

**TRIALS/ARBITRATIONS 1996**

<b>No.</b>	<b>Date</b>	<b>Parties</b>	<b>Statement of Case</b>	<b>County</b>	<b>R&amp;R Attorney</b>
1	1/5	Page v. Chrysler	Defense of automobile lemon law case.	Summit	Amaddio
2	1/12	Mahan, Dec'd v. Florig Equipment	Defense of wrongful death products liability case.	Jackson	Holthus
3	1/15	Iracinain v. MK Ferguson Co.	Plaintiff handicap discrimination case.	Cuyahoga	Satullo/ Abbarno
4	1/19	Sikorski v. Tool Producers	Defense of employer intentional tort involving the guarding on a punch press.	Cuyahoga	Hulme
5	1/29	Shallenberger v. Cleveland Clinic	Defense of medical malpractice case involving liver transplant aftercare.	Cuyahoga	Malone/ Parker
6	2/1	McGuinness v. West American Ins.	Plaintiff action - UM/UIM.	Summit	Masch
7	2/9	Sobolewski v. Manoir Electroalloys Corp.	Defense of age discrimination case.	Lorain	Farrall/ Haber
8	2/12	Lamm v. Smythe Cramer Realty Co.	Defense of real estate fraud case involving construction and sale of century home.	Cuyahoga	Coakley/ Kabat
9	2/21	Sadar v. Snavely-Pebblebrook Farm	Defense of contractor's property damage and improper design case by private homeowner adjacent to commercial property.	Lake	Marvinney

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10	2/22	Matthews v. Yellow Freight	Defense of truck line in property damage and personal injury case.	Cuyahoga	Abbarno
11	2/26	Oliver v. MetroHealth Medical Center	Defense of hospital's birthing center for alleged medical malpractice resulting in post-birth infantile neurological and developmental deficits.	Cuyahoga	Goldwasser Reid
12	2/27	Ohio Government Risk Pool v. Cross	Prosecution of \$40,000 plaintiff subrogation case on behalf of municipal liability insurance carrier against homeowner	Trumbull	Zavelson/Sullivan
13	2/28	Sheers v. Twin-Valu	Defense of commercial premises liability case proceeding to binding arbitration.	Montgomery	Burgess
14	3/4	Storey v. Firelands Hospital	Defense of hospital malpractice case involving serious post-operative complications after a neurosurgical procedure to the neck.	Erie	Walters
15	3/7	Wilson v. Geauga Lake	Defense of commercial premises liability case.	Geauga	M. Amaddio
16	3/12	Estate of Jennings	Action on behalf of estate beneficiaries against party for concealment of estate assets.	Cuyahoga	R. Hricik

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17	3/14	Wilamette v. City of Norton	Plaintiff personal injury case against City for failure to replace guardrail on dangerous curve.	Summit	L. Sutter/ S. Leuthold
18	3/19	Lewis v. Acme Cab Co.	Defense of rear-ender admitted liability auto case.	Franklin	W. Enders/ T. Cassinelli
19	3/20	Perko v. Central Radiology Consultants	Defense of wrongful death medical malpractice case for alleged claim of missed x-ray diagnosis.	Cuyahoga	R. Warner
20	3/28	Bartlett v. Spectrum Emergency Care, Inc.	Defense of medical malpractice of wrongful death claim of 26 yr. old decedent leaving surviving spouse and 2 children, ages 4 & 6.	Jackson	W. Enders/ J. Beausay
21	3/29	Rizzo v. Progressive Ins. Co.	Defense of coverage and bad faith tortious claim against insurance company's denial of payment for automobile loss.	Cuyahoga	Aveni
22	4/2	Beck Summit Mgmt. Co. v. Economy Lodge Systems	Defense of Chapter 11 bankruptcy adversary proceeding for alleged claim of debtor in possession against hotel management company for mismanagement.	U.S. District - Cleveland	Satullo/ Mitchell
23	4/8	Dotson v.	Arbitration in defense of	Montgom	B.

