

## Litigation Department of the Year — Personal Injury

# You Can't Argue With Success

Mazie Slater Katz & Freeman, LLC, despite its size, keeps on winning big

**F**or a firm of just 10 lawyers, Mazie Slater Katz & Freeman, LLC's prominence among plaintiffs' trial lawyers in New Jersey is remarkable not only for the firm's cache of victories but also because it does not limit itself to personal injury cases.

The Roseland firm also has track record of successes in product-liability mass torts, in class actions against insurance companies, as well as in civil and constitutional rights cases and in diverse other kinds of litigation.

In 2012 alone, Mazie Slater was responsible for the recovery and/or saving of over \$200 million for clients. Also that year, it was involved in nine reported court decisions.

### Major Litigators:

• David Mazie, partner — concentrates in medical malpractice, car accidents, truck accidents, products liability, personal injury, pro-

fessional liability, complex commercial litigation, class actions, birth injury, brain damage, burn injuries, spinal cord injuries and wrongful death.

• Adam Slater, partner — specializes in complex civil litigation cases, including professional malpractice, personal injury, class actions, mass torts, wrongful death, products liability, construction accidents and commercial litigation. Slater has taken a leadership role in large complex litigations, including serving as a co-class counsel in a class action against Volkswagen and Audi, and as co-liaison counsel in

a consolidated proceeding involving hundreds of cases filed against Johnson & Johnson and its subsidiary Ethicon, Inc.

• Eric Katz, partner — advocates for New Jersey physicians, dentists and other health-care providers. He represents health-care providers and their patients in all types of managed-care disputes, including usual, customary and reasonable disagreements, prompt payment disputes, unlawful bundling and downcoding of claims, improper coverage denials, class actions and managed-care audits. Katz has been appointed lead class

### Mazie Slater Katz & Freeman, LLC by the Numbers

	Firm-wide	N.J. Office
<b>Department size</b>	<b>10</b>	<b>10</b>
<b>Department as percentage of firm (head-count)</b>	<b>100%</b>	<b>100%</b>
<b>Department as percentage of firm (revenue)</b>	<b>100%</b>	<b>100%</b>

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PHOTO BY CARMEN NATALE

Left to right, Mazie Slater's Karen Kelsen, Cheryl Calderon, Beth Baldinger, Matthew Mendelsohn, Adam Slater, Andrew Riso, David Mazie, David Freeman and Eric Katz

counsel in several managed-care class actions

- David Freeman, partner — concentrates his practice in commercial litigation, professional malpractice, products liability, personal injury and insurance insolvency.

- Beth Baldinger, partner — represents victims suffering catastrophic injuries and substantial losses. She has championed the rights of children injured in state foster care and daycare settings; survivors of sexual assaults and domestic violence; estates of those lost to homicides; citizens whose civil rights were violated by police misconduct; and those injured due

to inadequate security.

- Matthew Mendelsohn, partner — concentrates his practice in personal injury, products liability, medical malpractice, commercial litigation and class-action litigation.

### Cases of Note:

- *Fermin v. Toyota Material Handling U.S.A. Inc.*, U.S. District Court for the District of New Jersey — A federal magistrate judge last August 20 approved a \$33.9 million settlement over a forklift accident that left the operator a quadriplegic — reputed to be the largest product liability settlement in New Jersey history. David Mazie

and David Freeman argued that Toyota failed to address a known design defect that allegedly caused 17 similar accidents from 1984 to 2009, some of them fatal, and had failed to implement safety features or to provide warnings.

- *L.A. v. State of New Jersey, Division of Youth and Family Services*, Superior Court of New Jersey, Mercer County — The firm won a \$5 million settlement after a \$3.25 million jury verdict on behalf of a 14-year-old child who was physically and sexually abused at 2 years of age by her father while under custody and supervision of DYFS. Plaintiff prevailed

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under state law and violation of her federal constitutional rights under 42 U.S.C. §1983. The case was handled and tried by David Mazie and Beth Baldinger.

- *Aslam v. Richardson*, U.S. District Court for the District of New Jersey — The firm achieved a \$1.875 million settlement on behalf of the Estate of Chandrapith Vatsyayana, who was killed when his vehicle was struck from behind by a tractor-trailer on the New Jersey Turnpike. This case was primarily handled by David Mazie and Matthew Mendelsohn.

- *Mariano v. Wong*, Superior Court of New Jersey, Middlesex County — The firm secured a \$1.6 million settlement on behalf of an individual who underwent LASIK surgery, alleging that the defendants failed to conduct the necessary pre-operative testing which would have demonstrated that he was a poor candidate for LASIK and the surgery should not have been performed. As a result of the surgery, the plaintiff suffers from poor vision and corneal ectatic disease that may require corneal transplants. The case was primarily handled by Adam Slater.

- *Barber v. Brauntuch*, Superior Court of New Jersey, Bergen County — The firm won a \$1.5 million settlement on behalf of the estate of Rose Gioia, who died after being injected with a radiological dye during a CT scan. Plaintiffs alleged that

the doctors knew she was allergic to the dye, but prescribed it anyway. The case was primarily handled by David Mazie.

- *Majmundar v. J.P. Stevens*, Superior Court of New Jersey, Middlesex County — The firm secured a \$1.4 million settlement on behalf of a woman who was an invitee of J.P. Stevens High School in Edison when she attended a Halloween event at the school with her 6-year-old grandson. The event consisted of a haunted house which was erected on the stage of the high school auditorium. As Majmundar was attempting to exit the haunted house, she fell off the stage onto her face, causing severe and permanent injuries, including permanent blindness. The case was primarily handled by David Mazie and David Freeman.

- *Toribio v. DeLuca*, Superior Court of New Jersey, Essex County — The firm achieved a \$1.2 million settlement on behalf of an individual who was misdiagnosed with peripheral neuropathy when in actuality he suffered from a herniated disk that was impinging on his spinal cord. As a result of the misdiagnosis, Toribio was left partially paralyzed and incontinent. The case was primarily handled by David Mazie, Matthew Mendelsohn and Beth Baldinger.

- *Yanover v. Rouse*, Superior Court of New Jersey, Bergen County — The firm won a \$1.14

million settlement on behalf of an individual who was injured when his motorcycle was struck by a turning bus and he was dragged 50 feet. As a result of the accident, Yanover sustained orthopedic injuries to his shoulder and leg requiring multiple surgeries. The case was primarily handled by David Mazie and Matthew Mendelsohn.

- *Martirez v. Mansour*, Superior Court of New Jersey, Middlesex County — The firm won a \$1 million settlement on behalf of the estate of Edgar Martirez, who died due to complications while under the care of defendant Dr. Elie Mansour at Bayshore Community Hospital for treatment of a large pleural effusion. Dr. Mansour performed a thoracentesis and withdrew a large amount of bloody fluid. Due to Martirez losing a significant amount of blood, the procedure was aborted and further treatment and intervention was delayed despite repeated requests by family members that he be given blood. There were substantial delays in giving proper treatment that caused Martirez to deteriorate, become comatose and to ultimately die from the consequences of anoxic encephalopathy. This case was primarily handled by David Mazie. ■