



Profiles & Precedents

THE LAW FIRM OF
Pajcic & Pajcic
Since 1974

This is the twenty fourth periodic report of Pajcic & Pajcic

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SERVICE. EXPERIENCE. RESULTS.

DEFENSE PAYS ALL OF \$1.4 MILLION VERDICT DESPITE INSURANCE OF ONLY \$125K

Instead of doing the right thing in the beginning, a taxi driver's insurance company took a gamble and refused to pay its \$125,000 policy limits. In the long run it ended up costing them tenfold.

The taxi was going in the wrong direction and pulled out in front of Kimberly Wade causing a fiery T-bone crash. The liability insurance was not nearly enough to cover Kimberly's knee and neck surgeries plus the loss of her career as a Jacksonville corrections officer. Upon demand, Kimberly's own insurance promptly tendered its \$50,000 UM (underinsured motorist) limits.

(continued on page 4)



Pajcic & Pajcic is one of the few firms on Martindale-Hubbell's list of Top Ranked Firms in the Southeastern United States to receive the perfect 5.0 rating in client satisfaction.



— REFERRAL FROM ASTUTE ATTORNEY

Amber and Jamin Middleton had only been married three years when another logger crashed into the rear of Jamin's empty log truck killing Jamin. Amber did not know where to turn for help, but her Folkston attorney did. He was the corporate attorney for a company that had lost a \$13 million verdict a few years back to Pajcic & Pajcic.

Everyone knew the at fault trucker would have to pay. The question for the client and Pajcic & Pajcic was how much.

In addition to his third wife Amber, who was the sweetheart and love of his life, Jamin left two sons – a 17 year old son from his first marriage who was his best buddy, and an eight year old son from a second marriage, who lived with Amber and Jamin and was the center of their life.

While Jamin was a good provider, the hard economic damages were less than a million dollars. Despite starting before dawn and driving long hours in a beaten up truck without air conditioning, a logger just does not make that much money.

The real damages are the non-economic ones. In Georgia, the question is what was the value of the decedent's life. That kind of argument to a Florida jury would result in a mistrial. Florida law defines the non-economic damages as the pain and suffering of the surviving spouse and children.

But in Pajcic & Pajcic's experience those legal niceties do not matter all that much. The keys to a fair verdict are getting the right jury, highlighting egregious fault and painting a compelling picture of love lost. The key to a good settlement is the defense knowing you are fully prepared – and willing – to go to trial to get what is fair.



In this case the fault of the driver of the second log truck was obvious. The fully loaded log truck hit Jamin Middleton's empty trailer at 55 mph and vaulted over Jamin's cab into the line of four vehicles stopped in front of him. The defense knew that Pajcic & Pajcic would leave no stone unturned in showing the complicity of his employer in the driver's conduct.

Fortunately, the trucking company had better insurance than most log trucks. Yet, when Pajcic & Pajcic sent a

compelling settlement video and demanded tender of the limits, the insurance company refused. Instead it scheduled a global settlement conference and invited all the claimants from the big crash. Pajcic & Pajcic refused to attend a settlement conference without a prior tender of the limits and filed suit.

Fortunately, the defense retained savvy attorneys who recognized the real threat of an excess verdict in a case like this, such as the one won by Pajcic & Pajcic only a few years earlier in another tragic log accident in the same county. Despite the half dozen other claims, Pajcic & Pajcic obtained almost all the policy limits for Jamin's wife and children.

But that was not the end of this case. As soon as Pajcic & Pajcic was retained in the case, we carefully documented the construction scene at the time of the crash. Our investigation and analysis showed that the signs warning of construction ahead and the need to stop were all crammed up close to the



PAJICIC SCHOLARS NOW AT 82 & COUNTING!

It's now been 23 years since Steve and Gary Pajcic established a \$1 million endowment for certain graduates of their alma mater, Paxon High School to attend the University of North Florida. We are proud that in that time a total of 82 students have taken advantage of this unique offer. To qualify the students must earn acceptance to UNF and maintain their grades. They also must live in the historical school boundaries of Paxon.

