Aitken ★ Aitken ★ Cohn

THE VERDICT

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Profiled Cases:

THE VERDICT IS IN!

Welcome to The Verdict!

Aitken★Aitken★Cohn is a nationally recognized boutique law firm dedicated exclusively to representing Plaintiffs – whether it be the most seriously injured individual or the business entity victimized by unfair and fraudulent business practices.

Established in 1976, the firm has made a major impact on the lives of their clients and the legal profession by producing multiple seven and eight figure victories against large insurance companies, multi-national corporations and media giants, while maintaining a high standard of ethical conduct.

By committing to work on a limited number of selected cases, the firm is able to assure each client that their matter will receive personal and aggressive dedication and attention by our attorneys.

Left to Right: Michael A. Penn, Richard A. Cohn, Darren O. Aitken, Casey R. Johnson, Christopher R. Aitken, Wylie A. Aitken

The Verdict features overviews of several of Aitken★Aitken★Cohn's noteworthy cases. Each of the featured matters includes a brief overview of the case, as well as the ultimate result obtained for our clients. We have also allocated a portion of this issue to share just a few of the pro bono projects with which our attorneys have been involved.★

SELECTED CASES AND RESULTS

Amusement Park – **Confidential**
Premises Liability – **$10,125,000**
Automobile – **$5,000,000**
Wrongful Death – **$4,127,000**
Product Liability – **$4,100,000**
Governmental Liability – **$3,850,000**
Insurance Bad Faith/Automobile v. Bicycle – **$3,500,000**
Wrongful Death – **$3,100,000**
Medical Malpractice – **$2,415,000**
Automobile v. Pedestrian – **$2,100,000**

AMUSEMENT PARK/PRODUCT LIABILITY

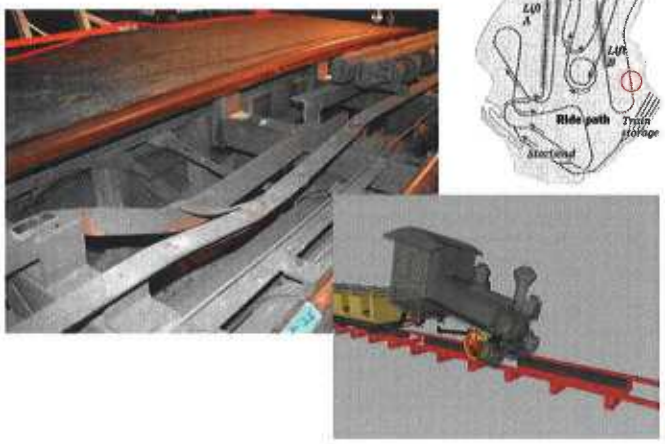
DEATH OF 22 YEAR OLD ON BIG THUNDER MOUNTAIN ROLLER COASTER AT DISNEYLAND

This 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 and business partner were seated in the front passenger car just behind the locomotive section. The train had been experiencing numerous mechanical problems for weeks prior to the fatal incident.

As the locomotive entered the last turn before the tunnel, the train started to severely deteriorate. The derailed wheels slammed into the brakes attached to the floor between the rails. This impact forced the rear of the locomotive up and its nose down. When the front of the locomotive struck brake four, the back shot upwards toward the ceiling of the tunnel causing the locomotive to violently break away from the other cars as it pitched up, slammed into the tunnel roof, and crashed down on top of the first passenger car.

The derailment was in part the result of a mechanical failure, which occurred as a result of, among other things, omissions during a maintenance procedure of at least two required actions, the left side upstop/guide wheel on the floating axle of the locomotive was not tightened in accordance with specifications; and a safety wire was not installed pursuant to the necessary maintenance required by Disney's internal safety tagging system.

Area of Locomotive Pitch to Roof



RESULT : Disney settled the matter for a confidential amount prior to trial.★

PREMISES LIABILITY

TENANT FALLS THROUGH SKYLIGHT ON ROOF OF APARTMENT BUILDING – $10,125,000

Plaintiff, a 24-year-old production assistant for the television show "Will & Grace," went with his roommate to the roof of their Santa Monica apartment building to sunbathe.

On the roof, near the entrance door, leading from the stairwell from the second floor, was a roof opening covered by a sheet of corrugated fiberglass composite that was four feet wide and 11 feet long. Plaintiff stepped on the edge of the corrugated fiberglass, fell three stories (about 30 feet) through the roof opening and suffered traumatic injuries.

Aitken★Aitken★Cohn, contended that the apartment owners were negligent in that they failed to warn of a known concealed danger on the roof. Aitken★Aitken★Cohn further contended that the roof opening was not open and obvious but rather was flush to the roof and thus presented a hidden trap.