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		Wal-Mart	commercial premises liability case.	ery	Goldwasser
24	4/10	Knox v. Cowan, M.D.	Defense of wrongful death cancer diagnosis and treatment case.	Cuyahoga	G. Goldwasser/ Reid
25	4/16	Carpenter v. Independent Cab Co.	Defense of admitted liability automobile/taxi cab case.	Franklin	Enders/ Cassinelli
26	4/19	Fareed v. Fillmore Freight	Defense of trucking liability case.	Cuyahoga	Moracz/ Mannion
27	4/24	Mechling v. Funtime, Inc.	Defense of commercial premises liability personal injury case.	Geauga	Amaddio/ Wolf
28	4/30	Powe v. Columbia Gas Co.	Representation of plaintiff personal injury action arising out of truck-auto accident where liability was in question.	Medina	C. Marvinney
29	5/1	Burkley v. ABF Freight Systems	Defense of Worker's Compensation claim involving worker's attempt to attach conditions of herniated disk, arthritis and spinal cord stenosis to previously allowed injury.	Montgomery	K. Foley/ R. Fresco
30	5/2	Griffin v. Apanovich	Defense of automobile liability case in admitted, but multiple defendant	Cuyahoga	W. Scully

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			situation.		
31	5/3	Monroe v. Yun Song, M.D.	Defense of medical malpractice alleged negligence and failure to reduce fractured femur by orthopedic surgeon.	Franklin	M. Defossez
32	5/3	Structural Sales, Inc. v. Village of Boston Heights	Defense of Village in alleged unconstitutional denial of zoning classification.	U.S. District - Cleveland	J. Peto
33	5/7	Kay v. Howard Cahn, M.D.	Defense of failure to diagnose radiologist malpractice case.	Cuyahoga	C. Reid
34	5/16	E/O Anthony Lastoria v. Nestor Peralta, M.D.	Defense of wrongful death medical malpractice claim involving death of a 50-year old male leaving wife and 5 adult children surviving.	Cuyahoga	Malone/ Mannion
35	5/19	Bolek v. Scratashar, M.D.	Prosecution of plaintiff medical malpractice action against a urologist.	Summit	Sutter/ Casey
36	5/22	Bragg v. Skalsky, DDS	Defense of dental malpractice action.	Summit	Scott
37	5/30	E/O Robeson v. Lisa Vaughn, DO	Defense of wrongful death case involving alleged misdiagnosis of aortic aneurysm.	Stark	Walters

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38	5/31	E/O Laurie Wilson v. MetroHealth	Defense of wrongful death baby case on behalf of hospital.	Cuyahoga	Groedel/Reid
39	6/5	Delago v. Dr. Ian Alexander	Defense of orthopedic surgeon for failure to diagnose infection leading to endocarditis and permanent valve damage.	Cuyahoga	Spisak/Parker
40	6/11	E/O Jamison v. Bellfair Home	Defense of abuse followed by suicide of patient in wrongful death.	Cuyahoga	Goldwasser/Meadows
41	6/12	RE: Guardianship of Martha Metcalf	Prosecution of recovery action on behalf of guardian of ward against neighbor for undue influence on ward.	Lake County Probate	Weiss
42	6/13	Beeham v. Hefner	Defense of automobile accident case involving claim of herniated and operated disk.	Allen	Ignozzi
43	6/17	Palker v. Edward Dubay, DDS	Defense of dental orthodontics malpractice case.	Cuyahoga	Latchney
44	6/21	Mongeau v. Lumberjacks Hockey	Defense of sport injury case involving crushed facial bones and ligamentus knee joint damage.	U.S. District - Akron	Farrall/Wolf

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45	6/25	Duckworth v. Lontoc, M.D.	Defense of wrongful death of 45 year old medical malpractice case involving diagnosis of a malignant lung lesion.	Cuyahoga	Parker/Sandacz
46	6/26	Hendrock v. May Company	Arbitration defense of commercial premises liability case.	Cuyahoga	Schlag
47	6/27	Sawyer v. Schubeck	Defense of breach of contract real estate case involving nature of agreement and valuation of interests.	Cuyahoga	Amaddio
48	6/28	Collins v. Yellow Freight Systems	Defense of Workers' Compensation allowance trial for spinal cord stenosis.	Summit	Alusheff
49	6/28	Robertson v. Valentine, DDS	Defense of serious orthodontic dental malpractice action involving total absorption of bone tissue.	Cuyahoga	Rymond/Meadows
50	7/8	Dotson v. Wal-Mart	Defense of commercial premises liability case.	Montgomery	B. Goldwasser
51	7/8	Hassing v. McCrone	Commercial litigation as plaintiff seeking money recovery.	R. River Muni Court	T. Wolf
52	7/16	Riley v. Corbin	Defense of automobile	Franklin	J. Burgess

