

FEBRUARY 2019 | ISSUE 1

# IN BRIEF

An update from the Ohio Association for Justice



OHIO  
ASSOCIATION *for*  
JUSTICE  
TRIAL LAWYERS HELPING PEOPLE

## UPCOMING EVENTS

### Webinars

February 20, 2019  
*Handling Your Mass  
Torts Case In House*

March 13, 2019  
*Qualified Settlement  
Funds*

Board Meetings  
March 7, 2019  
April 4, 2019  
*Medallion Club  
Westerville, OH*

OAJ Membership Night  
March 12, 2019  
*Nationwide Arena  
Columbus, OH*

2019 Annual Convention  
May 1-3, 2019  
*Columbus, OH*

## PRESIDENT'S MESSAGE



Sean Harris, Esq.

OAJ's Annual Convention has always been a special time to look forward to each year. Getting together with friends from around the state while checking off CLE requirements has been a bright spot on our calendars for many years. But through the vision and initiative of OAJ's CEO, Jason Porter, our Annual Convention has become so much more than a mere CLE conference. Our Annual Convention has now grown into the true "can't miss" event of the year.

That's because attending OAJ's Annual Convention makes you a better lawyer, regardless of age or years in practice. You get unparalleled insight on practical issues that affect your clients and your practice. You get the opportunity to network with hundreds of lawyers from every corner of the state. And frankly, it's just a lot of fun – all in the spirit of comradery and common purpose the defense bar can never match or understand.

Simply put – if you're not at Convention, you're missing out. You're missing out on cutting-edge legal strategies and developments from the leading trial lawyers from both Ohio and around the country. You won't be there to meet and get to know attorneys from all over Ohio (and beyond) who handle different types of case than you do. And, won't get to talk with the top vendors who help your business and your clients.

The anticipation is already growing again for this year's Convention, including an all-new casino-themed dinner event Thursday night like you've never seen before. Everyone will be there. The energy is high and the excitement is palpable. We can't wait to see you on May 1-3, 2019 at the Hilton Easton in Columbus. Come LEARN from the experts, GENERATE new connections, and CELEBRATE with friends. You'll be glad you did.



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From left to right: Geoff Turoff, Irv Rosner, Stacy Callen, Patrick Perotti, Jodi Tomaszewski and Barbara Marlowe

## CLEVELAND MEMBER AWARDED 2018 PILLAR AWARD

OAJ member, Patrick J. Perotti, Esq., of Dworken & Bernstein, was awarded the 2018 Pillar Award for community service on December 6, 2018.

The award was presented by Medical Mutual and their co-founding partner, Smart Business. This award honors those who have built a culture where service is ingrained in their values and employees are empowered to support their communities. The individuals who receive this award are recognized for an organization they founded that set the standard for outstanding service within the community.

Mr. Perotti received this award because of the organization he and his firm founded, Ohio Lawyers Give Back. The organization came to be 14 years ago when Mr. Perotti advocated to have all unclaimed funds (cy-pres) from a class action case be donated to charity.

Over the past 14 years, the organization has raised \$37 million dollars. The funds have been distributed throughout Northeast Ohio to a variety of non-profits and charities, including Make-A-Wish Foundation, the Cleveland Foodbank, Big Brothers/Big Sisters, and Children's Hospital in Columbus and Akron.

Mr. Perotti & his firm hope the organization will encourage other lawyers to use cy-pres throughout Ohio and across the country. If cy-pres were used in every class action case filed in Ohio, more than \$60 million dollars would go to charities and non-profits in just one year.

You can learn more about the Ohio Lawyers Give Back initiative at [www.ohiolawyersgiveback.org](http://www.ohiolawyersgiveback.org).

If you or your firm have something you'd like to share with the OAJ community, please email Katie Johnstone ([KatieJ@OAJustice.org](mailto:KatieJ@OAJustice.org)). Please include a brief statement about the promotion, award, philanthropy, etc. *Please do not exceed 75 words in your statement.*

## ADVOCATING ON BEHALF OF SEX ABUSE VICTIMS

Konrad Kircher of Rittgers & Rittgers is known throughout the state for his work on behalf of child sex abuse victims. Media regularly seek his insights on newsworthy cases. On December 6, 2018 two Cincinnati TV stations used interviews with Kircher to support lead stories about a priest indicted for crimes in the Philippines. [Click here for WCPO interview.](#) [Click here for WLWT interview.](#)

## AN OAJ PAST PRESIDENT TAKES STATE AND NATIONAL LEADERSHIP ROLES



Mark Kitrick, past President of OAJ, was elected President-Elect of Ohio's chapter of ABOTA (American Board of Trial Advocates) and was also elected President-Elect of the Ohio State Bar Foundation, the largest charitable bar foundation in the United States ([osbf.org](http://osbf.org)). Both positions begin January, 2019.

## A GOAL TO CONTRIBUTE EVERY YEAR

Each year, Murray & Murray has a firm goal to sponsor a different program that offers value to their community. Through their Charitable Foundation, they sponsor the Boys & Girls Club, Habitat for Humanity, the Sandusky Library Imagination Library and Little Libraries, the Second Harvest Food Bank and the Erie County Community Foundation.

For 2018, the firm chose to sponsor the Opening Minds Through Art program. The program is one of United Church Homes' signature dementia care programs offered at Parkvue Community. OMA's mission is to build bridges across age and cognitive barriers through art. Through OMA, residents create abstract artwork with the help of trained staff and volunteers. (The resident's artwork was displayed at an Art Show and auctioned on December 16, 2018 to raise money for future OMA programs.)



