

Take 2: The Market Street Building Collapse Trial Reenacted

March 26, 2019

AGENDA

- I. Introduction – Andrew Stern (6:30 p.m.)

- II. Mock Closing Arguments (6:45 p.m.)
 - A. Salvation Army
 - 1. Plaintiffs Closing – Elizabeth Crawford
 - 2. Defense Closing – Shabrei-Parker
 - 3. Plaintiffs Rebuttal – Andrew Stern

 - B. Building Owner and Representatives
 - 1. Plaintiffs Closing – Laura Grossi-Tyson
 - 2. Defense Closing – Diana Silva
 - 3. Plaintiffs Rebuttal – Laura Grossi-Tyson

 - C. Excavator
 - 1. Plaintiffs Closing – Brittany Wakim
 - 2. Defense Closing – Emily Farris
 - 3. Plaintiffs Rebuttal – Brittany Wakim

 - D. Contractor
 - 1. Plaintiffs Closing – Liz Crawford
 - 2. Defense Closing – Jeff Masters
 - 3. Plaintiffs Rebuttal – Liz Crawford

- III. Q&A/Discussion (7:45 p.m.)

BIOS

Andrew Stern



Andrew J. Stern is one of the Philadelphia area's most accomplished trial lawyers, known for his dedicated representation of clients and the record-breaking results it produces in and outside the courtroom. Specifically, Stern won the largest-ever Pennsylvania medical malpractice verdict and, most recently, the biggest personal injury recovery for a single person in state history. In sum, Stern holds the record for the largest verdict, settlement and arbitration award for a single injured person in the history of Pennsylvania.

Stern, who joined Kline & Specter in 2005 as a partner, won a jury verdict in 2000 that is still talked about – \$100 million for a baby who suffered severe brain damage in a medical malpractice case. The verdict is the largest-ever compensatory and medical malpractice verdict in Pennsylvania. All told, Stern has obtained verdicts and settlements that well exceed \$400 million.

In May 2017, Stern obtained a record \$95.6 million arbitration award for a woman who was catastrophically injured in a Center City Philadelphia building collapse. The recovery is the biggest in history for a Pennsylvania personal injury case. Stern was among a group of plaintiffs' attorneys who won an historic jury verdict and subsequent \$227 million settlement following a 17-week trial involving the 2013 building collapse that killed seven people and injured 12 others. And, as *The Philadelphia Inquirer* wrote in a recent article, Stern was "the lead lawyer in the case against the Salvation Army. His argument convinced the jury, which found that the charity bore 75 percent of the liability to the victims." Stern's client, Mariya Plekan, was trapped beneath the rubble for nearly 13 hours and lost half of her body after a building undergoing demolition fell onto the adjacent Salvation Army thrift store in which she had been shopping. Of all the victims involved in the tragedy, Stern's client received the highest award. The Plekan case formed the basis of a book published in November 2018 titled "Justice Under the Rubble: The Salvation Army Building Collapse" written by Stern and co-author George Anastasia.

An avid pilot, Stern has litigated a number of cases involving airplane and helicopter crashes. He was involved in a lawsuit against a major helicopter corporation that settled for a substantial sum in 2015. Due to design defects in the helicopter, it crashed in New Jersey, with Stern's client suffering a brain injury and being rendered fully and permanently disabled.

Stern's accomplishments have been recognized for 14 consecutive years (2005-2018) by Super Lawyers with its selection of Stern as one of the top lawyers in Pennsylvania, while he was also selected as a New Jersey Super Lawyer through 2019. In 2015, Stern was named by Best Lawyers as the Philadelphia Product Liability Lawyer of the Year. He was also selected for Best Lawyers in America 2008-2019 editions and Philadelphia's Best Lawyers, and is included among the Presidential Who's Who Among Business and Professional Achievers. And the *The Legal Intelligencer* and *Pennsylvania Law Weekly* mentioned Stern's record-setting legal victories in naming him to the list of Top 10 attorneys switching to new law firms in 2005. Attorneys were selected based on a number of factors, including name recognition, the opinions of local experts and because each was considered "a star" in the legal community.

Elizabeth Crawford



Elizabeth A. Crawford joined Kline & Specter in 2013 after gaining experience at two other law firms, Philadelphia Family Court and a clerkship with a justice of the Pennsylvania Supreme Court.

Most recently, in a highly publicized trial, Crawford was co-counsel among a group of plaintiffs’ attorneys who won a jury verdict and subsequent \$227 million settlement in lawsuits involving the collapse of a Center City building that killed seven people and injured 12 others. With Andy Stern, Crawford in May 2017 helped obtain a \$95.6 million recovery -- the largest personal injury recovery in Pennsylvania history -- for Mariya Plekan, who was catastrophically injured in the building collapse.

Crawford is a member of The National Trial Lawyers “Pennsylvania Top 40 under 40,” a professional organization comprised of top young trial attorneys.

