

THE NATIONAL
LAW JOURNAL
BIG
MONEY
WINS

TOP 50 VERDICTS OF 2014

Rank	Amount	Type	Case Name	Court Name	Docket	Date	Lead Plaintiff's Attorney(s)/Firm	Lead Defense Attorney(s)/Firm
8	\$69,673,907	Contracts: Breach of Contract	Wheeler v. Payson Petroleum Inc.	Dallas County District Court, 192nd	DC-12-6306	2/5/14	Aaron Z. Tobin (lead) , Dallas, TX of Anderson Tobin PLLC; Kendal Reed , Dallas, TX of Anderson Tobin PLLC; Traci Boyle , Addison, TX of Geary, Porter & Donovan, P.C.; Bruce W. Claycombe , Addison, TX of Geary, Porter & Donovan, P.C.	Paul W. Brown , Dallas, TX of Law Offices of Paul W. Brown P.C.
9	\$62,000,000	Medical Malpractice: Failure to Communicate	Galette v. Byrne	Kings Supreme	28327/10	1/10/14	Ira M. Newman (co-lead) , New York, NY of Sanocki, Newman & Turret, LLP; Edward J. Sanocki (co-lead) , New York, NY of Sanocki, Newman & Turret, LLP; Sanford A. Rubenstein , Brooklyn, NY of Rubenstein & Rynecki	Guido Gabriele , Garden City, NY of Gabriele & Marano LLP; Peter DeNoto , Garden City, NY of Heidell, Pittoni, Murphy & Bach, LLP; John D. Paterniti , New York, NY of Shaub, Ahmuty, Citrin & Spratt LLP
10	\$57,947,402	Motor Vehicle: Speeding	Herman v. Cardiel	Superior Court of Riverside County, Riverside	RIC1301538	6/6/14	Gregory G. Rizio (lead) , Riverside, CA of Rizio & Nelson; Darren M. Pirozzi , Riverside, CA of Rizio & Nelson	Robert M. Juskie (lead) , San Diego, CA of Wingert Grebing Brubaker & Juskie LLP; Christopher W. Todd , San Diego, CA of Wingert Grebing Brubaker & Juskie LLP
11	\$55,000,000	Construction: Defects	East Bridge Town Lofts Property Owners Association Inc. v. East Bridge Lofts LLC	Charleston County Court of Common Pleas	2010CP1010204	6/6/14	Justin O. Lucey (lead) , Mt. Pleasant, SC of Justin O'Toole Lucey Law; Edward D. Buckley, Jr. , Charleston, SC of Young Clement Rivers LLP	Robert T. Lyles, Jr. (lead) , Charleston, SC of Lyles & Lyles, LLC; Jim Atkins , Charleston, SC of Clawson and Staubes LLC; Frank J. Smith, Jr. , Columbia, SC of Richardson Plowden & Robinson, P.A.
	\$55,000,000	Trusts and Estates: Wills	In re Estate of Asche	Dallas County Probate Court No. 2	PR-11-3533-2	4/16/14	Zach Johnson , Dallas, TX of Spencer Law, P.C.; Richard Kevin Spencer , Dallas, TX of Spencer Law, P.C.; Will Hartnett , Dallas, TX of The Hartnett Law Firm; Jim Hartnett Jr. , Dallas, TX of The Hartnett Law Firm	Richard Cella , Dallas, TX of Akin Gump Strauss Hauer & Feld LLP; Eric Gambrell , Dallas, TX of Akin Gump Strauss Hauer & Feld LLP; Raymond E. LaDriere, II of Locke Lord LLP; Ethan M. Lange , Dallas, TX of Locke Lord LLP

 **VerdictSearch**

*DAILY
REPORT*

2014

**GEORGIA
VERDICTS**

HALL OF FAME

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For information, please contact Andre Sutton
at 757-721-9020 or email asutton@alm.com

**WEDNESDAY,
DECEMBER 3, 2014**

6:00-7:00 p.m.

Cocktail Reception

7:00-9:00 p.m.

Dinner & Presentation

**THE RITZ-CARLTON
BUCKHEAD**

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Atlanta, GA

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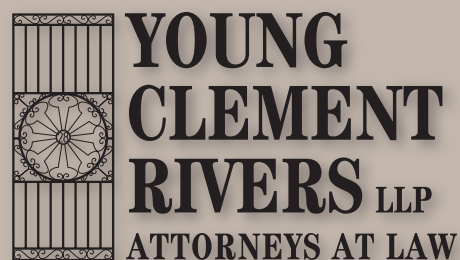


BWCP Butler Wooten
Cheeley & Peak LLP



HPL HARRIS I PENN I LOWRY





East Bridge Town Lofts Property Owners Association Inc. v. East Bridge Lofts LLC

#11 NATIONALLY | **#1** IN SOUTH CAROLINA

On June 6, 2014, a Charleston, South Carolina jury awarded Fifty-Five Million Dollars (\$55.0m) to the East Bridge Lofts Property Owners Association and its homeowners in a defective condominium conversion case. Plaintiffs brought suit in late 2010, alleging that the conversion was defectively performed, and that the developers had covered up structural and other deficiencies. Plaintiffs sued the single purpose entity (SPE) builder, the SPE developer, the alleged de facto Texas parent/management company of the builder and developer, and a dozen subcontractors and suppliers.

Numerous subcontractors settled before trial for \$5.4m. Others settled during trial for \$0.85m. Various primary carriers for the SPEs tendered policy limits totaling \$6.0m during the trial, and one umbrella/excess carrier paid \$6.0m after Plaintiffs' closing argument for a total of \$18.25m collected before verdict.

Plaintiffs presented a \$23.0m repair estimate to the jury for the repair of the fourteen buildings containing two hundred condominiums, and argued for

a punitive damage award of three times actual damages. The jury awarded \$22.0m in actual damages and \$33.0m in punitive damages, for a total verdict of \$55.0m. Post trial, the Court awarded \$3.36m in attorney fees on Plaintiffs' unfair trade practices cause of action, for a total award of \$58.36m. Plaintiffs are pursuing collection efforts against remaining recalcitrant primary and excess insurance carriers.

This record-setting verdict follows behind a string of separate, prior successes for both firms, including their representation of state government in defective construction cases. Mr. Lucey represented the Medical University of South Carolina in a defective research center claim, recovering over one-third of the original cost. Mr. Buckley represented the State of South Carolina in connection with a mold contamination claim at the Governor's Mansion after an extensive renovation of that iconic structure. Both Mr. Lucey and Mr. Buckley have handled construction claims for local universities. Both firms seek to expand their practices further into public and commercial infrastructure. In

an era of tightening budgets, Mr. Lucey and Mr. Buckley encourage their public clients to hold their contractors accountable rather than condemn building/infrastructure problems to the resolution of future budgeting requests.

Lucey Law is a plaintiff's firm comprised of five attorneys practicing primarily in the area of defective construction, class actions, and contract and financial litigation. Justin Lucey graduated from the University of Delaware in 1981 and obtained his law degree from Georgetown University in 1986.

Ed Buckley's firm, Young Clement Rivers, is a larger, full-service firm of more than forty attorneys which practices on both sides of the Courtroom. Edward D. Buckley, Jr. is a Charleston native who graduated from the University of Georgia in 1980 and obtained his law degree from the University of South Carolina in 1983. In addition to construction litigation, Mr. Buckley practice includes maritime injury and commercial cases, as well as spinal cord, burn, and brain injury cases.



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