Aitken★Aitken★Cohn established through deposition that the owners considered the roof opening and the roof in general, a dangerous condition. Aitken★Aitken★Cohn further established through deposition that the property managers and owners knew of tenants using the roof of the building for sunbathing and watching fireworks, but provided no warning of the dangerous condition of the roof to the tenants.

Continued on page 3.

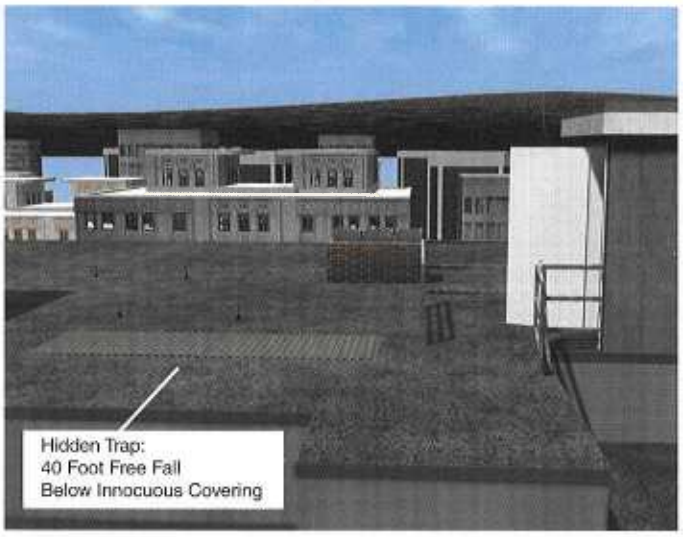
Continued from Page 2.

Through expert testimony Aitken*Aitken*Cohn established that the roof opening was below the standard of care of the construction industry, that such a roof opening required a guard rail and that such roof covering needed to be able to support 200 lbs.

The defense argued that Plaintiff was responsible for his injuries as the apartment property managers verbally warned tenants not to go on the roof. The defendants further argued that the roof opening was open and obvious and that Plaintiff was negligent for stepping on corrugated fiberglass. The builder argued that they could not be liable for a latent defect which was installed more than 35 years prior to the incident.

RESULT: The parties settled for $10,125,000. The building owners contributed $10 million ($7 million in excess of the insurance limits), the builders contributed $125,000.

Aitken*Aitken*Cohn argued that Plaintiff's damages could reach almost $20 million if the case went to trial. In the first mediation, the building owners offered the policy limits of $3,000,000 (after failing to do so during informal negotiations prior to Plaintiff's guardians retaining counsel).



Aitken*Aitken*Cohn argued that the insurance policy should have been tendered prior to Plaintiff retaining counsel. Instead, the building owner offered only $1.5 million initially, citing comparative negligence issues. The defendant owner's insurer (Sequoia Insurance) ultimately paid $7 million in excess of the policy limits to settle the matter.★

AUTO/WRONGFUL DEATH

DEATH OF PHYSICIAN – $19,422,080

The action sprang from an automobile collision in which Plaintiffs' decedent, a physician, was killed. The action was brought on behalf of the doctor's surviving spouse and three children, whose ages were 23, 21 and 14 at the time of the doctor's death. The cause of the collision was an unsafe passing maneuver by the defendant driver on a two lane highway which led to a head-on collision in the doctor's lane of travel. The defendant driver ultimately pled no contest to a criminal charge of vehicular manslaughter as a result of this collision and the doctor's death.

The primary liability issue contested during the litigation was whether the defendant driver was acting within the course and scope of her employment at the time the collision occurred. The defendant driver was an "outside sales agent" with her employer, and was required to have and to use an automobile for purposes of making sales calls.

Aitken*Aitken*Cohn, argued that due to the nature of her employment duties, the defendant driver remained within the course and scope of employment even during her evening commute home.

The defendant driver's employer contended that she was outside the course and scope of employment, either because she was heading home or was on a personal errand at the time.

Both Plaintiffs and the defendant driver's employer filed motions for summary judgment on the issue of the defendant driver's employment. This matter was settled one week prior to the date scheduled for the motions to be heard.

