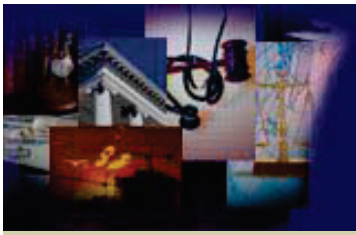

Murchison & Cumming
-Lawyers-

M&C IN BRIEF Summer 2004

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For more information please contact: Kathleen Lawler, Communications Director at (213) 630-1004.

www.murchison-cumming.com

JEAN M. LAWLER ELECTED PRESIDENT OF THE FEDERATION OF DEFENSE & CORPORATE COUNSEL

Jean M. Lawler, a Senior Partner at Murchison & Cumming, LLP, has been inaugurated as President of the Federation of Defense & Corporate Counsel (FDCC), the first woman to hold this position.

Ms. Lawler was first elected to the FDCC Board of Directors in 1996 and will serve as President through July 2005, presiding over the FDCC's Winter meeting on Marco Island, Florida, and its Annual Meeting at La Costa, in California. As President, Ms. Lawler will seek to enhance the FDCC's core values of "Knowledge, Justice and Fellowship" through several initiatives, including outreach to other professional organizations and the institution of regional meetings, "Federation Forums," taking place in New York, Chicago, Atlanta and Los Angeles.

Since her election to the Board of Directors, Ms. Lawler has been an active member of the Federation. As Chair of the Projects & Objectives Committee, Ms. Lawler was instrumental in establishing the annual Law Firm Management Conference, which is now in its fourth year. Ms. Lawler also assisted in the creation of the FDCC's Corporate Members Forum, which helps facilitate convention programming of interest to its members who are general counsel and corporate executives. Ms. Lawler has also served as the General Convention Chair for the 1999 FDCC Mid-Winter meeting held in San Antonio, TX; as Program Chair for the 1998 FDCC Mid-Winter meeting in Phoenix, AZ; and, from 1996 – 1998, as Chair of the FDCC's Excess & Surplus Lines Section.

Ms. Lawler currently serves on the Board of Directors of the Defense Research Institute (DRI) and Lawyers for Civil Justice (LCJ). She is a former Director of the Association of Southern California Defense Counsel (ASCDC). Ms. Lawler is a frequent lecturer and author of articles pertaining to insurance issues. Within the past year, Ms. Lawler has spoken at conferences sponsored by Property Loss Research Bureau (PLRB), DRI, FDCC, IADC, ADTA, USLAW Network, and the Excess/ Surplus Lines Claims Association.

Founded in 1936, the Federation is an international organization whose more than 1,300 members include attorneys who specialize in the defense of civil litigation, general counsel, risk managers and insurance claims executives. More information about FDCC can be found online at www.thefederation.org

M&C's FDCC LEADERSHIP

Friedrich W. Seitz
Product Liability Section Chair, 2003 - Present
Speaker. FDCC Mid-Winter Meeting, March 2004
International Insurance Law Section, Chair, 1997-99
Product Liability Section, Vice Chair, 1997 - 98

Guy R. Gruppie
Speaker, FDCC Annual Meeting, July 2004
Product Liability Section, Member, 2003 - Present

Michael B. Lawler
Medical Malpractice Section, Vice Chair, 2004
Speaker, FDCC Annual Meeting, July 2004
Speaker, Nursing Home Seminar, June 2000

Steve L. Smilay
Intellectual Property Section, Member
Speaker, FDCC Annual Meeting, July 1997
Speaker, FDCC Winter Meeting, March 1996

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M&C CASE REVIEW

DEFENSE VERDICT WON IN ALLEGED TOXIC MOLD CASE

Harold Brody vs. Barker Management, Inc. and CCBA

Robert M. Scherk

Plaintiff, Harold Brody, was a tenant in a low income, senior citizen apartment building in San Diego known as the CCBA Garden Apartments. Plaintiff occupied a top unit close to the roof line. Defendant, Chinese Consolidated Benevolent Association ("CCBA") is the legal owner of the building, and defendant, Barker Management managed and maintained the property.

