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SUMMER | 2021



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Our Seamless Transition from a “Virtual” Law Firm to Coming Back to Business as Usual

A message from Senior Partner Ira Sherman

Spring and especially summer of 2021 will be remembered as a time when we began to breathe a little more freely again. The days of being sequestered in our homes, unable to go to the mall, to shop, and to go to restaurants, are becoming a picture in our rear-view mirror. However, we have learned a lot from the seclusion that the pandemic imposed on all of us. For instance, we have learned that we can have “face-to-face” meetings by clicking on a Zoom link. We now know that there are times when the inconvenience of driving to our office, with the complications of parking, can be avoided by the technology that became our prevalent way of communicating during the Covid-19 crisis. But for those of you who have known us for many years, you have come to appreciate that every member of this law firm prefers the connection only an in-person meeting can provide. Getting to know our clients over a cup of coffee and relaxed conversation around the table allows us to understand, to the fullest, the impact the injuries you sustained in an accident

so much better than we could if our relationship were limited to Zoom meetings. While the new Delta variant has delayed our ability to have in-person meetings in our office, we look forward to the opportunity to invite our clients back to the office so that we can get reacquainted and bring you back into our productive and happy “home away from home” on 17th Street, N.W.

Finally, it seems to me that Covid-19 has given us a greater appreciation for being alive and being able to enjoy the pleasures that good health, family, and friends provide. The predominant emotion that I hear expressed is that of gratitude for things that we now recognize, that in pre-Covid days, might not have fully appreciated. Indeed, as I am writing this message, I notice for the very first time, that beautiful hydrangeas are blossoming outside my window. What a lovely sight they are! I’m happy to say that I must end this message because I am leaving to go out to lunch! Enjoy your days, and stay safe and healthy.



Law Firm Receives Super Lawyers Awards for 11th Consecutive Year

The 2021 Washington, DC Super Lawyers® annual list of “Top Lawyers” was recently featured in the Washington Post Magazine. We are proud to announce that every lawyer at Chaikin, Sherman, Cammarata & Siegel, P.C. was recognized by this prestigious publication, which rates the top lawyers in every state and Washington, D.C.

This is the 11th consecutive year that Partners **Ira Sherman**, **Joseph Cammarata**, and **Allan M. Siegel** have been named Super Lawyers®. Partners Joseph Cammarata and Allan M. Siegel also both made the Washington, D.C. Top 100 list, for the third consecutive year. Partners Cammarata & Siegel were 2 of only 11 personal injury lawyers to make the Top 100 list. Partner **Matthew Tievsky** and Associate **Stephen Ollar** were both named Rising Stars.



Senior Claims Manager Erik McConnell to Retire

Erik McConnell has been an outstanding claims manager with Chaikin, Sherman, Cammarata & Siegel, P.C., since he began his career on September 7, 2007. In the course of those 14 years, Erik has successfully managed over 3,000 personal injury claims! That means Erik has helped approximately 3,000 clients resolve their personal injury and property damage claims, as well as the personal injury protection and MedPay claims, when applicable, in Maryland and Virginia, respectively. Erik's knowledge of the processes and procedures of insurance companies is second to none. He has served as a resource for everyone that works in the claims department, as well as for the lawyers when they came up against a question regarding automobile insurance.

Few people probably realize the importance of the Claims Manager position at Chaikin, Sherman, Cammarata & Siegel, P.C. In law firms practicing in a single state, a claims manager would need to know the applicable policies, procedures, and practices in their state. However, Erik had to know the ins and outs of automobile insurance law in three jurisdictions: DC, Maryland, and Virginia.

Erik informed us in December 2020 of his desire to retire within the next 12 months. In the ultimate demonstration of his professionalism, Erik offered to remain in his position as Senior Claims Manager for as long as it took the law firm to hire a qualified individual to succeed him. We have been fortunate to find such an individual (see the article introducing you to our new claims manager), and Erik's retirement will begin on September 1, 2021.

Erik was not only a master at his trade, and an invaluable member of the firm because of his expertise, he has also been the life of every luncheon, party, and staff meeting we have had in the last 14 years. And so, Erik will be greatly missed not only because of the professionalism that he offered to each of our clients, but also because of his quick wit and wonderful sense of humor. Although we will miss Erik's presence, we wish Erik good health, and a long and fruitful retirement.

Claims Manager Melonie Mills Joins Claims Manager Tira Barnes to Create Allstar Team

While we will greatly miss Claims Manager Erik McConnell, we are excited to welcome new Claims Manager **Melonie Mills**. Melonie joins us after spending 8 years managing claims for a large personal injury law firm in Georgia, where she was consistently recognized for her ability to deliver impactful results for her clients. Prior to that Melonie worked for 16 years as a litigation adjuster for The Hartford Insurance Company, Safeco/Liberty Mutual Insurance Company, and Access Insurance Company.

