



Mike Campbell

“Can you draw the pedal for me?”

That’s the only question I can remember from my deposition. I was around nine years old and I wasn’t frightened by the man asking me questions, or by the scary person wearing a mask at the end of the table (who I would later discover was a court reporter). I was frightened because I had no artistic ability whatsoever. I could, at that time, remember watching the pedal break and witnessing my dad have a catastrophic injury that would later take his life.

I could remember my dad working on the pedal in our garage in Kansas City. But, I couldn’t draw it and I was scared. But, then I heard, “*objection.*” Relief came over me. You see, I had a superhero with me, watching over me, protecting me from scary questions and scary people.

I recently had to fill out a questionnaire asking me to explain why I wanted to practice law. Here’s my response:



“Many years ago my family experienced a tragedy that put us right in the middle of the legal world. As a result, my superheroes growing up did not wear capes; they wore suits and carried briefcases. They argued in courtrooms and fought tooth and nail for my family. I’ll always be indebted to those attorneys and I think they know that. That’s the power we have as attorneys and we should always remember the lifelong impact we have on our clients.”

That’s the truth. That’s my truth, anyway.

When I was five years old my dad purchased a brand new bicycle from a bike shop in Kansas. Both my godfather and I agreed to ride back in my dad’s truck while my dad rode the bike behind us at a safe distance. I watched through the rear window as he wrecked. Memories are funny, though. I can no longer recall the wreck or much that happened shortly after. There’s a slideshow of memories though: Wrestling with my dad in a hospital bed one of the numerous times he was having surgeries, meeting with attorneys, my dad’s funeral. Good memories, sad memories.

My dad suffered a catastrophic injury when the pedal on his brand-new bicycle snapped off halfway through a cycle. He fell into the bike and suffered substantial internal injuries. He was later treated at a medical facility in Kansas, and his care was completely mismanaged. There are things that happened to him that I cannot write out of respect for his privacy and for what he went through. However, the result of the doctor’s actions led to undetected blood clotting, which traveled to an artery. He suffered a massive heart attack in our home and died in my mom’s arms.

My mom was left to raise four kids, alone. We had limited means at that time and my dad had been the primary provider for my family. When my dad died, we were broke...mentally, spiritually and financially.

Before my dad died, I can remember wearing clothes from the Salvation Army, shopping for food at the local Aldi (before Aldi was a thing), going to mass every Sunday morning and not having many concerns about our lot in life. We were a family and we loved each other, and had a roof over our head and food to eat. My dad and my mom cared for us. When my dad died, I’ll never know the stress my mom went through. I never want to know.

A close friend of the family talked to my mom about investigating my dad’s case. He was an attorney with a law firm in Kansas City who pleaded with his firm to investigate this case. The background to this is literally something you might read in a legal novel, but know this: This lawyer was relentless, was willing to give up

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everything to fight for the case, and nearly did. There is too much to the story to share here, but that is where I came to know that the passion which drives good and decent trial attorneys is not money. Money comes and goes. What drives good and decent trial attorneys is justice and a desire to help the helpless.

This attorney discovered a number of troubling things when he investigated our case. First, the bike manufacturer skimmed on buying the proper parts for the bicycle pedal-and-gear mechanism. Instead of finding the right part, the company ordered the employees at a manufacturing plant to literally jam and hammer the defective parts into the bike. Our lawyer went to the manufacturing plant and witnessed for himself how the defect occurred during the process, and how it was known to the company. The employees openly admitted that they knew the defective part would cause harm to someone and told management, who ignored them.

The bike company had been warned multiple times about the shaft snapping on the pedals, leading to bicycle returns at stores throughout the United States. The manufacturer never recalled the bikes. Either the company didn't believe someone could be catastrophically injured from this defect or it did, and simply did the cold math: A potential lawsuit versus a nationwide recall of bicycles. They decided to go with the risk of a lawsuit. Our attorney also discovered that the doctor who was treating my dad permanently damaged him, the result of which would eventually lead to my dad's death. The attorney was

convinced that both the manufacturer and the doctor were responsible for my dad's death. He talked with my mom at length about the steps the family should take to hold those parties responsible. My mom agreed and we eventually filed suit against both.

My mom is as mentally and physically tough as they come. Here's one story to prove that: After my family filed suit against the manufacturer of the defective bicycle, our case was forced into mediation. In our case, the judge who was mediating the case told my mom she should take a certain amount of money and run. Our attorneys told her to stand firm, that the sum she was offered was paltry in light of how much we had lost. My mom listened to our attorney's advice. The judge brought her into an open courtroom in front of all the attorneys and told her that she was a terrible mother for not accepting the settlement and then he actually appointed a guardian and conservator for her children (including me) because of how terrible he said her judgment was. Our attorneys protected her and she believed in them. The judge eventually relented and retracted his own order. My mom trusted her attorneys. She was right to... and she will tell you that. My mom is tough.