There are currently 5 students at UNF who are Pajcic scholars. All say they are extremely grateful for having the ability to study and earn their degrees without a financial burden weighing over them. The endowment was designed so that future generations of Paxon graduates will continue to have this opportunity.

LEADS TO \$9 MILLION RECOVERY –



stop position; neither the flagmen nor other workers had the requisite DOT certification; none of the on-site personnel knew anything about proper safety procedure.

The construction company was clearly negligent, but it had a good argument on causation because the at fault logger drove the highway regularly and was aware of the construction stoppages. Acknowledging the causation defense, Pajcic & Pajcic accepted a lesser amount from the construction company.

The total settlement was \$9 million. It was fairly divided among the spouse and two children based on the proportional allocations in verdicts involving similar tragedies.

While Jamin's big heart and warm personality will always be missed, the family at least knows that justice has been done and the value of Jamin's life appreciated.



A friendship that began decades ago led to a very surprising and magical moment at Episcopal High School. Our founding partner Gary Pajcic and fellow FSU football player Charlie Hunt had that rare and special bond. Gary convinced Charlie to help him coach at Episcopal High School in the 1980's while Gary's sons were playing on the team. More than 30 years later, Charlie is still coaching football and track at the school. When Gary's widow, Sallyn, and children made a donation to Episcopal, the decision was made to name the field in honor of Gary. There was no question Charlie would be included and it would be called Pajcic-Hunt Field. The entire plan was kept a secret from Charlie. It wasn't until the sign was unveiled at a pre-game ceremony that Charlie learned of this special tribute. He choked back tears upon seeing his name permanently etched on the scoreboard. Now these two exceptional men who were so very close will be linked together forever through Pajcic-Hunt Field.

DEFECTIVE PRODUCT LEADS TO \$8 MILLION IN SETTLEMENTS FOR BURN VICTIM

It was the most horrific event imaginable. A fuel gel candle exploded, setting a beautiful young woman on fire. An ingredient in the candle is similar to Napalm, designed for warfare to stick to your skin. The flames engulfed Jane Doe and her mother could not put the fire out.

Jane suffered 3rd degree burns all over her face, chest and hands. Her skin that wasn't burned was needed for grafting. Jane spent months in Shands Hospital burn unit undergoing agonizing surgeries and procedures. Her life was saved, but the scars and memories of that night will haunt her forever.

How could this kind of tragedy happen yet again? All these exploding candles had supposedly been recalled long ago because of many other backyard disasters.

To begin with, the manufacturer of this particular product had stubbornly been the last company to take its exploding candle off the market. Not surprisingly, however, that company was now out of business, and its insurance exhausted.

Fortunately, it is not just the manufacturer itself who is liable, but every company involved in the chain of manufacture and sale of a defective product.

The small retailer of the exploding gel timely tendered its inadequate insurance limits on demand.

The second to settle after suit by Pajcic & Pajcic was the manufacturer of the bottle the gel was sold in. In contrast to less dangerous gasoline dispensers, the gel bottle had no safety feature to prevent dangerous fumes from escaping.



The main defendant was the worldwide company that had not only sold the key napalm ingredient, but also marketed the recipe for the dangerous concoction. Even more damning was the preposterous claim at depositions that the company had no idea about all the explosions and recalls. It was not until years after the recall and **after** Pajcic & Pajcic filed suit that the company finally took the recipe off the internet. This company had plenty of insurance. The only constraint on its liability was the right to point the finger at others involved to reduce its share of fault.

The \$8 Million in recoveries cannot undo the horror, but the settlements and her mother's constant support have helped Jane find an inner strength to go back out in public and carry on with her life. She now enjoys volunteering once a week at a local museum, tries to appreciate each day, and is determined to triumph over tragedy.



