UNRELENTING

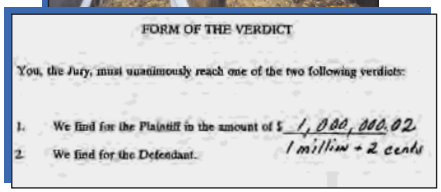
un • re • lent • ing
/ ún'rílén'tíng /
adj. never tiring; persistent

Jury awards $1 million

Last week a Common Pleas jury awarded $1 million to a man injured in a ... truck accident caused by a Norfolk Southern Railroad employee.

Benjamin Davis was seriously hurt when a truck driven by a fellow employee ran off the road and crashed into a tree. After deliberating for an hour and a half, the jury found the railroad was liable for the accident.

-The State-S.C. 9/11/98



FORM OF THE VERDICT

You, the Jury, must unanimously reach one of the two following verdicts:

1. We find for the Plaintiff in the amount of $ 1,000,000.02 / million + 2 cents
2. We find for the Defendant.

OUT-PREPARING THE OPPONENT

We are convinced that preparing the case is the paramount factor in handling significant cases for injured people, from pouring over every medical record to careful preparation with medical and liability experts. The court and jury usually know which lawyer is best prepared and which has a handle on every fact. Striving to be more prepared that the defense attorney gives us confidence–the winning edge.

Shapiro, Cooper, Lewis & Appleton P.C., has extensive experience in major injury litigation, particularly across state lines, as our lawyers are licensed in numerous states and practice through the eastern United States. Our practice focuses on car,truck or train accidents as well as medical mistakes, occupational diseases, brain injuries, and wrongful death claims.

We locate and retain experts from around the country and are proficient at organizing trial preparation at any location.

We welcome co-counsel relationships and often work in association with other law firms on major injury litigation. Please review this brochure to learn more about our law firm, visit our law firm web sites, or call us if you have any questions.

HSInjuryLaw.com • VirginiaTruckingAccidents.com • NorfolkInjuryboard.com
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TRAILBLAZER

trail • bla • zer/ tráylblayzər /
n. 1. person who marks a new track through wild country
2. pioneer

$46 million awarded in Norfolk Southern crash

VERDICT IS LARGEST IN VIRGINIA'S HISTORY IN A PERSONAL INJURY CASE

A Northern Virginia jury slammed Hampton Road's biggest company Thursday with the largest verdict ever in a Virginia personal injury case: $46 million against Norfolk Southern Corp. for a 1997 derailment.

With interest, the verdict could come to $60 million – triple the previous record for a personal injury case in Virginia.

The verdict stems from a crash in which a Norfolk Southern train barreled off the tracks and into a gas station in Gainesville, Va., near Manassas, smashing through an office where the manager was working.

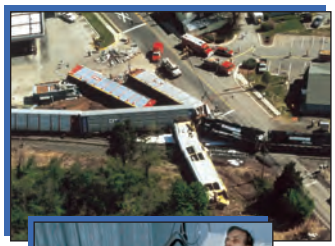
The manager – Donald J. French,... now 33, of Williamsburg – survived but suffered severe injuries, including brain damage.

"It is truly justice for Mr. French. He's a man who is going to need support care for the rest of his life. He will need someone 16 hours a day, someone to act as a second brain for him...

-The Virginian Pilot 10/14/00

NEVER UNDERESTIMATE LAY WITNESSES

Our array of experts was impressive, and we felt that the medical evidence more than adequately demonstrated Don French's traumatic brain injury. However, once we began to talk to the eye-witnesses and former co-workers, we became convinced that their highly personal stories about Don's radical personality change and memory loss after the wreck were the most irrefutable evidence. We called each and every one to tell their stories during the three-week trial. Don French cried uncontrollably when the jury read its verdict, a verdict which validated all our hard work and careful preparation.



***Case subsequently settled for confidential sum.**

WARNING: No lawyer can or should guarantee results to a potential client. Every case presents different legal challenges. This brochure is LEGAL ADVERTISING presented to show legal strategies that were adopted in the particular cases involved.

MAVERICK

mav•er•ick
/ mávərik / mávrik /
n. unorthodox or independent-minded person

Railroad worker dies of injuries

A Cincinnati railroad worker has died after being struck by a train Wednesday afternoon.

Steven Carper, 36, a Norfolk Southern Corp. railroad worker, died on Friday at University Hospital, according to a nursing supervisor. Mr. Carper was struck by a rail car while trying to link it with another.

According to Cincinnati firefighters, Mr. Carper was working in the Queensgate rail yards about 5:30 p.m. Wednesday when he was struck.

