



Profiles & Precedents

THE LAW FIRM OF
Pajcic & Pajcic
Since 1974

This is the twenty fifth periodic report of Pajcic & Pajcic

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SERVICE. EXPERIENCE. RESULTS.

JURY AWARDS NEARLY \$19 MILLION FOLLOWING BAR FIGHT

INSURANCE COMPANY PAYS MANY TIMES INSURANCE POLICY LIMITS

It seemed like just another fight outside the iconic watering hole “Pete’s Bar” at closing time, but this fight forever changed the life of an innocent bystander.

Josh Mathews worked nearby, was a regular at the bar, and was friends with everybody, including those on both sides of the fight. Josh had just left Pete’s and encountered patrons fighting. He has no memory of anything that happened that night because he was sucker punched and his skull cracked on the cement.

(continued on page 1)



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.

What Sayeth the Jury?

INSIDE: THE PAJCIC FIRM’S RECENT TRACK RECORD

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JURY AWARDS NEARLY \$19 MILLION FOLLOWING BAR FIGHT

INSURANCE COMPANY PAYS MANY TIMES INSURANCE POLICY LIMITS

(continued from cover page)

Josh had to have surgery on his brain and ended up with over \$1 million in medical bills. He can now walk, but he still often uses a cane and has trouble with stairs. He can understand what people say to him, but he is very frustrated that his brain injury has left him unable to speak more than a few words at a time. He can never be left unwatched.

Police records showed a long history of calls because of trouble at Pete's. All the other bars in the neighborhood hired off duty police to be out front at closing time, but not Pete's. Pete's may have had no security, but at least it had insurance. Pajcic & Pajcic gave the insurance company a comprehensive settlement package and an offer to settle the case for the \$1 million policy limits.

The company at first denied its policy covered the incident, but they abandoned that tactic and said Pete's was not responsible because the fight happened outside the door and because Josh was himself drunk.

The insurance company offered its limits before trial, but Josh and Pajcic and Pajcic decided it was too late. At trial, Pete's employees denied any involvement, but Pajcic & Pajcic played the police recordings to prove what really happened. On the recording, the Pete's doorman told the detective that he sent another patron, who he knew was drunk and a gifted fighter, to break up an argument. As soon as that patron stepped out the door, the fight erupted.



The jury found Pete's liable and returned a verdict for \$18,740,000. It also found Josh 40% at fault and the judge reduced the award accordingly. Since Pajcic & Pajcic had filed a proposal for settlement to Pete's, it was entitled to attorney's fees on top of the judgment.

The defense challenged the verdict, but on the eve of oral argument before the appellate court, agreed to settle for a slight discount off the judgment. The insurance company ended up paying the entire settlement even though it was way more than the policy limits.



The best thing that has happened to Josh since the injury has been his marriage to Lauren, his sweetheart from before. She and Josh moved back to Tennessee where her parents have been a tremendous help with Josh's care. Life will be much easier for all of them now that Josh can afford to pay for the care that allows the couple to live independently in their own home.

After the settlement, everyone came to Jacksonville to celebrate with the trial team. Josh went home with a smile on his face and a little something extra-the hat he had admired on Steve's head.



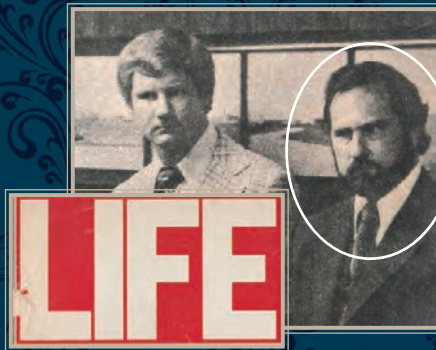
A MAJOR LEAGUER ON THE PAJCIC TEAM

Pajcic attorney Tom Slater was a typical dad playing catch with his son in the yard, but never in his wildest dreams could he have imagined then, that one day Austin Slater would make it to the major leagues. Those dreams have now become a reality. Austin was an 8th round draft pick by the San Francisco Giants in 2014 and worked his way up to the majors where he has shown off his versatility playing all three outfield positions as well as first and third base. Tom and the whole Slater family were on hand for Austin's first major league game where he promptly got a hit and RBI that night. Tom is beaming with pride, but always mindful of the miracle of it all. "We remind ourselves that the number of people who make it to this level is so small. It sure has been special and fun to watch." We now have a whole law firm of fans having fun watching, too.

TRUCKING COLLISION LEADS TO MULTI-MILLION DOLLAR SETTLEMENT FOR WIDOW WHO LOST HER SOULMATE

Wiley Clark spent his lifetime in law enforcement – he was described as a straight shooter you could always count on

Wiley was a chief investigator for the State Attorney's Office in the Gainesville and Starke area. He was in charge of a major drug unit and was pictured in Life Magazine working on a high profile case.



