

▶ RECENT JURY TRIAL RESULT – LETTER FROM JUROR

King v. Gainey Transportation, et al., King County Superior Court (Seattle)

Rodney Umberger, an equity member in the Seattle office of Williams Kastner, recently obtained a defense verdict for Gainey Transportation after a three-week jury trial in Seattle. The case arose out of a truck/auto accident where a Gainey truck and 53-foot trailer struck a vehicle being operated by a 39-year-old successful CFO. Plaintiff sustained a rotator cuff tear that required two surgeries, a meniscus tear that required surgery, and he received physical therapy and chiropractic treatment for over a year for neck and back injuries as a result of the accident. Plaintiff also was diagnosed with PTSD, major depression, and a Traumatic Brain Injury resulting from the accident. Plaintiff's health care providers testified that he was permanently and totally disabled as a result of the PTSD and TBI, and he never returned to work after the accident. His average earnings were over \$300,000 annually for the five years leading up to the accident. The medical bills exceeded \$100,000 and wage loss was in excess of \$6.5 million. Plaintiff's wife also had a loss of consortium claim. In closing argument, Plaintiffs' counsel asked the jury to award \$8-10 million. The jury deliberated for only 25 minutes before returning a unanimous defense verdict.

Several days after the verdict, the managing director at Williams Kastner, Sheryl Willert, received an email with an attached letter from one of the jurors regarding the Williams Kastner defense team. A copy of the juror's letter is below:

"I would like to start this letter by saying that 'I am not a client' of Williams Kastner and will not include any information that is considered confidential.

I want to start out by saying that I recently served as a juror, in the Kent Supreme Court, where I witnessed one of the best performances by an attorney that I have ever seen or witnessed. I'm talking about Mr. Rodney L. Umberger. As I sat there listening to all the witnesses and testimony given by everyone involved, I was impressed with the way Mr. Umberger had prepared and delivered his case. I view attorneys, as nothing more than an artist. An artist paints a picture. The picture that Rodney painted was clear, crisp and concise to the jury. His tone of voice, body language, eye contact, posture and people skills was a great example of excellent presentation skills. There was a lot of bashing that went on in the case, from the plaintiff side of the house. Mr. Umberger maintained his composure and acted in a very professional manner. It got so bad that the judge excused the jury on many occasions to reestablish proper conduct, etiquette and order in the court. Starting from his opening statement, I knew that this attorney was going to be good and when he delivered his closing statement, addressing the jury, we could tell that Mr. Umberger truly was talking from his heart, which really connected with the jury. I know this because after the deliberation was over, I asked if I was the only one that felt this way and everyone acknowledged the same feeling.

After the deliberation was over, the judge came in and asked us for any constructive feedback relative to the way she and her staff had run the court. She also mentioned that both attorneys were looking for feedback. When I sat back and observed which jurors went to which attorney, it was Mr. Umberger and his team that they went to. As I listen

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to the conversations with my team members and Mr. Umberger's team, it was all about the wonderful job that Mr. Umberger and his team did. Like the true leader he is, he didn't take all the credit for the success of the trial, he said Quote, 'There was a lot of hard work that went into this case and he couldn't have done it without the help of my whole team' unquote.

As I mentioned to Mr. Umberger's associates, Anne Loucks, and the paralegal that was present, they are very lucky to be mentored by such an experienced and professional person like Rodney Umberger. Both of them totally agreed.

I am receiving absolutely no benefits for writing this letter, other than to show my recognition to one of your team members and his team, for a job well done. Your law firm Williams Kastner must be proud to have such a great asset as a member of your law firm.

Joseph R. Materne"