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			liability case.		
53	7/15	Weigel v. Poloncarz, R.N.	Defense of nursing malpractice case involving extravasation of IV.	Cuyahoga	C. Reid
54	7/22	Borowski v. State Chemical Co.	Defense of retaliatory discharge - employment case.	Cuyahoga	N. Satullo
55	7/22	Tilley v. Belkin Productions	Arbitration of commercial premises liability case arising out of various injuries sustained in a Rock Concert in Dayton, OH.	Montgomery	B. Goldwasser
56	7/23	Towns v. Klaben, Inc.	Defense of commercial premises liability case.	Stark	F. Leonetti
57	7/26	Rollins v. Northern Steel Transport	Arbitration defense of trucking liability case.	Cuyahoga	F. Leonetti
58	7/25	Schroeder v. Cafardi	Defense of commercial trucking liability case.	Cuyahoga	M. Amaddio/ M. Sheehan
59	7/26	Kappel v. Gould, Inc.	Defense of sexual harassment case.	Cuyahoga	G. Coakley/ A. Kabat
60	7/30	Burke, et al. v. Evans	Defense of commercial fraud litigation case involving plaintiff's claim for rescission and damages in the amount of \$500,000.	Medina	R. Rinicella/ T. Mannion

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61	7/31	Burns v. Fairfield County Head Start	Representation of minor plaintiff for frostbite and emotional injuries resulting from being left on a bus unattended.	Fairfield	D. Holthus/ J. Burgess
62	8/2	Kinsella v. Cyphert, DDS	Arbitration defense of medical malpractice matter.	Cuyahoga	R. Rymond
63	8/2	United National Bank & Trust v. Progressive Ins. Co.	Defense of impairment of secured collateral and wrongful repossession claim – Arbitration.	Stark	J. Peto
64	8/5	Tackett v. Ben's Termite & Pest Control	Defense of pest control unsuccessful extermination of termite infestation pursuant to home sale.	Fairfield	T. Hunter
65	8/5	Lal v. R. Markunez, M.D.	Defense of clear liability catastrophic medical malpractice case involving morphine overdose leaving an 11 year old in vegetative state.	Summit	Goldwasser/ Scully
66	8/8	Aerosol Systems v. Willow Fargo Alarm Services	Prosecution of \$15 million fire subrogation case .	Cuyahoga	Hulme/ Moracz
67	8/12	Schaeffer v. Lake Hospital System	Defense of Workers' Compensation allowance petition for aggravation of multiple sclerosis.	Lake	F. Gardner

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68	8/12	Dries v. Wal-Mart	Defense of commercial premises liability case involving admitted liability but disputed damages in terms of herniated disk and permanent disability.	Hamilton	B. Goldwasser/ K. Ignozzi
69	8/13	Holver v. Parich, M.D.	Defense of wrongful death medical malpractice claim involving insulin-dependent diabetic/private psychiatric patient.	Summit	A. Parker/ J. Casey
70	8/13	Motor Cars Toyota v. Medlock Services	Arbitration defense of wrongful repossession case of automobile ultimately stripped and damaged.	Cuyahoga	K. Abbarno
71	8/14	Modon v. Wal-Mart	Defense of commercial premises liability case.	Summit	R. Schlag
72	8/20	McGuffey v. Connaley	Defense of admitted liability automobile negligence case.	Hamilton	J. Benintendi K. Ignozzi
73	8/21	Finn v. Service Engineering, Inc.	Defense of construction engineering errors and omissions case.	Summit	N. Milanich T. Wolf
74	8/22	Thomas v. Cleveland Lumberjacks	Defense of hockey battery case for compensatory and punitive damages on behalf of Cleveland	U.S. District Court - Akron	W. Farrall K. Abbarno

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			hockey club.		
75	8/22	ABF Lines v. Gabbard	Employer's Workers' Compensation appeal from allowance of major depression and neurosis arising out of industrial injury.	Montgomery	W. Thomas K. Foley
76	8/23	Nunnery v. Lazarus Dept. Stores	Defense of commercial premises liability case with claim of injury from fall due to accumulation of perfume over spray on floor.	Franklin	G. Karr
77	8/23	Gyorfi v. Segarra, M.D.	Defense of medical malpractice and sexual abuse case.	Lorain	L. Spisak
78	8/28	Spikes v. Lake Hospital System	Defense of hospital negligence case involving altercation in Emergency Room.	Lake	B. Sandacz
79	9/5	Jansen v. Darling	Arbitration defense of constructive eviction case.	Geauga	Abbarno
80	9/6	Petronio v. Spinal Anesthesia, Inc.	Defense of medical malpractice case involving nerve damage pursuant to anesthesia and spinal surgery.	Cuyahoga	Groedel/ Scott
81	9/6	E/O Wortz v. Peoples Cartage Co.	Defense of wrongful death auto-trucking case.	Summit	Turek/ Sutter