RESULT:
The defendant driver's employer settled the matter for $14,000,0000. The defendant driver's personal insurer had previously tendered its policy limits. The total value of the settlement, including cash and structured payments totals $19,422,080.★

GOVERNMENTAL LIABILITY

TEN FOOT TALL HEDGES BLOCK DRIVER'S LINE OF SIGHT CREATING DANGEROUS CONDITION ON PUBLIC PROPERTY – $3,850,000

The 13-year-old Plaintiff was riding his bicycle westbound across Valley View, in Buena Park, within a crosswalk, and in accord with a green pedestrian signal in his direction. Adjacent to this stretch of Valley View is a service road that runs parallel to Valley View in a north-south direction. On the day of this incident, the hedges that ran between Valley View and the service road were approximately ten (10) feet in height. These hedges cut off the line of sight between pedestrians using the crosswalk and cars traveling on the service road. As Plaintiff proceeded across Valley View onto the service road, a vehicle was proceeding northbound on the service street. This vehicle and Plaintiff collided when Plaintiff entered onto the service road.

Plaintiff settled with the driver of the vehicle for the defendant driver's $100,000 policy limits prior to litigation. The action against Buena Park was premised upon Plaintiff's contention that the blocked line of sight created by the tall hedges constituted a dangerous condition of public property. The City contended that there was no dangerous condition, as proven by the lack of similar accidents in years preceding this incident. The City further contended that the intersection did not present a danger to a person acting reasonably since oncoming traffic could be observed if one stops at the curb edge before proceeding into the street. The City contended that the sole cause of the incident was the Plaintiff's failure to look for oncoming traffic prior to entering the roadway from the sidewalk. Ultimately, the City brought a motion for summary judgment contending that the intersection did not present a dangerous condition of public property as a matter of law. Aitken★Aitken★Cohn successfully opposed that motion and the matter settled shortly thereafter.

Aitken★Aitken★Cohn negotiated a $3,750,000 settlement with the City.

The expected lifetime payout of the settlement is $17,988,772

Plaintiff sustained severe injuries which included multiple brain injuries including diffuse axonal injury (DAI), cerebellar hemorrhage, and intracerebral shearing of the brain; a left clavicle fracture; right pulmonary laceration; a splenic hematoma; liver laceration and free fluid in the pelvis; broken collar bone and broken ribs. He now suffers from slowed speech, inhibited motions, and impaired walking ability. He also has some cognitive difficulties.

The City contended that Plaintiff was a special education student prior to the incident, and his tested abilities did not decline measurably following this incident. The City contended that Plaintiff's earning capacity was not markedly reduced, and that Plaintiff would not require significant future medical care.

RESULT: Plaintiff claimed past medical expenses of $440,000 lost future earnings of $ 1,600,000 and substantial future costs for assisted living services. Defendant disputed all except for the past incurred expenses. Aitken★Aitken★Cohn negotiated a $3,750,000 settlement with the City. The expected lifetime payout of the settlement is $17,988,771.90.★

INSURANCE BAD FAITH/AUTOMOBILE VS. BICYCLIST

INSURER'S FAILURE TO SETTLE FOR $50,000 POLICY LIMITS LEADS TO SETTLEMENT OVER $3,000,000 IN EXCESS OF POLICY LIMITS – $3,500,000

Plaintiff was riding his bicycle northbound on Seapoint at Doral in Huntington Beach, California, when defendant's vehicle entered the bike lane and struck Plaintiff from behind at a high rate of speed. Plaintiff sustained severe injuries, and endured a lengthy hospitalization and recovery period.

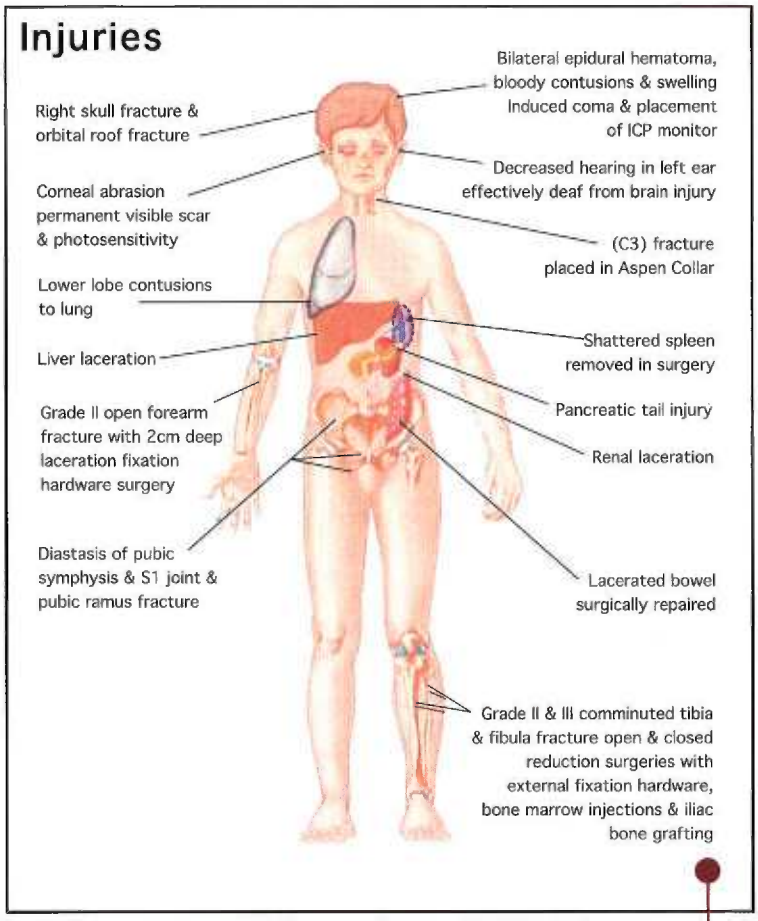
Plaintiff received severe injuries to his skull, pelvis, leg and arm. He received a lacerated spleen, injury to his colon, lung, pancreas, and was rendered in a coma state at the time of the incident. He has suffered hearing loss as well as photosensitivity. As a result of his brain injury he now has severe mood swings and other behavioral issues that are being treated by medication.