Family was always Wiley's top priority. He spent much of his free time with his grandchildren and was so happy that he and his wife Bonnie found their dream home on 20 acres in Alachua County. They loved working on the land and caring for their cows and donkeys.

One Sunday morning, Bonnie was getting ready to teach a Sunday school class at her church and Wiley was heading to meet a friend for breakfast. He never got there. He was driving on U.S. 301 in Hawthorne when a semi-tractor trailer for a world renowned retailer, inexplicably lost control, crossed the median and swerved directly into Wiley's pickup truck. Wiley did not survive.

Bonnie was devastated. The love of her life and husband of 38 years was gone in an instant. Eventually, she sought help from Starke attorney Dudley Hardy who



guided her to the Pajcic firm, knowing our team has vast experience in handling major truck crashes. Attorneys for the trucking company and retailer also knew of the Pajcic's history of success going to trial in trucking cases. The defense downplayed the damages, arguing that Wiley was 72 years old, had smoked for many years and had no minor children. To demonstrate the full value of the case, our attorneys left no stone unturned, holding six mock trials in two different counties to show defense counsel the risk they'd be taking by going before a jury. In the end, we negotiated a \$4.5 million settlement, guaranteeing Bonnie will always be cared for.

Bonnie's deep faith has guided her through her darkest days. And while she feels robbed of so much precious time with her beloved husband, she takes great solace knowing she will be reunited with Wiley again one day.



PRACTICING PAYS OFF WHEN STAIR CHALLENGE BECOMES NECESSITY



The Pajcic Firm holds a quarterly stair challenge where employees climb the 19 flights up to our office for a cash prize and pride. There is an extra bonus at the end of the year if they make it up the stairs in a faster time than Michael Pajcic. A number of staff members practice walking up on a regular basis. That certainly paid off following Hurricane Irma. The Wells Fargo building flooded and we had to temporarily relocate to another office building down the street. We needed to move our servers and computers, but the power was out in the building, so a team of employees climbed up the stairs and then back down while carrying the very heavy equipment. With no electricity, it was steaming hot and they just had a few flashlights on their heads to light the way. Once they got one load out of the building, they went back and did it all over again, and then again, up and down at least a dozen times. We not only have the most dedicated staff, but they are also in fabulous shape.

MULTI-MILLION DOLLAR SETTLEMENT WITH INTERNATIONAL RETAILER FOLLOWING MAJOR SAFETY VIOLATIONS

ALL BECAUSE SOME COMPANY EMPLOYEES DID NOT WANT TO BE COLD

Elliott Alexander was just doing his job one day, delivering products to a world renowned retail store in Atlanta, when suddenly he was hit by a forklift and pinned to his own vehicle. Elliott's legs were shattered and doctors had to consider the possibility of a double amputation.

With a big name, big money company to sue, many law firms would have taken the easy road and accepted a quick settlement. We were not willing to give in so quickly. Our thorough investigation revealed a long list of critical company violations that added to the value of the case.

The forklift driver never should have been allowed to operate the machinery in the first place. The driver was blind in one eye and



company rule requiring him to drive the forklift in reverse if his vision was blocked. If he had done that, he would have been able to see Elliott and the beeper on the forklift would have sounded, giving Elliott some warning.

All of these safety violations forced the company to do the right thing and fully compensate Elliott for all he had been through.



eventually disclosed that his wife helped him pass his driving test because of his inability to read. In addition, the driver's view was obstructed because he overloaded the forklift with pallets to speed up the process. The driver admitted that management wanted the job done fast. To make matters worse, he wrapped plastic sheeting around the vehicle to keep him warm, which further clouded his view. The cold weather also kept his spotter inside, so no one was around to warn him of the impending danger. He also violated another

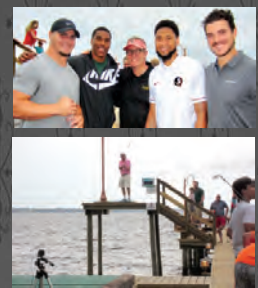
Doctors were able to save Elliott's legs. He spent more than a month hospitalized and in rehabilitation. After numerous surgeries, he still has plates, pins and other hardware holding the bones together. He can never work again, or enjoy the simple pleasures of

sitting on the floor to play with his grandchildren, traveling with his wife or just living pain free. He is grateful to no longer have financial worries, but he would do anything to turn back the clock so that day would never have happened.