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82	9/9	Louis v. Charleston Auto Towing	Arbitration defense of personal injury automobile case of clear liability.		Foley
83	9/9	E/O Eisenmann v. Pitt-Ohio Express	Defense of wrongful death commercial premises liability case.	Cuyahoga	Rossi/ Leuthold
84	9/13	Ohio Bell Telephone v. New River Electrical	Arbitration defense of contractor for property damage.	Franklin	Holthus
85	9/17	Coral Heisley, LP v. Snively Construction	Arbitration defense of construction liability defect and delay damages.	AAA - Cleveland	Aveni
86	9/18	Progressive Ins. v. Baylor	Prosecution of subrogation case arising out of uninsured motorist coverage payment.	Franklin	Foley
87	9/19	Garretson v. Fab Form, Inc.	Representation of plaintiff in so-called employer intentional tort case involving employee losing right hand in unguarded punch press.	Lake	Parker/ Wolf
88	9/19	Balazy v. GPS Transportation	Arbitration defense of admitted trucking liability case.	Lorain	Moracz
89	9/25	Hanus v. City of	Defense of municipality	Stark	Tomino

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		Canal Fulton	in claim for false arrest, violations of civil rights, invasion of privacy and intentional infliction of emotional distress by wife of replaced police chief.		
90	9/27	Continental Ins. v. G&W Construction	Defense of contractual indemnity and contract to insure on a construction project with stipulated damages of \$333,000.	Franklin	Enders/ Burgess
91	9/27	Dillard v. Cleveland Door Co.	Arbitration defense of commercial premises liability personal injury case.		Sheehan
92	9/27	Soaper v. Bundy, M.D.	Defense of medical malpractice action involving post-hysterectomy complications.	Cuyahoga	Spisak
93	10/2	E/O Satterfield v. Growell, M.D.	Defense of wrongful death admitted medical malpractice liability case.	Cuyahoga	Walters/ Warner
94	10/2	Lambert v. Overnite Transportation	Arbitration defense of trucking liability personal injury case.		Leonetti
95	10/3	Krinek v. Lindsay	Arbitration defense of automobile personal injury action.	Cuyahoga	R. Haber

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96	10/4	Bair v. Tebbe	Defense of admitted liability automobile accident case.	Franklin	Ignozzi
97	10/7	Jacobs v. J.B. Hunt Transportation	Defense of \$4,000 property damage trucking liability case.	Cuyahoga	Moracz
98	10/18	Morton v. Geauga Lake Park	Arbitration Defense of Commercial Premises Liability case.	Geauga	Amaddio
99	10/23	Harper v. Village of Ashley	Defense of municipal liability case involving very serious injury to elderly Plaintiff in connection with Municipal Parking Lot.	Delaware	J. Beausay
100	10/24	Burns v. Acute Care Specialists	Medical malpractice defense of Emergency Room care for eye infection ultimately resulting in plaintiff's surgical removal of the left eye.	Lorain	W. Meadows
101	10/24	Horace Mann Co. v. Andy Harris, et al.	Prosecution of insurance coverage case on behalf of an insurance company to declare non-coverage for contemporaneous tort case for injuries sustained in an assault.	Madison	Cassinelli
102	10/25	Phillips v. Ching	Arbitration defense of admitted auto liability case.	Franklin	Foley

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103	10/25	James v. VanFossen, MD	Medical malpractice defense of ophthalmologist charged with causing detached retina and permanent loss of vision.	Franklin	Enders
104	10/31	Decatur v. Sussen Automotive Products	Defense of retirement funds "conversion" and ERISA violation case by former employed manager.	Cuyahoga	Leuthold
105	11/1	E/O Donardo Paz v. Cleveland Clinic Foundation	Defense of medical malpractice wrongful death case with admitted negligence but defense of proximate cause issue.	Cuyahoga	Malone/ Rossi
106	11/4	Ohio Water Service Co. v. A.P. O'Hora Construction	Defense of environmental contamination case on suit brought by owner to recover \$800,000 worth of remedial cost from hired contractor.	Lake	Neville/ Scully
107	11/6	Cincinnati Ins. Co. v. Michigan Mutual Ins. Co.	Defense of declaratory judgment action in determination whether tortfeasor's home owners policy or auto policy applied to multiple claims arising out of bizarre accident.	Lexington, Kentucky	B. Goldwasser
108	11/7	Miller v.	Defense of orthopedic	Geauga	Spisak/

