

THE WESTERNAIRES

by Daniel J. O'Brien, Esq.

When I was in high school, I played guitar (not particularly skillfully) with several friends, unusually informally, but sometimes in a "band" setting with an audience. Rock & Roll was our style. Thirty years later, I got tickets to a Rolling Stones concert in Atlantic City. I invited two of my old guitar buddies — Larry Fix and Toby Loyd — to spend a couple of days at the shore with me and attend the concert.

Toby and Larry — both professional quality musicians — each brought a guitar with them. I had one as well. We started playing, but instead of playing rock songs, we started playing country songs — Merle Haggard, Johnny Cash, Gram Parsons, Hank Williams and the like. It was amazing that we had each developed a love for country music independently.

Within a few months, the three of us joined with Joe Mittelstadt, Bam Bridge, Suzi Fix and Steve Fix to form "The Country Westernaires." We've played a number of shows, usually for charities. We recently played as part of the Katie Samson Lacrosse Festival to benefit spinal cord injury research. This month, we will be playing at Camp Nova in northern New Jersey to benefit special needs children.

You can check out "The Country Westernaires" on MySpace and YouTube by typing in Country Westernaires. Let me know what you think!



Left to right: Toby Loyd, Joe Mittelstadt, Larry Fix, Dan O'Brien, Steve Fix, Suzi Fix
Reclining: Brian "Bam" Bridge, Little guy: Jackson Fix (son of Suzi)

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We always hear about frivolous lawsuits.
What about frivolous defenses?

COACH'S CORNER



Dan's baseball teams had some success this past spring. Dan was the head coach of the St. Helena School CYO 6th grade team. That team went undefeated, posting a perfect 10-0 record. A picture of the team is above.



Dan also head coached the Whitpain Recreation Association (WRA) American League (12-year-old) Mariners to the league championship, posting a 12-2 record for the regular season and playoffs. A picture of the championship Mariners is above.

Dan is currently coaching a 12-year-old travel team for WRA and is looking forward to coaching the boys next year on the major league field.

OUR FEATURED LOCAL BUSINESS PERSON: GARY KANE

Meet Gary Kane, a staffing industry entrepreneur and community leader. If you don't know Gary, he is a big man who lives large by giving back to his community while succeeding in business. Gary began his career in recruiting in 1980. From the beginning, through hard work and a great passion for the staffing business, Gary met with much success. In 1985, Gary co-founded a highly successful mid-Atlantic staffing solutions provider, which grew into a \$10 million operation. His strength as a manager and a revenue producer earned him "Recruiter-of-the-Year" awards for nine consecutive years. He also developed innovative new models, leading the organization into multiple new markets. Gary's reputation is firmly established as a talented, knowledgeable executive who is one of the nation's top recruiting managers and team builders. Gary derives his success from his tireless work ethic and from the proficiency of the recruiting teams he has trained and mentored.

In late 2004, Gary formed Kane Partners LLC. Kane Partners is a contingency, contract and retained technical staffing firm with a reputable presence in the mid-Atlantic manufacturing, engineering and IT markets. Kane Partners has established a strong client base and has been the recipient of the Philadelphia 100 Award in 2008 and 2009 as one of the fastest growing, privately held companies in the Greater Philadelphia Region.

With the economy on a rollercoaster and companies across the globe looking to cut costs and departments, Gary was looking for ways to help companies continue to grow and ultimately hire. In late 2007, he founded the Kane Partners Business Seminar Series, offering free education and networking events for businesses. During the same time, buzz was building for social media tools and Gary saw the power and potential for these tools in the workplace. Not only has Kane Partners found its place on the Social Media map, but it offers a full range of services to assist other companies in finding their places, too. In 2010 Kane Partners opened a social media division catering to small and emerging companies.

Gary stands six feet, five inches tall, a natural-born athlete. From a young age Gary has been involved in sports. After he retired his glove and hung up his basketball sneakers, he turned to coaching. Gary has been active in the community for over two decades as a coach. He works with area youths teaching them fundamentals, team work, sportsmanship and the game. It's not uncommon for Gary to coach three or four teams during a basketball or soccer season. Gary co-chairs the annual Saint Helena CYO Memorial Basketball Tournament which is noted as the "best youth basketball tournament" in the area — a tremendous community event.