Plaintiff alleged that defendants failed to properly construct, repair and/or maintain the building so that his unit was not exposed to rain. Plaintiff claimed that rain water and residue from the roof repeatedly ran down the side of the building and was deposited onto his deck and heat pump. As a result, plaintiff claimed his pre-existing Chronic Obstructive Pulmonary Disease and Fibromyalgia worsened, his apartment was over-run with mold, and that his lung cancer stemmed from "toxic mold conditions in his apartment." Plaintiff argued that the actions and/or inactions of the defendants amounted to a breach of the warranty of habitability; violations of California Health & Safety Code section 17920.3; nuisance; and gross negligence.

Plaintiff ultimately succeeded in getting the City of San Diego's Department of Code Compliance to issue a Notice of Violation to CCBA, requiring them to carry out various repairs. During the repair process, plaintiff was housed at a residential hotel at defendants' expense. Later the City inspectors concluded that the problems had been rectified, but plaintiff disagreed, and sued the various inspectors involved, only to have that suit thrown out of court.

Defendants obtained all of plaintiff's relevant medical records and established that plaintiff's lung condition had not worsened since he moved into the building and that there was no likely connection between the minor moisture intrusion into his apartment and his ongoing complaints of shortness of breath, dizziness, and other related complaints. Defendants argued that his lung cancer diagnosis in February 2002 had no relationship to the conditions in his apartment, but was most likely related to plaintiff smoking 2 packs of cigarettes per day for 20-30 years. Defendants argued that the only unacceptable levels of mold ever confirmed in plaintiff's apartment were found under his bathroom sink.

After a three day jury trial in San Diego Superior Court, in which plaintiff represented himself, the jury deliberated approximately 2 1/2 hours before returning a 12-0 defense verdict on for both defendants, finding that plaintiff failed to meet his burden of proof for any of his causes of action.

Robert M. Scherk is resident in the firm's San Diego office. He focuses his practice on general liability and professional and legal malpractice.



COLLAPSED FOOT STOOL RAISES INDEMNITY AND DEFENSE ISSUES

99¢ ONLY STORES a. Howard

Guy R. Gruppie, Tina D. Varjian and Robert R. Clayton successfully obtained a motion for summary judgment on behalf of 99¢ Only Stores.

Plaintiff, a 76 year-old woman, purchased a foot stool from a 99¢ Only Store and alleged that it collapsed while she was making coffee. The footstool was manufactured and then sold to 99¢ Only Stores by another company pursuant to a purchase order. The purchase order provided that the manufacturer was required to defend and indemnify 99¢ Only Stores for any claims arising out of the use of the footstool.

When the plaintiff sued 99¢ Only Stores, the company tendered its defense to the manufacturer of the footstool. The manufacturer refused to indemnify and defend claiming that 99¢ Only Stores, among other things, did not follow the manufacturer's internal protocol for tendering the defense. The manufacturer claimed that 99¢ Only Stores was at fault for failing to warn customers that the footstool was suitable for children only. The defense filed a motion for summary judgment on the manufacturer's cross-complaint for equitable indemnity and a motion for summary adjudication on its own cross-complaint against the manufacturer for causes of action for breach of contract, express indemnity and equitable indemnity. The motion was filed on the grounds that the manufacturer expressly agreed pursuant to the terms of the purchase order to defend and indemnify 99¢ Only Stores for actions involving its product.

The court granted the motion for summary adjudication finding that the purchase order was clear and unambiguous and that the manufacturer breached its contractual duty to defend and was expressly obligated to indemnify 99¢ Only Stores.

Guy R. Gruppie and Robert R. Clayton are members of the firm's Product Liability Practice Group. Tina D. Varjian, a member of the Law & Appellate Practice Group, drafted the motions. All are resident in the firm's Los Angeles office.