Prior to filing suit, Aitken★Aitken★Cohn demanded information regarding policy limits. Shortly prior to filing, the defendant driver's insurer, Farmers, revealed that the applicable limits were $50,000. Aitken★Aitken★Cohn then filed suit and demanded the policy limits. After Farmers failed to accept the policy limits demand during the time given for acceptance, Aitken★Aitken★Cohn counsel refused all later tenders of the policy limits, and demanded the full value of Plaintiff's injuries. Aitken★Aitken★Cohn indicated its intent to obtain a judgment in excess of the policy limits at trial, and then proceed against Farmers on a bad faith action by way of assignment from the Defendants.

The defense disputed the degree of loss of future earnings suffered by the plaintiff. The defense claimed that Plaintiff's high level of academic achievement and testing post-incident indicated that future lost earnings would be minimal at most.

The defense further tried to limit their liability by contending that any settlement value should be reduced to reflect the added expense and risk of initiating a second bad faith suit following the initial trial of the action by Plaintiff's counsel.

RESULT: Aitken★Aitken★Cohn settled for $3,500,000 during a second mediation session, in which Farmers ultimately agreed to pay seventy (70) times more than the policy limits insuring the defendant driver.★



Plaintiff received severe injuries to his skull, pelvis, leg and arm. He received a lacerated spleen, injury to his colon, lung, pancreas, and was rendered in a comatose state at the time of the incident. He has suffered hearing loss as well as photosensitivity. As a result of his brain injury he now has severe mood swings and other behavioral issues that are being treated by medication.

AUTOMOBILE/WRONGFUL DEATH

DEATH OF 53-YEAR-OLD OPTOMETRIST HIT BY DRIVER UNDER THE INFLUENCE IN OVERLOADED TRUCK WITH IMPROPER BRAKES – $4,127,000

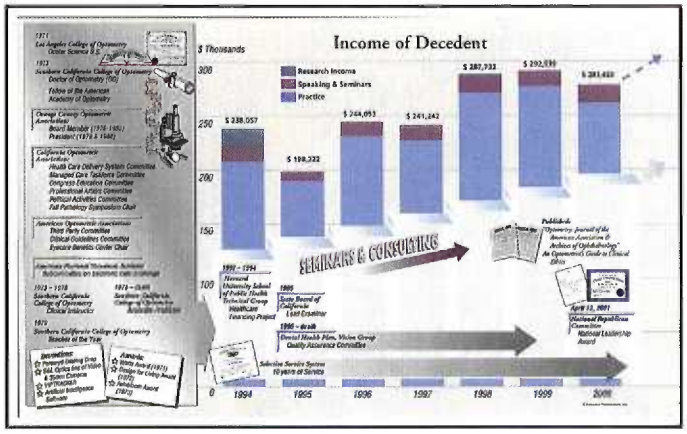
A truck driver, under the influence of amphetamines and methamphetamine, was driving an overloaded dump truck with an attached trailer down the 12% steep grade on southbound Imperial Highway in violation of the local ordinances. The truck had defective brakes. The truck driver ran a red light and struck the Chevrolet Blazer driven by the Plaintiff's husband. As a result of the collision, Plaintiff's husband died at the scene of the incident.

The action named as Defendants the employers of the defendant truck driver, the owners of the subject truck and trailer, along with the truck driver. The suit also named the company who overloaded the tractor trailer, the City of Anaheim and the County of Orange who negligently designed Imperial Highway.