Gary is also a dedicated family man, married to his devoted wife Joanne for 30 years. Together they have eight children and two grandchildren, with another grandchild on the way. Gary is a local example of a successful businessman that has taken the best values and fundamentals of sports and integrated them into the workplace of an award-winning company, Kane Partners LLC.



Gary Kane featuring the entire "Kane Klan" at the wedding of his oldest child, Kristin.

EDITOR | DANIEL J. O'BRIEN, ESQ.
215.864.7168
obriend@whiteandwilliams.com

PRIMARY OFFICE: 1650 Market Street | One Liberty Place, Suite 1800 | Philadelphia, PA 19103
REGIONAL OFFICES: Berwyn, PA | Boston, MA | Center Valley, PA | Conshohocken, PA
Cherry Hill, NJ | New York, NY | Paramus, NJ | Pittsburgh, PA | Wilmington, DE

PERSONAL INJURY PRACTICE GROUP
Daniel J. O'Brien: 215.864.7168
John A. Orlando: 610.897.2576
Louisa Chen: 610.897.2562
Julia Lee: 215.864.6803

MEET LOUISA CHEN



Louisa Chen returned to work at the end of May after having her second baby, who is now seven months old. Louisa also has a toddler son, who recently turned two. Louisa is married, and her husband is also a lawyer.

Needless to say, Louisa's two young sons keep her and her husband quite busy. Yet, Louisa has been able to achieve a balance between her family life and professional life. Louisa has been dedicated to providing first-rate legal representation to accident victims since 2003. She prides herself on helping her clients obtain exceptional results through a uniquely friendly, personal style of legal representation. She provides truly personalized, accessible legal services for our clients. She has served as both lead and associate trial counsel in jury trials and achieves significant results for her clients.

The youngest of four girls, Louisa was born in Taiwan and moved to the United States when she was just five years old with her mother. Louisa's father, who is also a lawyer — and was a judge for several years — stayed behind in Taiwan and continued to work so he could provide for the family. Her parents were willing to live apart because they thought Louisa and her sisters would have a better future in the United States. Eventually, when Louisa got older, her mom moved back to Taiwan to be with her father.

A strong work ethic was instilled in Louisa at an early age. She saw first-hand the sacrifices her parents made and the hardships her parents went through to provide for them. Louisa puts 110 percent in everything she does, in every aspect of her life: from school, sports and playing the piano when she was a child, to her career, family and community service now that she is an adult.

Ever since she could remember, everyone in her family thought Louisa should be a lawyer like her father, but she wanted to make sure it was something she wanted to do and not something her family wanted her to do. As a result, Louisa often chose paths not related to law and did not openly express an interest in law. She received a B.A. in Psychology

from the University of Toronto in 1996, and worked in Taiwan for two years thereafter. Louisa was a Hospital Administrator/Consultant where she helped various teaching hospitals implement more efficient services to patients. At night and on weekends, Louisa worked as an English teacher and a cast member in an English Sing-Along Show performing English educational musicals for children all over Taiwan.

In 1998, Louisa returned to the United States. She received her MBA in Healthcare Management from Temple University Fox School of Business and Management in 2000. During that time, Louisa, on her own terms, applied to law school and did not tell her family that she was attending until the week before school started. Louisa's family was ecstatic when they found out. Louisa received her J.D. from Temple University Beasley School of Law in 2003. At Temple, she was a member of the distinguished Temple University National Trial Team and earned the Outstanding Oral Advocate Award at a competition.

Though Louisa was raised in the United States, she knows the importance of being able to speak her native language and being involved in the Chinese community. After attending many Chinese classes growing up, she became fluent in both Mandarin Chinese and Taiwanese. She is committed to the Chinese community and often represents Chinese-speaking clients and helps them understand their rights in the legal system. Being a second generation immigrant, Louisa knows how hard it is for kids whose parents do not speak English. For example, parents often help kids with their homework by answering questions and checking the homework. But when your parents don't speak English, there is no one to help you. That's why Louisa volunteers whenever she can at churches in Chinatown tutoring and helping kids whose parents do not speak English with schoolwork and homework.