M&C CASE REVIEW

DEFENSE VERDICT IN NEVADA MEDICAL MALPRACTICE CASE

James D. Carraway and **Cinema I. Greenberg** successfully obtained a defense verdict in a medical malpractice case.

Plaintiff suffered an intrauterine demise of her 33 week-old fetus and claimed that it was due to the gross negligence of her Ob/Gyn. In a prior successful full term pregnancy it was discovered that plaintiff had a uterine malformation, ie, a uterine septum. Plaintiff contended that the malformation made the subject pregnancy an "At Risk" pregnancy which required defendant to undertake certain precautions during the pregnancy. During the 20-week sonogram of plaintiff it was discovered that the placenta was attached to the septum. Plaintiff contended that defendant should have performed serial sonograms every 1-2 weeks to monitor the growth of the fetus and to prevent a spontaneous abortion. Defendant contended that plaintiff had previously delivered a full-term 8lbs. boy without complications and that allowed her to treat the second pregnancy as a normal pregnancy. In a normal pregnancy, serial sonograms are not required and defendant's actions were appropriate.

The trial lasted for nine days and the jury deliberated for eight hours before returning a 8-0 in favor of the defense.

James D. Carraway and Cinema I. Greenberg are members of the firm's Health Law Practice Group and specialize in Medical Malpractice. Both are resident in the firm's Nevada office.

PSYCHOLOGIST CLEARED IN HIGH PROFILE CIVIL RIGHTS CASE

Ken H. Moreno Scott J. Loeding

Crowe v. County of San Diego, et al

Kenneth H. Moreno and Scott J. Loeding successfully obtained a summary judgment in favor of a psychologist sued in a $12 Million Federal Civil Rights lawsuit

Stephanie Crowe was found stabbed to death in her home in Northern San Diego County in January 1998. The police suspected that her 14-year-old brother may have been involved. The police contacted a psychologist to assist in the interrogation, which lead to the arrest of the brother for the murder and named two of his teenage friends as suspects. During further investigations, one of the 14-year-old suspects confessed that he, the murder victim's brother and a second friend stabbed Stephanie Crowe to death. The three teenage boys were charged with the brutal murder of Stephanie Crowe and were incarcerated for approximately nine months awaiting trial.

New evidence came forward on the eve of the trial; a soiled sweatshirt belonging to a local transient, which tested positive for remnants of Crowe's blood. Upon discovery, The District Attorney's office dismissed the murder charges against the three boys without prejudice and they were released. The investigation was turned over to the State and the State Attorney General filed murder charges against the transient, Mr. Richard Tuite.

The three boys and their families filed a Federal Civil Rights lawsuit against several parties, including the psychologist who was present for the interrogation of Stephanie Crowe's brother. Nine separate causes of action were filed against the psychologist including claims for violation of civil rights under the 4th, 5th, and 14th amendments, conspiracy and state law claims for defamation. Plaintiffs made a joint demand of all defendants in the sum of $12 Million, as well as several policy limits demands against the psychologist's carrier.

The defense filed a Motion for Summary Judgment on behalf of the psychologist, contending that the psychologist was not a proximate cause of any violation of plaintiff's constitutional or civil rights, that there was no evidence establishing that the psychologist engaged in a conspiracy with the police, and that the First Amendment protected the psychologist's comments. The Federal District Court granted defense's motion for summary judgment finding that there was no evidence that the psychologist had control over the police officers sufficient to establish that he was the proximate cause of any Constitutional violation, nor was there sufficient evidence that the psychologist engaged in a conspiracy with the officers to violate the boys Constitutional rights.

Ken Moreno is a member of the firm's Professional Liability Group. Scott Loeding is a member of the Law & Appellate Practice Group. Both are resident in the firm's San Diego office.

CASE REVIEW

Tom Y. Mei

Richard D. Newman Michelle A. Hancock

SUBCONTRACTOR FOUND NOT LIABLE IN PREMISES LIABILITY ACTION

Attorneys in the Orange County office successfully moved for summary judgment on behalf of an air conditioning subcontractor in a premises liability case.