Extensive discovery conducted on behalf of the family by Aitken★Aitken★Cohn demonstrated that the subject tractor trailer had only 15% braking power at the time of the incident while traveling down the 12% grade of Imperial Highway at Nohl Ranch Rd. Examination of the employer and truck owner's records showed that brake issues involving the trailer had been reported three weeks prior to the incident which were left uncorrected. Expert testimony illustrated that the trailer had virtually no braking power at the time of the incident. Discovery showed that the owners of the truck and trailer had been cited 24 times between April and December 2000, including five times for bad brakes and several for overloading their tractor trailers.

Testimony given in the deposition disclosed that the truck driver had tested positive for drug use of methamphetamine at this company on two occasions prior to the fatal day of March 8, 2001.

In the civil litigation, Plaintiffs took the deposition of the general manager of the company who owned the truck and trailer and employed the truck driver. Testimony given in that deposition disclosed that the truck driver had tested positive for drug use of methamphetamine at this company on two occasions prior to the date of the fatal incident. Despite such tests, the employer placed the driver behind the wheel of a commercial vehicle in January 2000. Expert testimony established that the company did not follow the specific protocol set forth by the Department of Transportation to place a drug offender in a safety sensitive function such as driving a 50,000 pound tractor trailer. Aitken★Aitken★Cohn argued that such conduct would expose the employer to



punitive damages at the time of the trial. Plaintiff, on behalf of the Estate of her deceased husband, argued that the danger to the public from deadly crashes caused by large trucks can never be curtailed unless responsibility is equally borne by the trucking companies themselves who are in the best position to protect the motoring public.

Aitken★Aitken★Cohn obtained a $4,127,000 settlement on behalf of their clients largely paid by the employer/truck owner.★

MEDICAL MALPRACTICE/DEATH

IMPROPER INTUBATION DURING ELECTIVE SURGERY LEADS TO UNTIMELY DEATH OF 52-YEAR-OLD EXECUTIVE – $2,415,476

Decedent was admitted into St. Jude Hospital in Fullerton for elective sinus surgery. Due to intubation complications and doctor negligence the patient died on the table. Decedent's family brought suit for wrongful death due to the negligence of the doctor and the hospital.

Decedent, age 52, and Vice President of an airplane part repair company, was admitted to St. Jude Hospital in Fullerton for elective sinus surgery. Defendant anesthesiologist, initially had some difficulty intubating Plaintiff, and after several failed attempts he was successful in placing a tube. The patient had been administered a long lasting paralytic so he could not breathe on his own. As is standard protocol, after intubating the patient, the anesthesiologist went to inflate the cuff (to create an airtight seal in the treachea) — which was leaking. Due to this leak the endotracheal tube needed to be changed before surgery could occur, but the patient was not at risk at this time because he had a patent airway.

At that time the anesthesiologist chose to simply remove the size 6.5 tube believing he could replace it with another tube. However, the anesthesiologist was unable to place a new tube due to inflammation and swelling caused by the initial difficult intubation effort. Suddenly, the patient was without an airway, because the anesthesiologist failed to use a "tube exchanger" device which would have allowed the tube to be changed with no risk to the patient. The ENT surgeon then attempted to intubate the patient, but was also unable to do it. The nursing staff sought help from any other anesthesiologist available (but failed to call a Code Blue — which would have yielded an emergency team sooner to save Decedent's life.)

As precious time passed, and with Decedent receiving no oxygen, the ENT surgeon then attempted to do a tracheostomy to establish an airway. Unfortunately, the ENT surgeon failed to establish the tracheostomy airway. A staff anesthesiologist at St. Jude, was able to finally leave the patient he was attending to in a nearby operating room to come help. He immediately inserted an LMA ("Laryngeal Mask Airway") in Decedent's airway and was immediately able to ventilate the patient. Unfortunately, it was too late. Decedent's monitor readings showed he was already unsalvageable — although efforts did continue to save him. Had the LMA been used earlier, Decedent's life would not have been lost.

It is noted also that the anesthesiologist was not board certified and was known by other staff anesthesiologists at St. Jude Hospital to lack knowledge and training in difficult airways. As such, Plaintiff's alleged hospital liability under the *Elam* case, for allowing a physician to practice on staff who was known to be substandard in his skill and learning.

Aitken★Aitken★Cohn contended that the Defendant anesthesiologist failed to use proper procedure and equipment to attempt to re-intubate Decedent without a tube exchanger. Plaintiffs also contend that, had the LMA been used earlier, Decedent's life would not have been lost.

It is noted also that the anesthesiologist was not board certified and was known by other staff anesthesiologists at St. Jude Hospital to lack knowledge and training in difficult airways.

