

Daily Journal

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TOP 100 LAWYERS IN CALIFORNIA

EDITORS' NOTE

Every year, the editors of the Daily Journal look at the work of hundreds of California lawyers. We receive nominations from law firms and nonprofits and universities – and from clients. We also examine our archive of stories and talk to each reporter about the matters they've been covering. The point is to honor the attorneys whose work is having the widest impact, and not just on their career or their firm's bottom line. We seek to honor work that is changing an industry or the law or the society as a whole. And every year, we reach the difficult but exciting truth: There are far more than 100 leading lawyers in California. Deciding who won't make the list is our most difficult task.

We don't pretend that this list is scientific or encompassing; it is a snapshot of a moment in time. It is a representative sample of the tremendous legal talent that California offers. As you read, we hope you'll agree.

— David Houston, Editor

THOMAS V. GIRARDI

LITIGATION

GIRARDI | KEESE

LOS ANGELES

SPECIALTIES: Plaintiff personal injury, products liability, defective drugs and medical devices, class actions, mass torts, and environmental law

On Aug. 29, a court-appointed mediator announced an agreement, valued at \$765 million, that would end the consolidated concussion-related lawsuits against the National Football League by more than 4,500 retired football players.

Girardi is serving as a co-lead counsel for about 1,800 former NFL players who are blaming the league for their brain injuries.

"Some of those guys are terribly hurt, some with dementia," Girardi said in an interview prior to the agreement. "One of the areas of the brain that is most badly hurt is the area that controls temper and mood."

The negotiations were supervised by Layn R. Phillips, a former U.S. district judge and founder of the Irell & Manella Alternative Dispute Resolution Center.

The agreement will be submitted for final approval to U.S. District Judge Anita B. Brody, who is presiding over these cases in federal court in Philadelphia.

Under the terms, the NFL and NFL Properties will contribute \$765 million to provide medical benefits and injury compensation, fund medical and safety research, and cover litigation expenses.

"What this settlement tries to do is give proper medical attention to everyone to monitor them and see if they have something serious," Girardi said. "Then they would be entitled to what we believe is a very fair settlement."

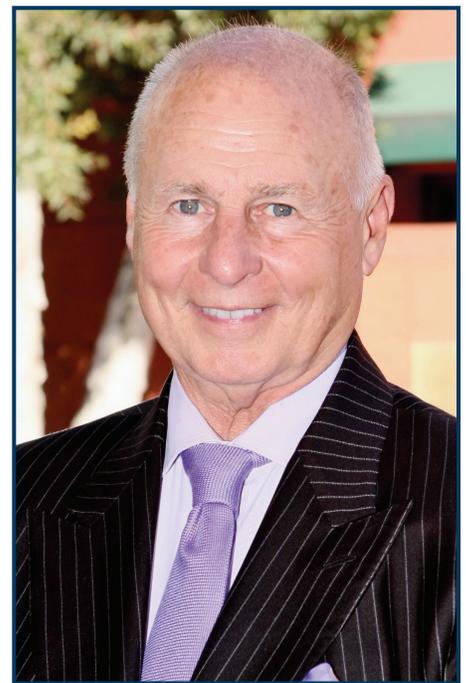
The agreement also protects retired players who only develop symptoms later on, he added.

"Sometimes it's a long time before these manifestations present themselves," Girardi said. "They have their rights open no matter how long it takes."

Although Brody had ordered mediation on July 8, Girardi said that he had been in discussions with the NFL for about five years, adding, "I was a young lawyer without gray hair when this started."

In another high-profile case, Girardi and his team have taken on the Shell Oil Co. on behalf of more than 1,000 residents who bought homes located on 55 acres in Carson contaminated by petroleum waste. *Acosta et al. v. Shell Oil Co.*, NC053643 (L.A. County Super. Ct., filed Oct. 14, 2009).

"In July, our experts were able to discuss the matter with the Carson City Council," Girardi said. An environmental emergency then was declared.



"The benzene levels were 100 times those permitted," Girardi said.

A solution to this problem, he added, would be for Shell "to buy all of these houses, get rid of 36 feet of contaminated soil and pay the residents their damages."

"Many of these people suffer from cancer and other serious injuries caused by petroleum waste," Girardi said.

A trial date is pending.

— Pat Broderick and Omar Shamout