While working inside one of the mechanical rooms under a construction project in the Cerritos Civic Center, plaintiff and a fellow employee lifted a heavy piece of plywood that was covering the concrete floor. In the middle of the floor was a large duct hole that was built to house the vents that were to be installed by the air conditioning subcontractor. Plaintiff was not aware of the hole and as he lifted up the plywood board, he stepped forward and fell through it to the basement floor below. He suffered a shoulder separation, rib fracture, and multiple other injuries. The case was investigated by OSHA who determined that the plywood covering was not bolted down and did not contain any warning of the presence of the hole. Plaintiff sued the general contractor and various subcontractors who were working in the area. The air conditioning subcontractor moved for summary judgment on the basis that there was no testimony that it had constructed the hole or that it installed, replaced, or otherwise tampered with the plywood covering and had no knowledge of the dangerous condition. In sustaining the motion, the trial court agreed with the defense that the opposing evidence relating to the defense's involvement was too speculative to survive a summary judgment. The court also sustained our evidentiary objections to the opposing evidence.

Tom Y. Mei and Michelle A. Hancock focus their practice on premises liability issues. Richard D. Newman focuses his practice on law and appellate

M&C WELCOMES...

Bernadette A. Rigo joined the firm's Nevada office in June. Ms. Rigo focuses her practice in the areas of general liability defense and employment litigation primarily in cases involving violations of Title VII and the Family and Medical Leave Act. She is a graduate of University of Santa Clara School of Law and is licensed to practice in both Nevada and California.

Resident in the firm's Nevada office, **Kelly Magnusson Figueroa** focuses her practice on general liability and construction defect law. Recently, Ms. Figueroa has been educating paralegal students in the areas of Contracts and Wills & Trusts at Rhodes Colleges International. She is a graduate of University of Utah in 1998 with a Juris Doctorate, and in 1994 with a Baccalaureate in Linguistics.

Brian Cody, a member of the firm's Construction Law Practice Group, joined the firm's Nevada office in July. He is a graduate of Creighton University (J.D.) and University of South Carolina (B.S.). Mr. Cody is licensed to practice in Nevada and Pennsylvania.

Guy R. Gruppie

MITSUBISHI DISMISSED FROM PRODUCT LIABILITY SUIT

Mitsubishi Electric & Electronics, USA adv. Fong

Sunhee K. Rosales

Guy R. Gruppie and Sunhee Kang Rosales obtained a dismissal on behalf of Mitsubishi Electric & Electronics, USA in a negligence action where an elderly man claimed personal injuries as result of a purported malfunction of a Monterey Park mall's escalator system.

Plaintiff, in his 80s, was traveling upward on an escalator maintained by Mitsubishi when he claims the escalator stopped but the handrail continued to move, causing him to fall and suffer personal injuries.

Undertaking aggressive discovery, the defense demonstrated that the escalator and handrail could only work in unison, and further developed evidence to suggest that plaintiff fell for reasons unrelated to any elevator malfunction. The matter was settled by the Monterey Park mall while Mitsubishi was dismissed from the suit.

Guy R. Gruppie and Sunhee K. Rosales are members of the firm's Product Liability. Both are resident in the Los Angeles Office.

EMPLOYMENT LAW

ANOTHER HURDLE FOR CALIFORNIA EMPLOYERS: EMPLOYER LIABILITY FOR SEXUAL HARASSMENT BY NON-EMPLOYEES

Thomas E. Dias

The road for California employers just became rockier as a result of the recent court decision in ***Salazar vs. Diversified Paratransit, Inc.*** (2004) 117 Cal.App.4th 318. In Salazar, the plaintiff (a female) was a bus driver whose job required her to transport mentally disabled adults. A male passenger (client of Salazar's employer) with the mental capacity of a 3-5 year old child attempted to touch plaintiff and exposed himself. There had been prior incidences involving the same passenger, which included brandishing a knife and exposing himself to other female drivers. Plaintiff quit her job shortly after the incident and sued her employer under California's Fair Employment and Housing Act, codified as Government Code Section 12900. The employer obtained a non-suit trial on the claim for sexual harassment, which was affirmed in the Court of Appeal. However, two months after the Supreme Court granted review, the California Legislature took action. Assembly Bill 76 was introduced and was passed by both Houses and approved by the Governor in early October of 2003.