EVA SCOTT, PAST AND PRESENT

Eva Scott started with Pajcic & Pajcic as a 16 year old in the copy room. She steadily progressed through the firm while she was also president of her senior class, straight A college student, aspiring model, and beautiful bride. Then she quit to raise her family. Now to everyone's joy, Eva is back as one of the leaders of a presuit team. Eva says the neatest thing about returning is that it seems like she never left. And she has great confidence that seven year old Hosea and four year old Sarah are in good hands. They are being home schooled by husband Jonathan, who has a double degree in engineering and physics and was also a straight A student. One thing you may not have guessed about Eva-she is a huge fan of Gangsta rap music!

DEFENSE PAYS ALL OF \$1.4 MILLION VERDICT DESPITE INSURANCE OF ONLY \$125K

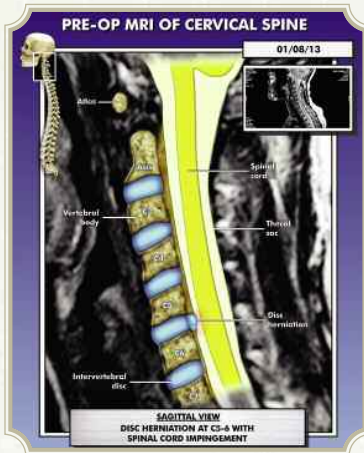
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The case was already in litigation and the defense was continuing to deny liability despite the fact their driver went the wrong way down a one-way street. Pajcic & Pajcic gave the defendants another chance to do the right thing by paying their limits. The new deadline came and went, but it was not until six months later that they said “we will pay”. By then, Pajcic & Pajcic said “too late” and Kimberly trusted her attorneys’ expertise.



paying the \$125,000 limits, Pajcic & Pajcic knew it was a “bad faith case” and that they would be able to collect every penny of the verdict for Kimberly.

The \$1.4 million, plus \$50,000 from her UM carrier and the monies Kimberly receives from her medical retirement, allows her to put her life back together as best as possible. Kimberly is glad it is all finally over and happy she trusted Pajcic & Pajcic to insist on full value once her reasonable offers of settlement had been refused.



The defense finally appreciated the magnitude of the case, pulling out all stops by adding more and more attorneys and experts. There were several failed mediations because the defendants never came with enough excess money to pay full value for the case.

The case went to trial against the cab driver and company. After two weeks of testimony, a jury awarded \$1.4 million in damages. More importantly though, because the defense had initially balked at



ROSE KORDENBROCK, JUST RIGHT FOR THE JOB

Rose Kordenbrock looks like the perfect person for what may be the most demanding job at Pajcic & Pajcic, paralegal to Curry Pajcic, who is an aggressive perfectionist, who never lets the defense get away with anything. Rose’s eclectic life and work experiences help her to handle any crisis with poise and understanding. She grew up one of eight kids in an Iowa farm family. As a divorced mom, she put two children through college. She’s tended and managed bars; sung alto with a girl’s trio in Nashville; owned and sold an auction house; and worked with law firms in Kentucky, Tennessee, and Florida. Seven years ago Rose settled down with new husband Jeff, and became a Jehovah’s Witness like him. They said she would be perfect working with Curry. They were right.

PAJIC PROFILE



We are always honored that our clients want to carry on their friendships with us long after their cases are resolved. Ian Pajcic and Harvetta Jackson visited with Bob Conley in his own sky box in Tampa for the Jaguars vs. Bucs game. Bob knew the Pajcics would enjoy the game even if the Bucs won because they are all big Seminole and Jameis Winston fans. Bob suffered a catastrophic injury in a car accident many years ago, Pajcic & Pajcic was able to recover more than \$11 million for Bob, despite there being only \$25,000 in insurance available. Bob and his wife Cecelia have been able to purchase a new home with all the latest equipment to assist him. Of course, they would do anything if Bob could walk again but they are thankful the major settlement allows them both to live better lives and enjoy time with friends in their skybox.