A graduate of the Thomas R. Kline School of Law at Drexel University, Crawford won awards at the school for Best Student Performance in three areas – trial advocacy, employment discrimination and criminal law – while also being named a Dean Scholar in contracts law. She graduated with honors.

Gwen Stern



Gwen Stern is the Director of the Trial Advoacy Program and Professor of Law for the Drexel University Thomas R. Kline School of Law.

national level for the National Institute for Trial Advocacy.

Professor Stern directs the Marshall-Brennan Constitutional Literacy Project, which she brought to Philadelphia as a joint undertaking between Drexel and the University of Pennsylvania law schools to encourage city high-school students to learn about their rights and responsibilities under the Constitution. This project culminates in a local and national constitutional law appellate advocacy competition for the high school students.

Previously, Professor Stern was an adjunct professor at Temple University’s Beasley School of Law teaching both introduction and advanced trial advocacy. She also directed the trial training program for Temple LEAP (Law, Education, and Participation)’s Philadelphia High School Mock Trial Competition.

She earned her J.D. from Temple, where she was a member of the Moot Court Honor Society and named the best oral advocate in the I. Herman Stern Moot Court Competition.

After graduation, Professor Stern practiced with the Philadelphia law firms Kline and Specter PC and White and Williams LLC, where she tried numerous medical malpractice cases. She previously practiced with Daniels, Saltz, Mongeluzzi and Barrett and with Harvey, Pennington, Herting and Renneisen, where she worked on medical malpractice, pharmaceutical and products liability cases and conducted depositions and arbitrations in defense of personal injury litigation.

As a community leader, Professor Stern received the prestigious Philadelphia Bar Association’s F. Sean Peretta Service Award for providing innovative programs to the community. She also is a board member of the Nation Youth Justice Alliance.

Laura Grossi-Tyson



Laura Grossi-Tyson recently retired from Independence Blue Cross where she practiced Labor and Employment Law for twenty years. While at Independence Blue Cross, Ms. Grossi-Tyson held various positions and in addition to practicing Labor and Employment Law was responsible for the administration of all employee benefit plans including, but not limited to, the pension plan, the 401(k) plan and the health and welfare plan of the company. She was also a member of the Mergers and Acquisitions team, responsible for the negotiation of all Benefit and Employment matters as well as executing the administration of employment issues.

Prior to joining Independence Blue Cross Ms. Grossi-Tyson worked for Sunoco as an attorney where she also held various positions and practiced in the areas of Labor and Employment, Environmental, Oil and Gas, Maritime and Commercial Law.

Ms. Grossi-Tyson is a member of the Board of Directors of the Homeless Advocacy Project, where she was a Past President and is also a member of the Board of Directors of the Delaware Valley Chapter of the MS Society. She previously served on the Board of the Delaware Valley Chapter of the American Corporate Association where she was a Past President as well as the Board of the Please Touch Museum.

Ms. Grossi-Tyson earned her law degree from Temple and her Bachelor’s degree from the Wharton School of Business at the University of Pennsylvania. She is admitted to practice in Pennsylvania state and federal courts.

Brittany Wakim



Brittany Wakim is an associate at Schander in the Litigation Services Department and a member of the firm’s Technology Committee and Associates Committee. Ms. Wakim’s practice is concentrated in the defense of product liability matters as well as aviation, labor and employment, and financial services matters. Ms. Wakim has extensive experience in all areas of case management and phases of litigation.

Ms. Wakim’s litigation practice involves development of case strategy, drafting pleadings, preparing and responding to discovery, motion practice, preparation of witnesses for deposition and trial testimony, retention of expert witnesses and participation in trial preparation, trial and settlement negotiations.

Prior to joining Schander, Ms. Wakim worked as a trial lawyer at Eckert Seamans Cherin & Mellott, LLC where her litigation practice focused on professional liability matters with a particular emphasis on the defense of healthcare providers, hospitals and physicians in complex medical malpractice actions. Ms. Wakim served as a judicial intern to the Honorable Theresa Sarmina in the Philadelphia Court of Common Pleas.

Additionally, Ms. Wakim serves as an adjunct faculty member at Drexel University Thomas R. Kline School of Law, where she teaches an upper level writing course and assists with the Trial Advocacy program.

Shabrei Parker

Shabrei M. Parker is a Partner at Mincey Fitzpatrick Ross. Ms. Parker’s practice areas include trusts and estates, family law, civil litigation and small-business development. Ms. Parker has always been a multi-dimensional advocate, and her well-rounded practice has been shaped via her training in several different settings.

Prior to joining Mincey & Fitzpatrick, LLC, Ms. Parker started her practice providing legal assistance to both individual and organizational clients across disciplines. Additionally, Ms. Parker worked as a judicial law clerk, where she honed her skills as a scrivener and consultant, gaining an invaluable insight into the way that cases are viewed from a judge’s perspective. Ms. Parker also



worked for law firms, where she honed her civil litigation skills, mastering procedures before the courts of the Commonwealth of Pennsylvania and the United States District Courts of Pennsylvania and New Jersey.