California's Government Code Section 12940(j)(1) was amended by Assembly Bill 76 to include language as follows:

> "An employer may also be responsible for the acts of non-employees with respect to sexual harassment of employees, applicants, or persons providing service pursuant to a contract in the work place, where the employer or its agents or supervisors, knows or should have known of the conduct and fails take immediate and appropriate corrective action. In reviewing cases involving the acts of non-employees, the extent of the employer's control and any other legal responsibility which the employer may have with respect to the conduct of those non-employees shall be considered."

The statute further states that an entity shall take reasonable steps to prevent harassment from occurring.

How can the employer protect/defend itself?

Advise/Warn Employees Of Their Work Environment When Hired

The employer in the Salazar case was aware of the offending passenger's conduct due to prior reports/complaints from other female drivers, yet did nothing to advise the plaintiff of the conduct. Accordingly, it would appear that one way to avoid liability for an employer would be to advise an employee of the conditions they would be subjected to in the work place at the time of being hired. Had Ms. Salazar been told of the passenger's prior conduct at the time she was hired, she may have decided to work elsewhere or, it could be argued that she voluntarily consented to the behavior. It would certainly be difficult for her to argue that conduct she was aware of and told to expect, could amount to sexual harassment.

Require Employees To Immediately Report Sexual Harassment/Inappropriate Behavior To A Supervisor

According to Government Code Section 12940(j)(1), the employer may be held responsible " . . . where the employer, or its agents, supervisors, knows or should have known of the conduct . . ." As a result, employers would be wise to update their policies and procedures manual to require all employees to report sexual harassment or any other inappropriate behavior to a supervisor. As the statute is written, failing to advise the employer of the offending behavior, is a defense. A plaintiff is going to have a difficult battle trying to establish that the employer "should have known of the conduct" if the offended employee failed to comply with company policies by reporting the conduct to a supervisor. To the extent an employer has a written policy requiring that employees report not only the improper conduct of co-employees, but also sexually offensive conduct by non-employees, the employer will be able to utilize that policy at the time of trial. Obviously, the employer will be able to argue that the employee never reported the offensive conduct, because it really wasn't offensive enough to rise to the level of sexual harassment. A simple update of the company's policies and procedures manual would provide direction for employees and a viable defense in the event a claim is brought.

Take Action Immediately

This is obviously the trouble spot for employers. Certainly, if the offensive conduct is coming from a delivery person, such as a Federal Express Delivery person, the Sparkletts Representative, that conduct is usually remedied with a phone call to the representative's employer. The real question for employers is what do you do when the offensive conduct is coming from a major client. What happens when your best client repeatedly makes sexual advances towards your female receptionist or other office personnel? Clearly, you do not want to irritate your clients so that the business wanders elsewhere. The employer could consider moving the offended employee to another similar position, but must be careful not to transfer the complaining employee to an "objectively less desirable" position [***Swenson vs. Potter*** (9th Cir. 2001) 271 F.3d 1184].

Sexual Harassment: Continued on Page 7

FAIR LABOR STANDARDS ACT

NEW OVERTIME RULES TAKE EFFECT

Michael J. Nuñez

Changes to the 1938 Fair Labor Standards Act, referred to by the Labor Department as the "FairPay" rules, went into effect on August 23, 2004. The law comes after decades of lobbying by business groups facing major lawsuits about overtime. Among those are: Wal-Mart, Starbucks, Radio Shack, Rite Aid and Bank of America. The Labor Department's objective in advancing the new rules is an attempt to stop needless litigation by clarifying the rules on who's entitled to overtime.

The revision of the Fair Labor Standards Act is expected to result in overtime wages for 1.3 million low-income, white-collar American workers who didn't have it before. And it is expected to cause 107,000 highly-compensated workers to lose their rights to it.