Plaintiffs further contend the ENT surgeon should have performed a successful tracheostomy which would have saved Decedent's life, and failed to do so when he "froze" under pressure. Plaintiffs also contended that the hospital negligently allowed the Defendant anesthesiologist to remain on staff without proctoring or additional training despite hospital staff knowledge that the anesthesiologist had substandard difficult airway training and skills.

The $2,415,476 settlement was paid by Defendants.★

AUTOMOBILE V. PEDESTRIAN/WRONGFUL DEATH

FATAL CROSSWALK MISHAP INVOLVING 72-YEAR-OLD HUSBAND AND FATHER – $3,100,000

A husband and wife left their home on the morning of the incident for their daily walk. As they crossed the street one block from their home, a commercial vehicle proceeded into the crosswalk while making a right turn and struck the Decedent. The Decedent fell backward, striking his head against the street. As a result, the Decedent sustained severe head injuries. The Decedent was transported to a local hospital where he died a week later.

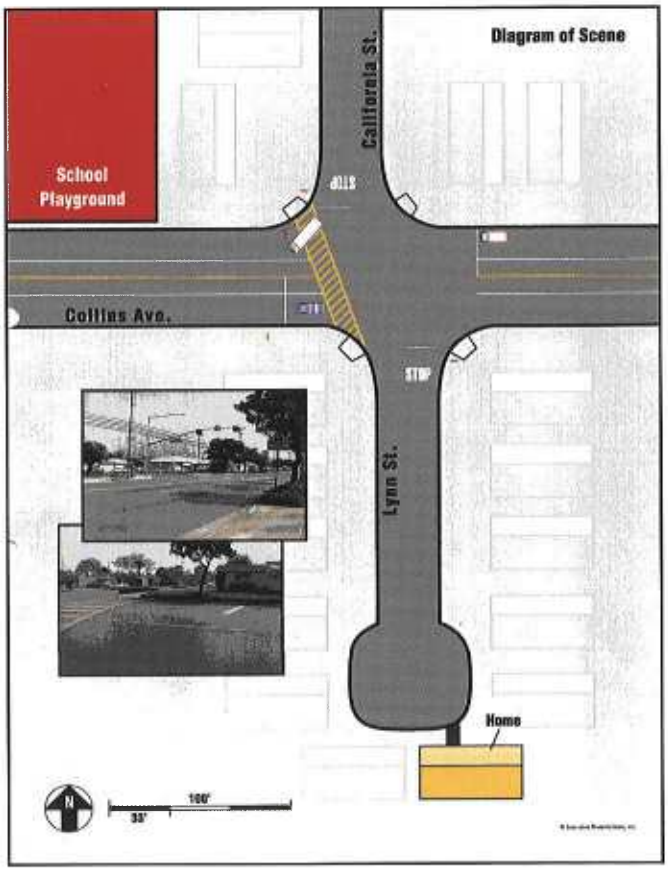
The Plaintiffs in the action were the Decedent's wife of 47 years, and his three adult children. Decedent's wife had an independent claim for negligent infliction of emotional distress as she witnessed the incident. The Plaintiffs contended that the Defendant is solely responsible for the death of the Decedent. Eyewitness accounts in addition to witness statements contained in the investigative police report confirmed that the Decedent was lawfully within the crosswalk when he was struck.

The surviving spouse suffered a devastating emotional loss as a result of witnessing her husband being fatally struck by the commercial vehicle and has experienced repeated flashbacks of the incident.

In regards to establishing damages, through expert medical analysis, Plaintiffs indicated that the Decedent was healthy, and had a long life expectancy despite his advanced years. Plaintiffs' expert concluded the Decedent's probable life span would have been equal to that of his parents – between 85 and 91 years of age – therefore, at the time of his demise, Plaintiffs argued that the Decedent would have lived another 13 to 19 years.

Plaintiffs also argued that there was a substantial loss of income as a result of pension and other benefits that expired upon death. Plaintiffs' economist estimated that these benefits, plus the lost value of household services, had a present cash value of approximately $407,154.50. Additionally, the surviving spouse suffered a devastating emotional loss as a result of witnessing her husband being fatally struck by the commercial vehicle and has experienced repeated flashbacks of the incident.

The Defendants admitted negligence and the matter ultimately settled for $3,100,000. At the time, this was believed to be the largest settlement in California history for the death of a man over 70 years old. ★



AUTOMOBILE VS. PEDESTRIAN

81-YEAR-OLD WOMAN STRUCK IN CROSSWALK – $2,100,000

An elderly lady was hit by a car trying to make a right turn when she stepped off of curb to cross the street. Plaintiff argued the driver was liable since she failed yield to the pedestrian. Plaintiff also argued the owner of the car was liable for negligently entrusting the driver with his car.