A PURPOSEFUL PAJCIC PARTY

The Pajcic Yard Golf event has become THE destination to enjoy a fabulous lawn party on the river for a most worthy cause. In 2018, a record \$150,000 was raised for Jacksonville Area Legal Aid. JALA provides certain legal services for those in need. Golfers who shoot off a dock onto the "island green" get a \$6,000 cash prize if they get a hole-in-one. This year there were two lucky winners. Jaguar kicker Josh Lambo won the celebrity shoot-out to win \$6,000 for the charity of his choice. He selected a no-kill animal rescue shelter, Fur Sisters, where he adopted his puppy. The Pajcics match all donations and prizes dollar for dollar which doubles the fun and the donation to JALA.



CITY OF ATLANTIC BEACH DOES THE RIGHT THING RESULTING IN \$1 MILLION FOR TEENAGE BURN VICTIM

Anyone who goes to the beach to sunbathe should feel safe and secure in the sand. But for 13-year-old Jade Shaw a day of relaxation turned tragic and changed her life forever. Jade and her friend were getting some sun while lying on big colorful towels on the beach when suddenly a City of Atlantic Beach employee inexplicably drove his truck right over the girls.

The truck stopped in the sand on top of Jade as the hot underside of the truck seared her skin. Jade was taken by air ambulance to Shands burn unit in Gainesville where she was treated for second and third degree burns over 30 percent of her body. Over the years she has endured multiple painful surgeries and procedures and will likely need more in the future.

Because a government entity was responsible, there are caps in place that would limit the amount we could recover for Jade to just \$200,000. Typically, in order to secure something closer to what Jade would deserve, we would go through the claims bill process where we seek approval for a greater amount from the Florida Legislature.

This is a long and tedious process, but the firm has triumphed in all of our prior claims bill cases.

This time, Pajcic & Pajcic found a way to prevail without a claims bill. The law provides an exception where there is insurance and Atlantic Beach had secured a \$1 million policy.



At first, the insurance company refused to pay, but Pajcic & Pajcic cited an appellate decision that would have forced the insurance company to pay several times the policy limits if it refused to tender the limits.

Fortunately, after significant litigation, both the city and its insurance company ultimately did the right thing, paying \$900,000, several times the sovereign cap. Another \$100,000 was available for Jade from a family uninsured motorist policy, to bring the total recovery to \$1,000,000.

Jade can now have some closure and focus on finishing high school and looking to her future.

We also are glad to see the city has changed its policies when it comes to workers driving on the beach, so we are hopeful nothing like this will ever happen to anyone else.



PAJCIC PROFILE

Paralegal Nickey Williams-Kelly truly has a heart of gold. Once a month, she brings food and clothing to the homeless and helps kids in need. "We make sure they have clothing and hygiene products. We tutor children and we try to be a role model for them when their parents aren't around on a regular basis. If I could take away the poverty level in the whole city of Jacksonville I would." Nickey runs a charitable ministry through New Mount Pleasant Church where her husband is the pastor. Nickey has been known to do things spontaneously, like taking the jacket off her own back to give to a lady she saw shivering on a frigid day. Another example of a spur of the moment decision; she married her husband, Alexie Kelly, just 12 days after they met. Nickey says their love gets stronger each day. Fellow Pajcic co-worker Brenda Postell is credited with introducing them.



ROOTS RUN DEEP FOR WORTHY CAUSE

Steve and Anne Pajcic could not say “no” when asked to sponsor a Guardian ad Litem fundraising event. GAL volunteers serve as advocates in court for children in the foster care system.



The Pajcic's long-time friend Julia Taylor was serving as honorary chair for the fundraiser. She called to see if they'd be willing to donate. They didn't hesitate, giving \$20,000, the largest single donation to date for GAL in the 4th Judicial Circuit.

It was personal for Anne as she was a GAL volunteer for six years. “Guardian ad Litem is a wonderful organization giving a voice to neglected children. I could see firsthand the important work done for our community's children.”

CONFIDENTIAL SETTLEMENTS

— TOTALING MORE THAN \$100 M —

The public does not usually hear about settlements with car manufacturers, hospitals and international corporations because these settlements are typically confidential. In the last few years, Pajcic & Pajcic has reached confidential settlements totaling over \$100 million in several dozen such cases with settlements as high as \$20 million.



MANY MILLIONS IN CONFIDENTIAL SETTLEMENTS — AND ENHANCED SAFETY —

A half dozen of those cases and a fourth of the money recovered involved car roofs, defective air bags and seatbelts that could not withstand the

impact of collisions.

These crashworthiness cases are especially important at Pajcic & Pajcic

because they ultimately result in more safely designed cars and less paralysis and death.