The federal overtime laws have limited application to California. Employees of private companies are governed by California's more restrictive labor laws. Yet, an estimated 2.3 million federal, state and local government employees in the state are subject to the federal law, although many of them are covered by union contracts that supersede it.

OVERTIME 101

The 1938 Fair Labor Standards Act set the current standards for pay and overtime and covers about 115 million workers. That law requires employers to pay no less than minimum wage $5.15/hour for all hours worked. For every hour worked above 40 hours in single workweek, the law mandates that employers pay one-and-a-half times the regular rate of pay. But, that law has always had exemptions for certain professions and classes of workers (generally, salaried workers in executive, administrative, professional, outside sales and some computer jobs) - - meaning some employers do not have to pay time- and-a-half.

WHO GAINS OVERTIME UNDER NEW LAW

Workers earning $23,660 or below automatically must receive overtime now. That raises the income bar. Previously, overtime was mandated only for workers who earned $8,060 or less.

WHO COULD LOSE OVERTIME UNDER NEW LAW

White-collar workers earning $100,000 or more a year. In addition, people from a number of professions identified as generally exempt from overtime: pharmacists, dental hygienists, physician assistants, accountants, chefs, athletic trainers with degrees or specialized training, computer system analysts, programmers and software engineers, funeral directors, embalmers, journalists, financial services industry workers, insurance claims adjusters, human resource managers, management consultants, executive and administrative assistants, purchasing agents and registered or certified medical technologists. Employers are told to make decisions on a case-by-case basis.

NURSES

Registered nurses who are paid on an hourly basis should receive overtime. Those who are paid on a salaried basis, earning more than $455 a week, no longer have to be paid overtime under federal law.

Overtime Regulations: Continued on Page 7

Event Calendar

September 9 - 10
DRI Nursing Home Seminar
Boston, Massachusetts
M&C Attendee: Dan Longo

September 9 - 10
DRI Construction Defect Seminar
Scottsdale, Arizona
M&C Attendees: Jean Dalmore, Victor Lee

September 9 - 10
FDCC Corporate Counsel Symposium
Marquette University Law School
M&C Attendee: Jean Lawler

September 16 - 18
USLAW Membership Meeting
Savanah, Georgia
M&C Attendees: Russell Wollman, Tom Dias

September 17 - 18
Civil Justice Roundtable
Washington, D.C.
M&C Participant: Jean Lawler

September 23 - 26
Center For International Legal Studies
Salzberg, Austria
M&C Speaker: Casey Yim

September 26 - 29
Excess/Surplus Lines Claims Association Meeting
Boca Raton, Florida
M&C Attendee: Jean Lawler

September 28 - October 1
National Association of Elevator Contractors
Annual Meeting/World Elevator Expo
Baltimore, Maryland
M&C Attendee: Guy Gruppie, Joshua Rosen, Heather Mills

October 5 - 10
DRI Annual Meeting
New Orleans, Louisiana
M&C Attendees: Jean Lawler, Scott Hengesbach

October 14
FDCC Federation Forum
New York & Chicago
M&C Attendees: Jean Lawler

October 14
M&C's Fall Symposium: Products Liability
Omni Hotel Los Angeles, California

Sexual Harassment (Continued from Page 5)

The immediacy and reasonableness of action taken by an employer will be the primary source of litigation. Realistically, there is no easy answer as to what action an employer should take and the statute provides no guidance except to say that the employer "... shall take all reasonable steps to prevent the harassment from occurring" and that "... the extent of the employers' control and any other legal responsibility which the employer may have with respect to the conduct of those non-employees shall be considered." Unfortunately, the statute does not provide any guidance as to exactly how those factors shall be considered. The trial court must consider the employers' ability to control the alleged harasser. While it is doubtful that the court would require an employer to sever ties to a client, especially a major client, as being unreasonable, the court may require a request by the employer to the alleged harasser's employer for a different contact person. Obviously, any action by the employer may have a detrimental effect on the business relationship between the employer and harasser's employer. At a minimum, the courts will most likely require a prompt and thorough investigation of the alleged incident and communication of some form to the alleged harasser. It is not unreasonable to expect that whatever corrective action is taken to remedy the situation is communicated to some extent to the offended employee. These actions by the employer may not prevent a lawsuit, but would provide ammunition for defense counsel in the event a lawsuit is filed.