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		Stewart, M.D.	medical malpractice case arising out of failed hip replacement procedure to elderly patient.		Mooney
109	11/7	Gatewood v. Harrison	Arbitration representation of plaintiff in personal injury action involving disputed liability.	Franklin	Enders
110	11/8	Berry v. Smythe Cramer Co.	Defense of real estate broker in alleged fraud by purchaser.	Cuyahoga	Aveni
111	11/11	Firemen's Fund Ins. v. Sigmund	Prosecution of Workers' Comp personal injury subrogation claim.	Cuyahoga	Kasperek/ Sonnhalter
112	11/12	Lewis v. Sands, Executrix	Defense of validity of will and testamentary beneficiaries in a so-called "will contest" jury trial.	Cuyahoga	Meraglio
113	11/12	Austin v. Yellow Freight System	Defense of Workers' Compensation court appeal for claimant seeking allowance of ruptured disk against Workers' Compensation self-insured employer.	Franklin	Fresco
114	11/14	Moore v. Amos Bowling Lanes	Defense of commercial premises liability case.	Franklin	Foley
115	11/14	Stark County Bar Assn. v.	Defense of disciplinary action against attorney	Franklin	Sutter

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		Bodnar	for Board of Commissioners on grievance and discipline of the Ohio Supreme Court.		
116	11/18	Porter v. Rooney, M.D.	Defense of double amputee medical malpractice case.	Scioto	Hunter
117	11/21	LTV Steel v. Northern RCR	Defense of contractual common law indemnity and contribution action as well as contractual obligation to insure by LTV Steel arising out of industrial wrongful death accident.	Cuyahoga	Masch
118	11/22	Richmond Heights General Hospital v. Walter Fox, MD	Prosecution of commercial claim by hospital against physician for monies loaned.	Cuyahoga	Haber
119	11/25	Ashworth v. VanMeter Truck Lines	Arbitration defense of multiple-plaintiff truck liability case.	Cuyahoga	Amaddio
120	11/25	Weidman v. Shank	Defense of personal injury automobile liability arbitration of admitted liability.	Hamilton	Ignozzi
121	11/27	Davis v. State Farm Insurance	Arbitration defense of personal injury uninsured motorist claim in admitted liability situation.	Butler	Ignozzi

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122	12/3	Tattersal General Contractor, Inc. v. Lima Water and Sewer District	Defense of governmental agency from claim of contractor for various damages and tortious interference with contractual relationships.	Allen	Defossez
123	12/3	Spratt v. Guliano, DDS	Dental malpractice defense.	South Euclid Muni Court	Rymond
124	12/4	E/O Lubrin v. Cleveland Clinic	Defense of wrongful death medical malpractice case arising out of death on fifth post-operative day of 61-year old patient.	Cuyahoga	Malone
125	12/4	Apseloff v. Volvo Cars of North America	Defense of property damage warranty case for automobile manufacturer.	Hamilton	B. Goldwasser
126	12/9	Nell v. Oakley Transport	Defense of trucking liability case.	Franklin	J. Beusay
127	12/10	E/O Farcus v. Emil Pogorelec, M.D.	Defense of wrongful death medical malpractice claim involving pulmonary embolus.	Cuyahoga	G. Coakley
128	12/11	E/O Deszo v. Wolf	Defense of wrongful death boat explosion case. Co-defendants paid \$700,000 prior to	Franklin	M. Defossez

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			trial.		
129	12/13	Slattery v. Tabora, M.D.	Defense of medical malpractice vascular insufficiency case involving amputation of right leg.	Cuyahoga	M. Groedel
130	12/16	E/O Amos v. J. Santin, DDS	Defense of admitted liability on a dental malpractice wrongful death case.	Summit	R. Rymond/ G. Rossi
131	12/16	Columbia Gas Co. v. TMX Construction Co.	Defense of contractor on claim of utility for property damage and repair costs for struck utility lines.	Franklin	K. Foley
132	12/20	Messenger v. Bank One	Defense of commercial premises liability personal injury case.	Ashtabula	A. Kabat
133	12/20	Cleveland Heights Council of Fair Housing v. Smythe-Cramer Realty	Defense of Fair Housing Act violation class action. Pretrial demand included acknowledgement of wrongdoing, various corrective action agreements and monitoring agreements along .	U.S. District Court - Cleveland	N. Satullo/ L. Sullivan
134	12/23	Varner v. Ganbill	Defense of automobile liability case.	Athens	D. Holthus/ K. Foley