NEARLY \$3 MILLION FROM ROAD CONSTRUCTION COMPANIES

The crash report blamed the van that slammed into the back of Melicent Sander's car in a big crash that shut down I-10 west of Jacksonville for hours. But the van only had \$10,000 of insurance, and Melicent ended up with months of hospitalization, multiple surgeries and the loss of her job as a social worker. To get justice and fair compensation for Melicent, Pajcic & Pajcic had to show the critical role that unsafe road construction activities played in her accident.

Hubbard Construction contracted with the Department of Transportation for a road widening project on the highway. But Hubbard made no provisions for dump trucks to safely enter and exit the highway where the speed limit was 60 miles per hour. The construction project was so poorly designed that trucks had to practically come to a complete stop before getting off the interstate. There were no flaggers or warning signs, no police cars or anything to let drivers on I-10 know of this pending danger—a violation of numerous DOT regulations.

Melicent could see the 50,000 pound GEC Trucking dump truck starting to slow ahead of her so she slowed down but the van behind could not tell traffic was slowing and that driver slammed into Sander's vehicle at a high rate of speed. That propelled her into the dump truck.



GEC truckers and former Hubbard Construction employees admitted they knew of the danger they were posing to the public and had actually discussed it. Some even said openly they feared an accident was bound to happen. But workers for both companies failed to do anything about it until it was too late.

For their roles in the crash, Hubbard paid \$2 million and GEC Trucking paid \$950,000.

Melicent is from Sierra Leone, and after the settlement, to show her appreciation for the good work of Pajcic & Pajcic, she treated the entire firm to a scrumptious meal showing off the cuisine of her homeland. She is happy to have the recovery, but disappointed that she will never be able to return to the job she loved, protecting innocent children in our community.



A SECOND GENERATION SCHOLARSHIP

The Pajcic Firm is now making it possible for a second generation student to attend college. Don Jackson played on Steve and Gary's youth basketball team when he was young, along with Steve's son Michael. The Pajcics promised to pay the tuition for any of the players who got into college and Don was one of the success stories. Don's daughter Dontonique was also honored with a Pajcic scholarship. She graduated from Ribault High School and is attending Florida A&M University to study nursing. Dontonique received some other scholarship money but the Pajcic Firm is filling in the gap to make it possible for her to pursue her dream of becoming a neonatal nurse. Dontonique was on the A-B honor roll throughout high school and played volleyball and softball. Don earned his college degree in Criminal Justice and now runs The Role Models Foundation, a community based program that provides one-on-one mentorship for young people in need. Dontonique's little brother DJ has a little ways to go until his college days but he already has things figured out for his future. He plans on earning a scholarship in football AND basketball!



JOURNEY FOR JUSTICE FOR PARALYZED TEEN

It's been a long journey to seek justice for the family of a teenager who was paralyzed by a massive branch that fell from a city-owned tree. Well before the June 2011 incident, the City of Jacksonville had been warned several times that its tree posed a danger because it was dropping large limbs.

Many law firms shy away from a case against a state or local governmental entity because it is always a frustrating battle. In addition to procedural hurdles and immunity defenses, claims against a Florida sovereign entity have a statutory cap on damages. That means you must actually go through the Legislature and get a claims bill passed to authorize any payment over the cap. The bill must then be approved by the Governor. Even before all of that, on the local level, the City of Jacksonville has its own rigorous internal process that involves multiple layers of approval. From start to finish, it is a lengthy and tricky process.

Pajcic & Pajcic filed suit against the City and successfully negotiated a \$3.5 million judgment. The case would have been worth twice as much against a corporate defendant, but agreement on the lower amount helped with the claims bill approval necessary to collect any amount above \$200,000.

Representative Mia Jones and Senator Rob Bradley graciously sponsored the legislation and helped shepherd it through the Legislature. When the bill stalled, to its credit, the Jacksonville City Council stepped in with a unanimous resolution, sponsored by councilman Stephen Joost, in support for the paralyzed teen.