Another big part of these confidential settlements are medical malpractice cases where Pajcic & Pajcic lawsuits have led to safer hospital procedures and fewer unqualified doctors working in them.



THE LEGACY OF EL FARO

It was a gut wrenching drama that unfolded before our eyes. The cargo ship El Faro departed Jacksonville for a delivery in Puerto Rico. But the ship had antiquated weather forecasting equipment and El Faro headed straight into the path of Hurricane Joaquin. All 33 crew members were killed.



The Pajcic Firm represented two families with loved ones on the ship, but knowing there were dozens of other lawsuits being filed against the ship's owners, our firm took the lead and created a "joint prosecution agreement" to share certain information to benefit all of the victim's families. The Pajcic Firm served as the clearinghouse for multiple attorneys, all with the same goal of best serving our clients. The results of all El Faro cases were confidential. The El Faro was covered in the media worldwide.

Our client Tina Riehm appeared on CBS's "60 Minutes" twice.



Her husband Jeremie was the third mate. Three books were written about the ship and Tina was interviewed for one of them. She wanted to speak out on behalf of her brave husband, who was the rock of their family.

She has some comfort knowing that The Coast Guard Marine Board of Investigation recommended dozens of federal safety changes in hopes there will never be another tragedy like this again.



PAJCIC PROFILE



Janet Rodriguez was a newcomer to the Pajcic Firm in 2004, working in the pre-suit department when co-workers convinced her to sign up for the Corporate Run. The firm was a sponsor of the downtown race and Janet gave it a try. It was her first race ever, but certainly not her last. Janet was hooked. The next thing you know she signed up for any race she could find. She did so many, she completely lost count. Her longest race was the Marine Corp half-marathon in 2015. Her favorite is the "Never Quit" held annually to honor military veterans. Janet is now an assistant in the accounting department. She proudly displays her many medals in her office. We don't recommend her actually wearing all of them in her next race!



NICHOLSON PAJCIC WEDDING




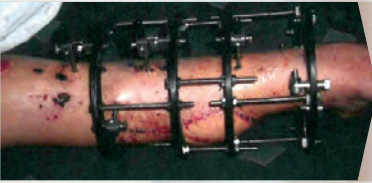




Anne and Steve Pajcic held one of the first Florida fundraisers for Senator Barack Obama at their house in Avondale. The most important person at the fundraiser (at least as far as the Pajcics are concerned) was Marvin Nicholson, Obama's travel director. The most important thing that happened at the event was Marvin Nicholson met Helen Pajcic.

Almost 10 years later President Obama returned to the Pajcic's Avondale home to be one of Marvin's groomsmen in his marriage to Helen. Secretary of State John Kerry conducted the ceremony.



LAST 6 PAJCIC &

All of the attorneys in Pajcic & Pajcic know that in order to get the best results for their clients, they must be ready to go to trial in every case. The insurance companies know this about the firm, as well, which is why we are able to settle most of our cases for top value without the need for a trial.

	INJURY SUFFERED BY PLAINTIFF	DATE OF VERDICT	AMOUNT OF VERDICT	% COMPARATIVE FAULT ON PLAINTIFF	FINAL JUDGMENT AMOUNT
	Pain Management	8-24-16	\$1,400,000	10%	\$1,360,000
	Severe Leg Fracture	9-22-16	\$1,701,878	10%	\$1,225,548
	Catastrophic Traumatic Brain Injury	10-31-16	\$18,740,000	40%	\$11,244,000
	Death	4-27-17	\$4,000,000	18%	\$1,760,000
	Pelvic Fractures & Mild TBI	7-14-17	\$3,743,744	20%	\$2,994,995
	Elbow Fracture; Internal Injuries; Long Abdominal Scar	6-11-18	\$4,327,000	0%	Pending

PAJCIC TRIALS

However, when the defense refuses to offer a fair amount, Pajcic & Pajcic is always prepared to take the case before a jury. Over the past two years, we have gone to trial on six cases, ranging from soft tissue injuries to death. Below is a chart of the results of each trial.

DEFENSE BEST OFFER	PLAINTIFF'S ATTORNEY'S FEES CHARGED TO DEFENSE
\$250,000	Yes
\$10,000	Yes
\$1,000,000	Yes
\$100,000	Yes
\$135,000	Yes
\$10,000	Pending

THE LAW FIRM OF
Pajcic & Pajcic
Since 1974

For more than 40 years The Law Firm of Pajcic & Pajcic has specialized in representing individuals and families who have suffered a serious injury or wrongful death because of the fault of others.

We have handled more than 10,000 cases, recovering over \$1 billion for our clients.



We take pride in our personal attentive service to clients.