Opening Minds Through Art Photo by Bob Rohrbaugh

## OAJ NEWS

If you haven't already heard, registration for the 2019 Annual Convention is open! The Annual Convention is May 1-3, 2019 at the Hilton at Easton in Columbus, OH. You can register online at [www.oajjustice.org/events](http://www.oajjustice.org/events) for one or two days. If you plan to attend both days, you will be able to earn half your biennial CLE's (including professional conduct). If you are a new lawyer and plan to attend both days, you will be able to earn all your CLE credits.

As always, we have planned the best for you. On Wednesday, May 1<sup>st</sup>, we will kick off Annual Convention with our Opening Party at World of Beer at 8:00pm. On Thursday, we will begin sessions with Plenary Speaker, Todd Tracy. Mr. Tracy will be traveling from Texas to discuss what an attorney should do when catastrophically injured or deceased clients cannot obtain a full recovery for all of their harms and losses because the at fault driver lacks sufficient proceeds. After that, choose from five different sessions to attend: New Trends in Civil Litigation, New Lawyers, Employment Law, Professional Conduct, and Technology.

That evening, join us for our first annual Monte Carlo Night and our Immediate Past President's After Party.

On Friday, rise and shine early for our Litigation in Sunrise session with FindLaw. From there, you can attend sessions on workers' compensation, new lawyers, trucking litigation, medical malpractice, professional conduct, or our members only session on subrogation. We look forward to seeing you in May!



## MEMBERSHIP

As trial lawyers, you are the voices of those who have been injured, lost a loved one, or been wrongfully terminated. As an organization, we are here to make sure your voices continue to be heard by providing you with resources and a community to fight for what is right. Together, we can make a difference.

To ensure our OAJ community continues to grow, we hosted monthly membership phone drives in 2018. So far, we have held phone drives in Cincinnati, Cleveland, Toledo, Dayton, and Canton. By doing so, we have been able to gain several new members. We will continue to host phone drives throughout 2019, but we ask that each OAJ member spread the word about our organization and inform others how they can become a member.

For anyone interested in becoming a member, let him or her know that there is access to exclusive listservs, discounts on CLE seminars and webinars, legislative support, and publications that provide news and updates on membership and legislation.

Then, direct the person to our website to fill out a membership application or have the person call the OAJ office and we can speak with him or her directly.

We would like to thank all the members who have helped with our past phone drives. If you are interested in hosting a phone drive or participating in one please reach out to our Membership Coordinator Meghan Finke by calling our office at (614) 341- 6800 or by sending her an email at [MeghanF@OAJjustice.org](mailto:MeghanF@OAJjustice.org).

## Thank you to all who participated in the 2018 phone drives!

Adam Gerhardstein  
Allen Tittle  
Anne Gilday  
Barb Strady  
Bob Wagoner  
Brian Miller  
Chelsea Fulton Rubin  
Colin Ray  
Corey Artim  
Dave Meyer  
Elizabeth Acciani  
Ellen McCarthy  
Gina Piacentino  
Henry Acciani  
Jacob Gebelle  
Jim O'Brien  
Jordan Lebovitz  
Katherine Van Schaik  
Lee Johnson  
Lindsay Lawrence  
Matt Nakajima  
Meghan Connelly  
Nate Stuckey  
Peter Friedman  
Rich Brian  
Robert Acciani  
Robert Redick  
Sean Harris  
Stephen Behnke  
Steve Magas  
Susan Petersen  
Sydney McLafferty  
Thomas Schaffer  
Todd Petersen  
Tom Myers

## AMICUS INFORMATION

If you would like to request an OAJ Amicus Curiae brief, please email Jason Porter. Please include the Ohio Supreme Court Case Number, the parties' names, the underlying appellate decision, the issues accepted for review on the merits, and a brief statement as to why this decision is of significance to OAJ members.

Recently submitted briefs:

- *Klein v. Precision Excavating & Grading Co.*, S.Ct. No. 2017-0589
- *Miracle v. Ohio Department of Veterans' Services and Office of the Governor*, S.Ct. No. 2018-0562
- *Kisling, Nestico & Redick, LLC v. Progressive Max Insurance Company*, S.Ct. No. 2018-0682
- *McConnell v. Dudley*, S.Ct. No. 2018-0377

Please send Amicus requests to Jason Porter - [JasonP@OAJjustice.org](mailto:JasonP@OAJjustice.org)

## SPONSOR SPOTLIGHT

Are you looking for a company to provide cash advances to clients on personal injury and workers' compensation cases? Preferred Capital Funding is the company you are looking for. They are the first and largest financial company in the country assisting clients with their monetary needs.

PCF has been in business for over 14 years and last May OAJ celebrated 10 years of working together. PCF is one of our largest sponsors and they are proud to be so. We put PCF through a rigorous screening process before becoming a sponsor and they are the only funding company that has passed that screening process to date. PCF has also earned an A+ rating with the Better Business Bureau (the highest rating they give out).

The President of PCF, Brian Garelli, has been an attorney for over 22 years and his business partner, Bob Kominsky, has been an attorney for over 30 years. They understand the importance of keeping case fundings to the smallest amount possible so that a case funding never becomes a hindrance to settlement. Over 85% of their business comes from attorney referrals as opposed to using mass media advertising which is very expensive. This allows PCF to pass those cost savings onto your clients which is why their rate is usually ten or more percentage points below competitors.

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