There are other stories I can tell you: Spending my early childhood in courtrooms, law offices, and learning about lawsuits while other kids played catch with their dad or did what normal kids do. I enjoyed it though. My attorneys were my superheroes. I liked being around them. I started to think that one day I could become one too.

When our case against the manufac-

turer was finally resolved several years later, we had received a small amount of justice. The manufacturer of the bicycle eventually settled with my family... and with several others. It turns out many people had been injured by these defective bikes and the company's calculated risks didn't pay off. There are horror stories I could share about this case and the dirty tricks played by the actors involved that are nearly unbelievable. Someday, maybe I'll share them.

John Grisham has done a pretty decent job describing cruel company decisions in many of his books. But know this: A company that makes its financial decisions by weighing a human life versus profits will go to any lengths to protect those profits. I've seen this first-hand in my own practice and in my own life. The cases against this specific corporation eventually drove it into bankruptcy, got its terrible bikes off the road and reformed certain manufacturing processes.

All of this was possible because of the trial lawyers who helped us. They believed in us, fought for us and did everything they could to make our family whole. I am friends with them to this day. The main attorney who took our case taught me how to shoot a gun for the first time, his wife taught me the alphabet when I was very young and he has stayed in touch throughout my entire life. He and his family are family to me.

I see a lot of negative talk about trial attorneys. For me, for my family, and for countless others, trial attorneys are the ones who stood up and demanded that the parties who caused harm are held responsible for their actions.

Growing up, my superheroes did not wear capes; they wore suits and carried briefcases

No amount of money could bring my dad back, but at least that bicycle manufacturer was unable to produce any more defective bikes. While the rest of the world moved on after my dad's death, attorneys working in the background fought to give his death meaning. They fought for a single mother of four who had no money to her name.

I am now a trial attorney. I am proud to call myself a trial attorney. But trial attorneys are under attack. We are told by politicians that trial attorneys are causing businesses to go under and insurance rates to go up. My experience is that businesses go under because they are bad businesses, and insurance rates go up because insurance companies like to make money.

The people who throw these accusations around don't know the attorneys who helped my mom and my family. They don't know me. They don't know my colleagues. They don't understand that most of the laws they pass don't affect trial attorneys; they affect the people trial attorneys represent. These politicians work to the benefit of a corporation or a company that has done some harm or wants to do something harmful, only cheaper and with no consequence.

Politicians should know this: There's no law they can pass to stop trial attorneys from trying cases and working hard for their clients. I can understand how a politician who is more accountable to large donors than to the citizens of his or her district might be told (or even believe) that a trial attorney would have a financial motive to file more lawsuits. Maybe that mistaken perspective is all they have known.

But, real trial lawyers like the attorneys who worked on my family's case and the colleagues I know in our profession are not in it for the money. We are deeply passionate about our clients and our work. No amount of restrictions or laws

will stop us from helping people who have been wronged. We are born with this passion... and politicians cannot legislate that passion away, no matter how hard they try.

I recently tried a civil case where the jury was out for 20 minutes before it returned a verdict against my client. It takes me longer than 20 minutes to flip through my Facebook feed! I was heartbroken for my client. I thought that the jury hated me. They hate what I stand for. I thought, for just a moment, that it would be so much easier to switch sides.

Then my client told me "thanks" for fighting for her; that we did our best; and that she glad we agreed not to settle. And my phone started to ring from fellow trial lawyers who told me to keep my chin up and told me that we all fight in the trenches to keep the other side honest.

I would much rather be on this side. We are told that there are always two sides to an issue, two sides to a debate. I don't say this arrogantly, but I say it because of my experience: I would much rather be on this side and lose, than on the other side and win. I believe that there are plenty of good people on the other side, but for me and for my fellow trial lawyers, we fight for what is right and what is good.

We don't fight to win popularity contests, for approval or for self-assurances. We fight for the inviolate principle that every person deserves his or her day in court. We have a proud responsibility to strap up our boots, face our fears and give that opportunity to our clients. What a great privilege that is. I am thankful for having a trial attorney in my corner to give my family that opportunity and daily I am grateful for the ability to give that same opportunity to my clients. I know you, my MATA family, feel that way too.

This is why we fight.