In 2015, the Stewarts' claims bill was finally signed by the Governor. Though successful claims bills are rare, it was Pajcic & Pajcic's third success in recent years. Most of the money is in a special needs trust for Aubrey's benefit so that he can get the help he needs and some of the justice the family deserves.



Sarai Griffin started at Pajcic & Pajcic 10 years ago as a part time receptionist while going to college full time. She became too valuable for the firm to let her go and steadily progressed to her recent promotion to presuit legal assistant with her own list of clients. All the while Sarai has continued her course work in psychology which she finds really helpful in her work with clients. She says counseling clients through difficult times is probably the most demanding –and rewarding – part of her job. Besides Pajcic & Pajcic, the other constant in Sarai's life has been her parents' church, The Revival Church of Jesus Christ. As a grown up "PK" (Pastor's Kid) she no longer has to sing on Sunday, but still feels the joy of serving her parents and the congregation she's known all her life.



DISTRACTED DRIVING

At Pajcic and Pajcic we see first-hand the horrific consequences of distracted driving. While investigating car or trucking accidents, we often discover that the "at-fault" driver was either talking on a cell phone or texting at the time of the wreck. Teenagers can be some of the worst offenders of driving while distracted, so the firm held a statewide scholarship essay contest for high school seniors on the important topic of "Distracted Driving". More than 400 students entered the contest, so many that we offered a second set of prizes totaling \$34,000 in scholarship money that was paid directly to their respective colleges. Congratulations to all and keep your eyes on the road.



1ST PLACE Daniel Bernadez
Somerset Academy,
Pembroke Pines
(attending Full Sail University)



1ST PLACE Arissa Cushnie
Western High School, Davie
(attending Florida
State University)



2ND PLACE Micah Conrad
Stanton College Preparatory,
Jacksonville
(attending Flagler College)



2ND PLACE Aravind Byju
Pine View School,
Sarasota
(attending Harvard)



3RD PLACE Annie Phifer
Berkeley Preparatory School,
Tampa
(attending Dartmouth)



3RD PLACE Sean Reilly
St. John Neumann
High School, Naples
(attending Belmont Abbey)

PAJCIC & PAJCIC'S LEGAL SERVICES REACH OUT ACROSS THE NATION.

While Pajcic & Pajcic's home and only office is in Jacksonville, Florida, our firm handles catastrophic injury and death cases across the country with multimillion dollar recoveries for clients who are the victims in truck crashes, auto accidents, malpractice, product liability and more, reaching from Boston to Chicago to Seattle to Los Angeles to New Orleans. For more information on our cases go to Pajcic.com



PETERSBURG, VIRGINIA
\$10 million verdict for a young wife's death from Ford Explorer roof crush on I-95 in Petersburg, Virginia.



SEATTLE, WASHINGTON
Companies repairing Seattle Kingdome pay for unsafe practices that cause death of construction worker ascending crane to work on roof.



CHICAGO, ILLINOIS
\$5 million for project superintendent injured by 36 foot fall through a Chicago skylight covered by snow. Our exemplar guard and large scale model were critical pieces of evidence.



LEXINGTON, KENTUCKY
Multimillion dollar medical malpractice recoveries for death of Lexington, KY school teacher after negligent treatment by doctors and hospital of partial vocal cord paralysis.



HOLLYWOOD, CALIFORNIA
Multinational pharmaceutical company pays after a defective product causes death of aspiring Hollywood television producer.



NEW ORLEANS, LOUISIANA
Family of New Orleans widow goes to trial in fatal trucking accident in St. Augustine and recovers more than double what insurance companies had offered at mediation.

negligently operated forklift.



OXFORD, MS
Insurance company pays for bad faith and manufacturers pay for bad tires and vehicle design for Oxford, MS rollover death of young woman headed to Graceland.



HOMOSASSA, FLORIDA
\$11 million in recoveries for insurance bad faith, automobile product liability, and nursing home negligence for client who was rendered quadriplegic in Homosassa automobile accident.