Melonie's extensive experience on both the insurance side, and on behalf of injured victims, is a huge asset to the law firm and all our clients. She joins existing Claims Manager **Tira Barnes** to create a wonderful team. If Erik was your Claims Manager, Melonie will be reaching out to you soon. However, if you have not heard from her yet, do not hesitate to call the office to introduce yourself, and give her a warm welcome!



Melonie Mills



Tira Barnes

Partners Joseph Cammarata and Allan M. Siegel Take National Leadership Positions

Partners **Joseph Cammarata** and **Allan Siegel** were both elected to important leadership positions with the American Association for Justice (AAJ), a national trial lawyer association. Mr. Cammarata was elected the Chair-Elect of AAJ's Traumatic Brain Injury Litigation Group. He will automatically ascend to be the Chair of that group, in 2022.

Mr. Siegel was elected the Vice Chairman of AAJ's Bus Litigation Group. Mr. Siegel also serves on the Board of Directors of AAJ's Brain Injury Litigation Group, and AAJ's Trucking Litigation Group.

These leadership positions demonstrate that Partners Cammarata and Siegel are national leaders in these fields and have the respect of their colleagues across the country. In fact, Mr. Cammarata was also invited to speak this year's annual AAJ convention about ethical considerations in traumatic brain injury cases.

Associate Stephen Ollar is Elected to the Board of Governors of the Trial Lawyers Association of Metropolitan (DC-TLA)

Associate **Stephen Ollar** is continuing the law firm's long tradition of leadership in our local trial lawyers' association, with his recent election to the Board of Governors of DC-TLA. Partners Donald Chaikin, Ira Sherman, Joseph Cammarata, and Allan Siegel have all served as Presidents of this venerated organization, and Matthew Tievsky has been an active participant on the Board of Governors and is the current Co-Chair of the Amicus Committee. Mr. Ollar looks forward to contributing to DC-TLA's mission of "protecting consumer health and safety, promoting the right to trial by jury, securing enforcement of civil rights, safeguarding our civil-justice system, and enhancing the professional development of trial lawyers."

The Courts Have Reopened and the Doors are Wider Than Ever

For months, the coronavirus pandemic practically shut down the courts in the District of Columbia, Maryland, and Virginia. Most importantly, the courts were not holding trials. Thankfully, with increasing vaccination rates, the courts are back open (masks required), hearing cases, and holding trials. And with the courts reopened, the deadlines to file lawsuits are back in effect.

Fortunately, the pandemic actually brought some positive changes in how courts are handling cases. Now, a wide range of court hearings, depositions, and trials are held virtually, online. This benefits plaintiffs and their witnesses, making it more convenient and less expensive to file and prosecute a lawsuit.

There are also other legal changes in the DMV area you should be aware of, that make it easier to obtain justice if you are hurt or harmed by the wrongdoing of others. Some examples include:

- ▶ In the District of Columbia, a person injured by someone else's negligence generally is not legally entitled to any compensation if the injured person was even slightly at fault as well ("contributory negligence"). This contributory negligence law bars you from a recovery if you were even 1% at fault. **But in 2016, D.C. modified this rule for pedestrians and bicyclists injured by cars on the road. Now, their contributory negligence does not bar them from compensation if the other party was mostly at fault. (The injured party must be less than 50% at fault). Recently, in 2021, the DC Council passed the "Vulnerable User Collision Recovery Amendment Act of 2020", which extends this modified rule to other "vulnerable users" of our roadways and sidewalks, including electronic bicycles, scooters, and motorcycles.**
- ▶ Also, in the District of Columbia, thanks to a recently passed law, it is now easier than ever to serve a lawsuit in an automobile case, against a defendant who resides in D.C. Normally, it is necessary to personally serve a lawsuit on the defendant. But under the new law, if personal service proves impossible, the court can permit service using a more convenient method, approved by the court, so long as the Court concludes that this alternative method, will lead to the defendant getting notice of the lawsuit.
- ▶ Virginia has two types of trial courts in which you can file a personal injury lawsuit: The Circuit Court, and the General District Court. The advantage of the General District Court is that it is faster and less expensive to bring a case. Until recently a plaintiff filing a lawsuit in General District Court could only obtain a maximum recovery of \$25,000. However, starting July 1, 2021, Virginia raised that limit to \$50,000.
- ▶ Similarly, in Maryland, a plaintiff can file in the Circuit Court or, for a cheaper and faster case, the District Court, which can hear claims as large as \$30,000. However, for any claim greater than \$15,000, the defendant can move the case to the Circuit Court. A new proposed constitutional amendment would raise that limit from \$15,000 to \$25,000, making it easier to keep your case in the District Court. We are hopeful that this proposed amendment passes.
- ▶ There are also laws in the DMV area that enable lawsuits you may not be aware of. For example, under the D.C. Consumer Protection Procedures Act, if you are economically harmed by a deceptive trade practice, you may recover up to triple your losses, plus punitive damages (an award intended to punish the wrongdoer) and recover your attorney fees. In Virginia, a victim of violence or harassment motivated by bigotry (racial/ethnic, religious, gender, disability, or sexual orientation-related) can bring a case and may be able to recover punitive damages and attorney fees.