Louisa is dedicated to helping our clients. She has extensive experience in a wide range of areas including dangerous products, construction site accidents, car and truck accidents, and premises liability matters. Feel free to email or call her with any questions you may have.

Louisa can be reached at 610.897.2562 or chen@whiteandwilliams.com.

WE REPRESENT WINNERS, NOT WHINERS

We like to say that we represent winners, not whiners. Here's proof of that statement. In the Spring of 2006, Eric Mundy was in the best shape of his life, training for the Ironman Lake Placid Triathlon. In May of that year, he was out on a long training ride with his father when he was run down by a young, distracted driver. Eric was injured pretty badly. We represented Eric in his case against the driver. Even though it seemed like Eric's days of being an Ironman were over, he never once whined. His attitude was always positive.

After four years of medical treatment, physical therapy, rehab, countless medical setbacks and re-injury, and an awful lot of training, Eric returned to Lake Placid in July 2010 and completed the Ironman. That's 2.4 miles of swimming, 112 miles of biking over mountains and a full 26.2 mile marathon — all in one day, one right after the other!

Talk about a winner...

You can see and hear Eric tell his story by clicking on the "What Our Clients Say" icon on our website at www.thepanjinjurylawyers.com.

Q&A CORNER

Q: I live in a condo that I rent from the owner. I recently slipped on water that leaked from the refrigerator. I was badly injured. Can I sue the condo owner?

A: In order to make out a case against the condo owner, you would have to prove that he knew or should have known that the refrigerator was in disrepair and likely to leak. Also, your lease may contain certain language which could affect your ability to bring a claim. We would need to see the lease, determine how long you've been living in the condo, and find out the age of the refrigerator, etc. before taking action.

For more information, please contact a member of the Personal Injury Group by visiting www.thepanjinjurylawyers.com.



White and Williams LLP

1650 Market Street
One Liberty Place, Suite 1800
Philadelphia, PA 19103-7395

THE CLOSING SPEECH



WE ALWAYS HEAR ABOUT FRIVOLOUS LAWSUITS. WHAT ABOUT FRIVOLOUS DEFENSES?

by Daniel J. O'Brien, Esq.

Every day, we hear politicians and commentators complain about lawsuit abuse and frivolous lawsuits – how much money they cost businesses and how they drive up the cost of insurance. Without question, there are some frivolous, non-meritorious cases filed, and that practice should be stopped. But we never hear about frivolous defenses. I intend to change that. We will be featuring the “Frivolous Defense of the Month”

in each of our future newsletters. The vast majority of personal injury lawsuits are legitimate – the plaintiff in the case was injured by the carelessness of the defendant, and the plaintiff seeks fair compensation for the resulting losses. When defendants and their insurance companies respond to legitimate lawsuits fairly, reasonably and honestly, cases can be resolved quickly and with less expense. When defendants and their insurance companies pursue frivolous defenses, the time and expense required to resolve a legitimate case skyrocket.

Several years ago I represented a 16-year-old boy who was catastrophically injured on a dangerous obstacle course set up for a field day event at a private school. Supervision of the course was very lax. My client, like all students at the school, was required to be at the event that day. The obstacle course was designed and constructed by the school. Students were invited to use the course. My client was injured doing something which was admittedly dangerous, but the same type of thing other students had been doing all

day without receiving any correction from the teachers. When I notified the school of my representation of the boy, the school refused to discuss settling the case and we were forced to file a lawsuit.

The school defended the case by claiming that the student was a “trespasser.” This defense made no sense to me, and it really offended the child and his parents. Years of hugely expensive and hard-fought litigation followed, with the family growing ever more convinced that they were being “abused” by the school’s frivolous “trespasser” defense. Eventually, the case settled, as it should have. We had a strong case. The obstacle course was dangerous and the supervision was poor. My client was not a trespasser.

The defendant’s “defense” didn’t save them a dime. In fact, it served only to prolong the case and make it far more expensive for everyone involved than it should have been. So, the next time you hear or read about lawsuit abuse and frivolous lawsuits, know that there is another side to this story.