-The Cincinnati Enquirer 5/23/99

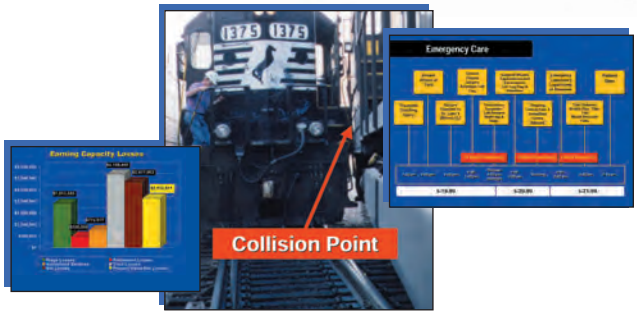
Norfolk Southern pays $2 million to settle lawsuit

Norfolk Southern Railroad agreed to pay $2 million to settle a wrongful-death lawsuit in Cincinnati, Ohio, just one week after a Virginia jury ordered the Norfolk-based railroad to pay a record $60 million in a personal injury lawsuit.

Shapiro, Cooper, Lewis, & Appleton a Virginia Beach firm, represented the family of Steven Carper, a 36-year-old CNO&TP brakeman/conductor in Cincinnati who was crushed in May 1999 when the locomotive in which he was riding on a side ladder sideswiped a stopped locomotive at a Norfolk Southern yard. Carper died two days later.

"Norfolk Southern and CNO&TP railroads initially denied all liability, saying that Carper caused his own death," Rick Shapiro said.

-Inside Business 11/13/00



FOCUSING ON THE VISUAL

Steven Carper was brutally crushed while working in a railyard - and died two days later without ever again being able to communicate. A 36-year-old former military police officer, he left behind a young wife and 2-year-old son. The railroad blamed Steven for causing the tragedy, so our goal was to "make Steven speak" by creating a series of multi-media images that communicated his lack of fault, the joy his son brought him, and his excruciatingly painful last 36 hours. We worked for weeks on a video settlement brochure and on dozens of custom-created charts and images. The railroad literally doubled its settlement offer the day before trial, resolving the case satisfactorily for Steven's family.

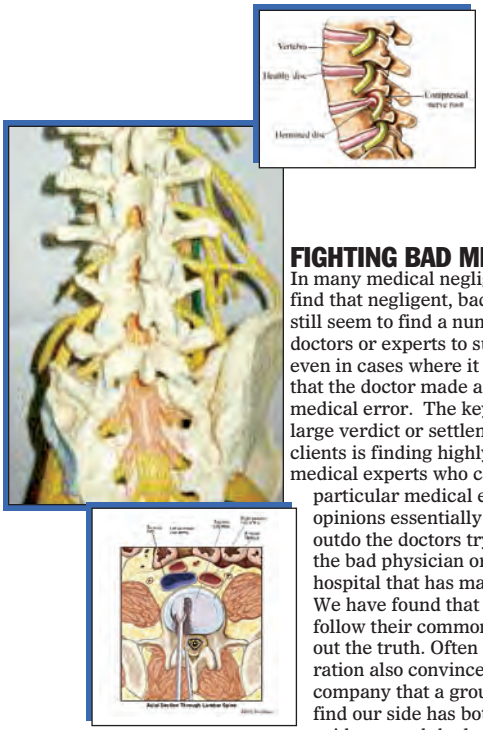
RESOLUTE

res•o•lute
/ rezˈəlo̅otˈ /
adj. characterized by firmness or determination; unwavering

Partial Leg Amputations Following Back Surgery Nets $1.225 Million Settlement

A 59-year-old grandmother first consulted her neurosurgeon complaining of low back and leg pain. He recommended surgery and performed it in April 2001. During the surgery, he mistakenly cut three of her abdominal blood vessels. He failed to realize his mistake at the time. When the injuries were later discovered, they were repaired by a vascular surgeon. The repairs failed, and she lost circulation to both of her legs. Accordingly, both of her legs were amputated above the knee. She endured a complicated medical recovery and was not able to return to her home until August 2002.

–Virginia Lawyers Weekly, 1/27/03



FIGHTING BAD MEDICINE

In many medical negligence cases, we find that negligent, bad doctors can still seem to find a number of medical doctors or experts to support them, even in cases where it seems obvious that the doctor made a significant medical error. The key to winning a large verdict or settlement for our clients is finding highly qualified medical experts who can explain the particular medical error and whose opinions essentially outweigh and outdo the doctors trying to prop up the bad physician or culpable hospital that has made mistakes. We have found that jurors often follow their common sense and sort out the truth. Often our trial preparation also convinces an insurance company that a group of jurors will find our side has both the medical evidence and the logic to prevail.

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