Plaintiff, 81 year old woman, was walking from her apartment to meet friends for coffee at South Coast Plaza in Orange County, California. As she stepped off the northwest corner at the intersection of Bear and South Coast Drive, the defendant driver was making a right turn. The defendant driver failed to notice Plaintiff stepping off of the curb and proceeded to make a right turn, striking Plaintiff and causing her to fall and hit her head.

Plaintiff complained of pain to her wrist and head, and was taken to Coastal Community Hospital where she was examined and released. The next day, she experienced seizure-like symptoms and was taken to the Emergency Room at Western Medical Center, where it was discovered that she had an acute subdural hematoma. Plaintiff was operated on to evacuate an intracranial hematoma. Subsequently she was admitted to Tustin Rehabilitation Hospital for rehabilitation. As a result of the accident, Plaintiff suffered permanent traumatic brain injuries and experiences problems with impaired cognition, speech and endurance.

Plaintiff's attorneys, Aitken★Aitken★Cohn contended that the defendant driver violated California Vehicle Code Section 21950(a), for failing to yield the right-of-way to Plaintiff who was walking within a marked crosswalk, and that the defendant vehicle owner improperly entrusted the vehicle to the defendant driver.

RESULT: Defendants settled the matter for $2,100,000 before a lawsuit was filed.★

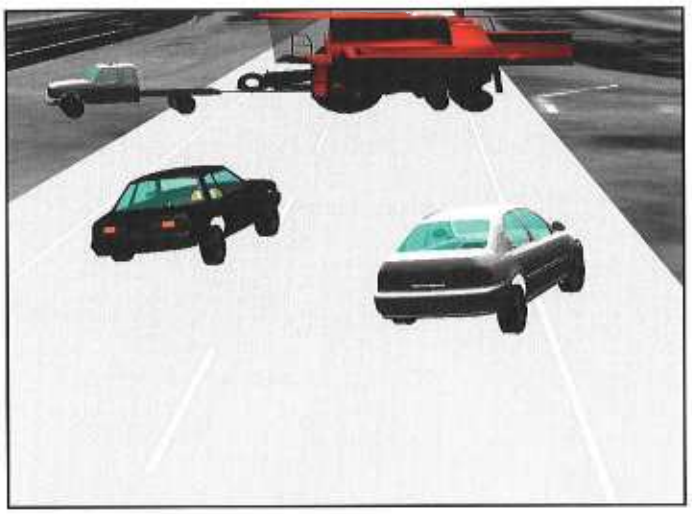
This settlement is believed to be the largest reported settlement in California history for an injury victim over the age of 80.

AUTOMOBILE/GOVERNMENTAL LIABILITY

31-YEAR-OLD ENGINEER SUSTAINS SEVERE INJURIES IN AUTOMOBILE COLLISION – $5,750,000

A truck driver attempted to make a left hand turn across the northbound lanes of US Highway 101 while towing a large piece of farming equipment with a flatbed truck. Plaintiff was driving his personal vehicle in the number one northbound lane and collided with the towed vehicle. Plaintiff's wife was a passenger in Plaintiff's vehicle at the time.

At the intersection of northbound Highway 101 and Spence Road (where this collision occurred), there are two northbound lanes and two southbound lanes, separated by a dirt median. The speed limit for traffic on Highway 101 is 65 miles per hour. There is a stop sign governing vehicles entering Highway 101 from Spence Road, and there are no signals or signs governing northbound Highway 101 traffic. The defendant truck driver was attempting to turn left onto southbound Highway 101 from Spence Road, and needed to cross the northbound lanes to do so. Immediately prior to the collision, Plaintiff was in the act of passing two vehicles traveling northbound in the number 2 lane.



"The parties settled for $5,750,000 prior to trial."

Each of these vehicles was able to stop and avoid striking the truck and towed equipment, but Plaintiff was not. Plaintiff attempted to swing around the towed equipment to the right, but was unable to do so and struck the rear of the equipment at a high rate of speed.

Aitken★Aitken★Cohn contended that Defendants made an unsafe turning maneuver across Plaintiffs' right of way, thereby precipitating this collision. In support, Plaintiffs cited the testimony of an eyewitness who was also traveling northbound and who stated that she needed to make an unplanned right onto Spence Road in order to avoid hitting the truck.