A Philadelphia native, Ms. Parker attended Central High School before attending Millersville University where she graduated, cum laude, with a Bachelor's Degree in English. She received her Juris Doctor from Drexel University School of Law, where she was a Dean's Scholar, Diversity Fellow and recognized for Outstanding Student Performance. Ms. Parker went on to receive a Master of Laws, LL.M. in Trial Advocacy from Temple University, Beasley School of Law, a nationally-recognized program where attorneys perfect cutting-edge trial skills.

Ms. Parker is admitted to practice in Pennsylvania State and Federal Courts.

Ms. Parker is actively involved with local and national bar associations, as well as her community. Ms. Parker serves on the Board of Directors for the Support Center for Child Advocates. Ms. Parker is a leader in the Philadelphia Bar Association, serving as a member of the Executive Committee of both the Probate Trust and Family Law Sections, including as Chair of the Diversity Committee and Programming Committee respectively. Ms. Parker is a Past President of the Barristers' Association of Philadelphia, and a recipient of the Barristers' Association's President's Award. Ms. Parker also works as a volunteer attorney with Philadelphia VIP, providing essential legal services to indigent citizens. Ms. Parker is a member of Delta Sigma Theta Sorority, Incorporated, and uses volunteer service as a platform to mentor, support and encourage others.

Ms. Parker has been recognized as a Rising Star honoree by Pennsylvania Super Lawyers in 2015, 2016 2017 and 2018. Ms. Parker has been recognized as a Lawyer On The Fast Track by the Legal Intelligencer, a Drexel University 40 Under 40, and as a Top 10 Family Lawyer Under 40 by the National Assn. Of Family Law Attorneys.

In addition to her practice, Ms. Parker is a professor and scholar. An adjunct Professor at the Thomas R. Kline School of Law, a frequent community presenter and architect of continuing legal education curriculum, Ms. Parker enjoys sharing her knowledge, wisdom and experience with broad audiences.



Diana Silva



Diana Silva is a partner with Manko, Gold, Katcher & Fox, LLP, where she concentrates her practice in environmental litigation, including statutory contribution and cost recovery actions, toxic tort claims, contractual disputes, and administrative enforcement actions. She also counsels clients on environmental regulatory compliance matters, as well as permitting related to land development issues.

Diana is a magna cum laude graduate of Drexel University Thomas R. Kline School of Law, where she served as a teaching assistant for Civil Procedure and the Academic Skills program and was also a member of the Drexel Law Review, publishing an article regarding land banking and urban redevelopment issues. She returned to Drexel as an adjunct professor where she currently teaches Toxic Torts Litigation. Diana is a founding member of the Drexel University Thomas R. Kline School of Law Inn of Court and serves as the Inn's Treasurer.

During law school, Diana participated in Drexel's co-op program and worked in Exelon's legal department, a leading national energy company and the parent of multiple local electric utilities, including southeastern Pennsylvania's PECO. She also served as a judicial intern for the Hon. L. Felipe Restrepo, then of the

	<p>U.S. District Court for the Eastern District of Pennsylvania, now a judge with the U.S. Court of Appeals for the Third Circuit.</p> <p>Before entering law school, Diana was a municipal planner and grant coordinator for the Borough of Norristown’s Planning & Municipal Development Department in Montgomery County. Diana, a proud Hawk, graduated summa cum laude from St. Joe’s. She serves as the Vice President of its Law Alumni Chapter and is also actively involved in the Real Estate and Construction Alumni Chapter. She is fluent in Spanish and Portuguese.</p>
<p><u>Jeff Masters</u></p> 	<p>Jeffrey J. Masters is an associate at Dechert, LLP in the litigation group. Mr. Masters represents and advises corporate and individual clients in connection with lawsuits in state and federal court, and focuses his practice on white collar, securities, and other complex commercial litigation. Mr. Masters has defended publicly traded companies and their officers and directors in securities class action litigation, derivative litigation, and merger litigation, and has experience representing officers, directors, and other individuals in DOJ, FBI, SEC, and internal investigations. Mr. Masters has represented clients from across a number of industries, including asset management, banking, entertainment, legal, pharmaceutical, and private equity.</p> <p>Mr. Masters also maintains an active pro bono practice. For example, Mr. Masters has successfully represented a prisoner alleging a violation of his right to practice his religion, as well as an individual who received a criminal charge after exercising his right to free speech. He has also successfully represented Guantanamo Bay detainees, for which he earned the firm’s Samuel E. Klein pro bono award. Mr. Masters was a Dechert summer associate in 2015.</p>
<p><u>Emily Farris</u></p> 	<p>Emily Farris is currently a 2L at Drexel University Thomas R. Kline School of Law. As an active member of the student body, she has been President of the Student Bar Association and Vice President of the Family Law Society for the 2018-2019 academic year. After law school, Emily hopes to pursue a career in Family Law in the Greater Philadelphia Area.</p>