LAREDO, TEXAS
After Pajcic & Pajcic proves trucker had fictitious logs (and a prior traffic homicide) insurance company pays policy limits at start of trial in Laredo, TX for death of border patrol agent attempting to capture illegal immigrant.



BOSTON, MASSACHUSETTS

After five successful appeals, \$7 million from seven different defendants for brain injuries to young software executive from Boston. The lawsuit resulted in new signs marking the entrance and exit of the Gainesville shopping center.



NEW YORK CITY, NEW YORK

Seaman injured in New York Harbor discharges Johnny Cochran and retains Pajcic & Pajcic which ultimately secures recovery more than The Cochran Firm had demanded.



BRONX, NEW YORK

Settlement for Bronx family from phantom trucker and from car manufacturer when their SUV rolls over on I-95 in South Carolina after a hit & run sideswipe from a truck.



ROCKY MOUNT, VIRGINIA

Virginia family recovers \$3.5 million from employer of drunk driver after Florida holiday office party.



OOLETEWAH, TENNESSEE

Child seat manufacturer pays, along with at fault driver, for death of toddler whose seat is ejected during accident.



LUMBERTON, NORTH CAROLINA

After tire detread and van rollover kills three Haitian immigrants and paralyzes a fourth on I-95 in Lumberton, NC, car and tire manufacturers and tire service company all pay multi-million dollar settlements.



CHARLESTON, SOUTH CAROLINA

Because of unsafe practices at its Charleston plant, a multinational corporation pays for disfiguring electrical shock injury suffered by young employee of a contractor servicing its power station.



TIFTON, GEORGIA

Medical Malpractice insurance companies pay for neurologist and hospital's insistence that hydrocephalus was nothing more than migraine headaches in death of loving father and husband.



SAVANNAH, GEORGIA

\$12.5 million judgment for a teacher who was injured and whose husband was killed by a drunk driver on I-95 outside Savannah.

PANAMA CITY, FLORIDA

\$2.5 million verdict in Panama City for factory worker's loss of leg in product liability lawsuit for unsafe design of conveyor system.



ORLANDO, FLORIDA

Three death cases with multimillion dollar medical malpractice recoveries from Orlando area ER, home health care, and surgeons.



SEBRING, FLORIDA

Alarm company and its call center subcontractor pay for failing to respond to an alert from elderly Sebring woman who lived alone and died from burns after falling in her shower.



MELBOURNE, FLORIDA

Although the crash report blamed a phantom vehicle instead of the truck, after the start of trial in Melbourne, the trucking company finally paid \$7 million to our injured client who now requires constant care from her husband.



FORT PIERCE, FLORIDA

After Fort Pierce juries find that a wrecked vehicle on Florida Turnpike was partly responsible for the deaths of college students in a subsequent accident, the insurance company ends up paying many times the policy limits it had refused to tender.



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Stephen J. Pajcic, III
Raymond P. Reid, Jr.
Benjamin E. Richard
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Robert J. Link, of Counsel

Gary and Steve Pajcic started Pajcic & Pajcic in 1974, the year Steve was elected to the Florida Legislature representing the south half of Duval County. Pajcic & Pajcic obtained its first multi-million dollar verdict in Panama City in 1985 and has since handled more than 9,000 personal injury and wrongful death cases, recovering over \$900 million for clients. Gary died unexpectedly in 2006, but Steve has carried on the practice with three of Gary's sons and his own. The firm includes seven other attorneys. All of Pajcic and Pajcic's 12 attorneys have attained the "AV Preeminent" Peer Review Rating. They have amassed more than 335 years of combined legal experience and zealously represent clients in their time of need. Some of our practice areas include car, motorcycle and truck crashes, medical malpractice and nursing home neglect cases, as well as litigation concerning dangerous consumer products and unsafe motor vehicles. From the beginning, outstanding service was a signature of our firm and it remains so today. Pajcic & Pajcic's ultimate goal is to obtain a full and fair recovery for every client.