We are excited about all these laws, and the beginning of jury trials in our Courts. If you have any questions about any of these laws, or the current operating status of the Courts, please do not hesitate to call or email us. Don't assume that justice is unavailable just because the pandemic is still with us.

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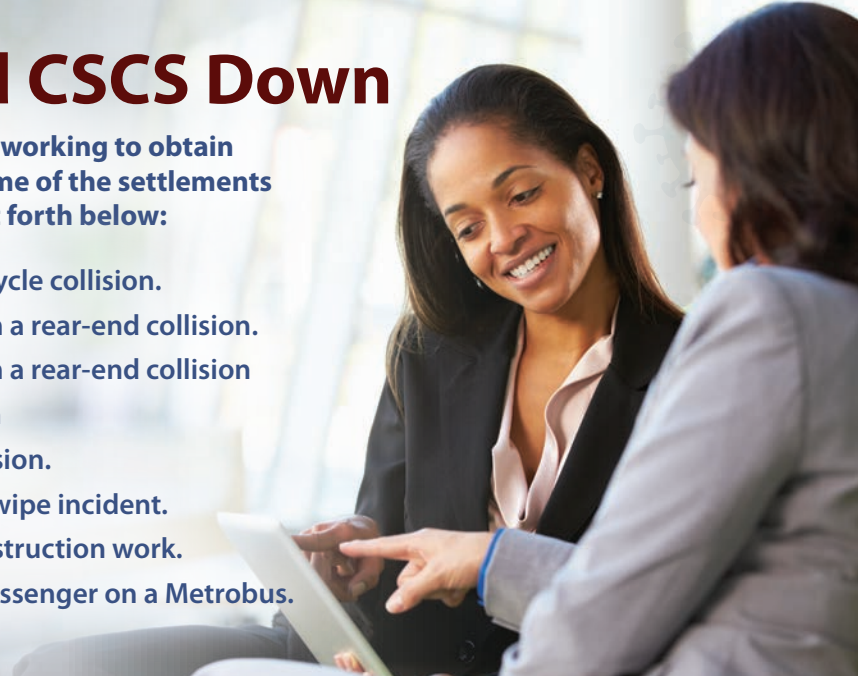
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Covid Has Not Slowed CSCS Down

Despite the COVID lockdown, we have been actively working to obtain justice on behalf of our clients. A small sample of some of the settlements that have occurred throughout the pandemic are set forth below:

- \$3,500,000:** Traumatic brain injury suffered in a bicycle collision.
- \$1,375,000:** Traumatic brain and spine injuries from a rear-end collision.
- \$625,000:** Traumatic brain and spine injuries from a rear-end collision
- \$650,000:** Spinal injuries from a rear-end collision
- \$500,000:** Traumatic brain injury in rear-end collision.
- \$500,000:** Neck injury requiring surgery in side-swipe incident.
- \$425,000:** Electrical shock injury while doing construction work.
- \$350,000:** Neck and back injuries suffered by a passenger on a Metrobus.



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A referral is the greatest professional compliment we can receive. If you have a friend, neighbor, or family member who is in need of legal representation, please consider referring them to our firm. We will do our best to provide the highest possible level of service and deliver winning results.



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CSCS Makes \$25,000 Gift Toward Brain Injury Research

The Brain Injury Association of America (BIAA), the nation's leading organization serving people affected by brain injury, recently featured Senior Partner Ira Sherman in an edition of THE Challenge! magazine. The article highlights CSCS's recent \$25,000 gift to the Brain Injury Research Fund, which supports researchers seeking cures for chronic brain injury.

Mr. Sherman served on the BIAA Board of Directors from 2012-2019 and helped establish the research fund. Additionally, he and Partner Joseph Cammarata founded the Brain Injury Association of Washington, D.C.

These contributions can significantly benefit the quality of life for individuals with brain injury and their families. The law firm hopes the firm's gift will inspire others to donate to brain injury research.

WIN NATIONALS TICKETS!



The law firm is having a drawing for 4 Nationals tickets for a game in September. If you are interested in winning these tickets, email Allan Siegel at siegel@dc-law.net by no later than **September 10, 2021**. Anyone who sends an email will have their name entered in the drawing which will take place on September 13, 2021. We will notify the winner shortly after the drawing. Good luck!