On a positive note, most insurance policies should cover litigation for an alleged violation of Government Code Section 12940(j)(1), since the focus of the statute is not sexual harassment by the employer, but negligence for failing to take reasonable steps to prevent sexual harassment from occurring. Remember, the employer is not the person alleged to have been engaged in the harassing behavior, it is only their response or lack thereof that is being called into question.

Questions remain regarding how "pervasive" or "severe" the offending conduct must be. In situations involving a co-worker the sexually offensive conduct must be "sufficiently extreme to amount to a change in the terms and conditions of employment" to survive under Title VII of the Civil Rights Act of 1964 [***Faragher v. City of Boca Raton*** (1998) 524 US 775]. Obviously, the legislature wants a harassment free work environment. However, unfortunately for California businesses, exactly how that is to occur and what steps California employers must take will be left in the hands of the trial courts.

Thomas E. Dias is a Partner in the firm's Orange County office. Mr. Dias focuses his practice on general liability and employment law litigation.

Overtime Regulations (Continued from Page 6)

EMERGENCY WORKERS AND UNIONS

Emergency workers (including police, firefighters and rescue personnel) will continue to get overtime. The new law clearly states those workers cannot be exempted from overtime. Union workers covered by contracts will not be affected by the change. But organizers say the new rules will make bargaining more difficult when contracts come up for renewal.

Michael J. Nuñez is a member of the Employment Law and Law & Appellate Practice Groups of Murchison & Cumming, LLP. He can be reached for questions or comments at (213) 630-1059 or via email at mnunez@murchison-cumming.com.

M&C PRACTICE AREAS

- **Business & Commercial Practices**
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  - Business & Intellectual Property Litigation
- **Construction Law**
- **Directors & Officers Liability**
- **Employment Law**
- **General Liability & Casualty**
- **Health Law**
  - Medical Malpractice
  - Long-term Care Facilities & Elder Care
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- **Professional Liability**
- **Property Insurance & Fraud Investigations**
- **Toxic Tort & Environmental Law**
- **Transportation Liability**

Murchison & Cumming, LLP
801 South Grand Avenue, 9th Floor
Los Angeles, California 90017

LOS ANGELES ◊ ORANGE COUNTY ◊ SAN DIEGO ◊ NORTHERN CALIFORNIA ◊ NEVADA

M&C's Fall Symposium

Product Liability: Strategies and Solutions for Success

Thursday, October 14, 2004
Program: 9:00 am - Noon
Luncheon: Noon - 1:30
Omni Los Angeles Hotel

Murchison & Cumming, LLP will host its first annual Fall Symposium on October 14, 2004. The seminar will prepare claims executives and corporate leaders for litigation involving products liability. The program will focus on current hot topics including foreign service of process, use of mock trials in trial preparation and training expert witnesses to testify.

To register, please contact Kathleen Lawler at (213) 630-1004 or klawler@murchison-cumming.com

OFFICE LOCATIONS

LOS ANGELES
801 S. Grand Ave., 9th Fl.
Los Angeles, CA 90017
(213) 623-7400

ORANGE COUNTY
801 Park Tower
200 West Santa Ana Blvd.
Santa Ana, CA 92701
(714) 972-9977

SAN DIEGO
Symphony Towers
750 B. St., Ste. 2550
San Diego, CA 92101
(619) 544-6838

NORTHERN CALIFORNIA
200 Pringle Ave, Ste. 550
Walnut Creek, CA 94596
(925) 274-0950

NEVADA
2965 South Jones Blvd, Ste. B
Las Vegas, NV 89146
(702) 920-2300