judges
- ◆ Santa Ana College Foundation
- ◆ St. Thomas More Society
- ◆ Luevano Foundation
- ◆ Hispanic Bar Association
- ◆ Orange County Lavender Bar Association
- ◆ Consumer Watchdog
- ◆ Kathleen E. Faley Memorial CSUF Special Games
- ◆ Iranian American Bar Association of Orange County

ASSOCIATION OF COUNSEL AND REFERRAL FEES

Referral Fee Policy

Aitken • Aitken • Cohn welcomes referrals from other lawyers. The firm considers a client referral the highest compliment one lawyer can pay to another, and we welcome the opportunity to co-counsel, joint venture or assume the representation of clients on behalf of fellow attorneys.

In appropriate cases, and consistent with California State Bar Rule 2-200 and the other rules of professional conduct, Aitken • Aitken • Cohn pays referral fees to attorneys who recommend their clients to be represented by this office.



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www.aitkenlaw.com

*For further information on ATV, bicycle and motorcycle accidents,
please visit our website at **www.aitkenbikelaw.com**.*

*For further information on brain and spinal cord injuries,
please visit our website at **www.aitkenbrainspinallaw.com**.*

*For further information on truck and bus accidents,
please visit our website at **www.aitkentrucklaw.com**.*

*For further information on birth injuries, please visit our website
at **www.birthinjuryattorneycalifornia.com**.*

*Para informacion en espanol, **www.espanol.aitkenlaw.com**.*

Read the blogs written by the attorneys at **www.aitkenlawblog.com**.