Defendants contended that Plaintiff was traveling at an unsafe speed based on witness estimates that he was traveling at between 70-80 miles per hour as he approached the intersection. Both the defendant truck driver and the driver of an accompanying pilot vehicle testified that they felt it was safe to cross the northbound lanes when the truck began its turning maneuver, but Plaintiff negligently failed to appreciate the 75 foot long, 14 foot high vehicle in front of him. Defendants further pointed out that both vehicles traveling in the number two lane alongside Plaintiff were able to stop their vehicles safely.

Plaintiff sustained several severe physical injuries in this incident, including: a traumatic brain injury; subarachnoidal hemorrage; basal skull fracture; right facial nerve injury; left third nerve palsy with ptosis (drooping of upper eyelid); abdominal trauma with gastric and liver laceration; gastrointestinal bleeding; severe cognitive deficit; and ataxia (failure of muscle coordination).

Plaintiff's wife suffered lacerations to her hands and arms that required treatment at a hospital. Prior to this incident, Plaintiff and his wife were happily married, and Plaintiff fully supported and intended to provide for his wife's educational and professional goals. As a result of his head injury, Plaintiff lost several years of memory prior to the incident, and cannot recall his wife or the fact that he was married to her. Therefore, Plaintiff and his wife divorced following this incident.

The parties settled for $5,750,000 prior to trial, with $5,000,000 coming from the defendant driver and his employer, and $750,000 from the State of California on the governmental liability claim for a defect design in the subject highway.★

PRO BONO SPOTLIGHT

9/11-TRIAL LAWYERS CARE

Aitken*Aitken*Cohn has always taken great pride in giving back to the community, and the call for help has never rung louder than following the terrorist attacks of 9/11. Aitken*Aitken*Cohn immediately joined the efforts of Trial Lawyers Care, which was created by the Association of Trial Lawyers of America to provide free legal representation to families affected by this tragedy less than one month following the disaster. Trial Lawyers Care ultimately became the largest pro bono legal representation project in America's history, with over 1,000 attorneys providing an estimated $225,000,000 in free legal services (more than 100 years of combined working time) to 1,745 affected families.

As is often said in representing injured individuals and families who have lost a loved one, consumer attorneys meet the nicest people in the worst of circumstances, and this held particularly true in assisting victims of 9/11. Aitken*Aitken*Cohn attorneys Wylie A. Aitken, Darren O. Aitken and Casey R. Johnson were honored at the opportunity to represent two families each affected by 9/11.

In its first effort, Aitken*Aitken*Cohn represented the father and surviving siblings of a single man killed in the Pentagon on 9/11. This representation included guiding the man's family through the obstacle course created by the federal government's September 11th Victim Compensation Fund, including the completing and filing of all the necessary documentation and endless forms required to properly make a claim for funds. Aitken*Aitken*Cohn successfully completed the process and ultimately obtained recovery for the grief stricken family members.

When the call came with a second victim in need, Aitken*Aitken*Cohn sprung to action. This time Aitken*Aitken*Cohn assumed representation of a woman who lost her husband in the twin towers. Again, Aitken*Aitken*Cohn successfully led the surviving wife through all the necessary hoops and secured recovery for her from the Victims Compensation Fund.

While every American was undoubtedly affected by the events of 9/11, those families who lost mothers, fathers, sons or daughters were particularly impacted. Aitken*Aitken*Cohn is proud to have answered the call and assist two families through a personal and a national tragedy.★

CATHOLIC WORKER HOUSE

Along with attorneys from several prominent Orange County firms, lawyers from Aitken*Aitken*Cohn assisted the Catholic Worker House in Santa Ana defend itself from a zoning enforcement action brought by the City of Santa Ana. The Catholic Worker House is an independent entity assisting to serve the needs of Santa Ana's poorest residents. Noting that the zoning ordinance invoked by the City was targeted solely at religious organizations (dubbed "missions" under the statute), the defense team successfully argued that the ordinance was unconstitutional and discriminatory. As a result of these efforts, the zoning enforcement action was dropped, and the City repealed the unconstitutional ordinance. The defense team, including attorneys from Aitken*Aitken*Cohn also negotiated a several year "standstill" agreement between the City and Catholic Worker House where certain activity restrictions and improvements to the House were exchanged for an agreement by the City to allow the House to continue its work.★

OTHER RECENT RESULTS

Wrongful Death – **$3,025,888**
Construction Accident – **$3,000,000**
Medical Malpractice – **$940,317** *(policy limits)*
Medical Malpractice – **$910,000**
Auto v. Motorcycle – **$625,000**
Auto v. Auto – **$500,000**
Single Auto – **$250,000** *settlement (policy limits)*
Auto v. Auto – **$100,000** *settlement (policy limits)*