



Sokolove/Co-counsel 2011 Significant Verdicts and Settlements

SETTLEMENT	CASE TYPE	CO-COUNSEL FIRM
\$77,000,000	Mesothelioma and other Asbestos-related diseases	Multiple Co-counsel Firms
\$5,850,000	Cerebral Palsy	Donahue & Horrow El Segundo, CA
\$4,250,000	Birth Injury	The Talaska Law Firm Houston, TX
\$2,475,000	Cerebral Palsy	Donahue & Horrow El Segundo, CA
\$2,000,000	Medical Malpractice	Lubin & Meyer Boston, MA
\$1,925,000	Cerebral Palsy	Donahue & Horrow El Segundo, CA
\$250,000	Nursing Home	Michael J. O'Connor & Associates Frackville, PA
\$225,000	Auto Accident	TSR Injury Law Bloomington, MN
Confidential Settlement	Erb's Palsy	The Graham Law Firm Florence, SC
Confidential Settlement	Pharmaceutical Drug	Levin Papantonio Pensacola, FL
Confidential Settlement	Medical Device	Saunders & Walker Pinellas Park, FL
Confidential Settlement	Medical Device	Saunders & Walker Pinellas Park, FL

UNDER INVESTIGATION

Sokolove Law is currently investigating potential litigation and case generation opportunities for injuries/losses arising from the following:

► Actos®

Currently investigating the latest concern with the diabetes drug Actos (pioglitazone) – the potential for an increased risk of bladder cancer in long-term Actos users.

► Ford F-150 Safety Issues

Investigating safety problems in Ford F-150 pickup trucks including reports of fires caused by rusted fuel straps. The straps holding the fuel tank in place can corrode and break, causing the tank to drop out of place and make contact with the road surface, increasing the risk of a fuel leak and fire.

► Defective Hip Implants

We continue to monitor reports of adverse events, including loosening, early failure, revision surgery, and dangerously high

cobalt and chromium blood levels in patients with DePuy ASR and Pinnacle metal-on-metal hip implants, as well as other potentially defective hip replacement systems.

► Transvaginal Mesh Devices

In October 2009 we highlighted problems with the Bard Avaulta® vaginal mesh, including pain, scarring, and bowel and bladder perforation. We continue to investigate these and other complications arising out of implantation with similar transvaginal mesh products used to treat pelvic organ prolapsed (POP) and stress urinary incontinence (SUI) in women.

Call us to discuss these and other opportunities.

Actos® is a registered trademark of Takeda Pharmaceutical Company Limited.
Bard Avaulta® is a registered trademark of CR Bard Inc.

CO-COUNSEL OPPORTUNITIES

Join Our 2011-2012 Birth Injury/
Medical Malpractice and Nursing
Home Abuse Networks

Sokolove Law's annual marketing campaigns targeting Birth Injury/Medical Malpractice and Nursing Home Abuse claims are up for renewal and we have a limited number of states still available, including the following:

Birth Injury/Medical Malpractice

Arizona
Georgia
Kentucky
Ohio
North Carolina

Nursing Home Abuse

Arkansas
Connecticut
Ohio
Oregon
Washington

Participation in the campaign is on a state-by-state basis with all leads generated going to our contributing co-counsel firms. Call us at 1-800-305-4009 to find out if your state is available in one or both of these networks.

1-800-305-4009
SokoloveSuccess.com



SOKOLOVE SUCCESS

SOKOLOVE MEANS SUCCESS. Volume 9, May 2011

The Social Media Revolution *By Michael J. Skoler*

I recently had the opportunity to speak about "Social Media and Its Impact on Legal Marketing" on two different occasions – at the Western Trial Lawyers Conference in Aspen, CO, and at The Personal Injury Conference in Boston, MA. While the venues were certainly different, the audience reaction was similar – shock and awe.



MICHAEL J. SKOLER
Chief Executive Officer
Sokolove Law

First, let me share some staggering statistics around social media:

- 500 billion minutes are spent on Facebook EVERY month
- 24 hours of video are uploaded to YouTube every minute
- 2 billion YouTube videos get viewed per day
- 4 billion images are hosted on Flickr
- 95% of companies use LinkedIn to find and attract employees
- An average of 27 million "tweets" per day post on Twitter

As marketers, we need to recognize and embrace the power of social media for one simple reason – it has completely changed the game in terms of how brands market to consumers because it has changed the way people consume information. Everyone is a publisher of content – pictures, videos, blogs, and opinions – and consumers trust each other, even strangers, more than they trust brands.

Word of mouth and peer referral has always been the "secret sauce" in taking a brand to the next level. Brand loyalists extolling the value of your brand goes a lot further than you doing it yourself and social media has enabled the referral process to be open to everyone.

We've all seen evidence of BIG brands (American Express, Pepsi, Ford) and BIG celebrities (LeBron James, Charlie Sheen, Ellen DeGeneres) embracing social media as a way to connect with consumers, but what about the legal industry?

Many law firms might think of social media as a black hole – one where their clients' cases can go awry – but at Sokolove Law, we see social media as a core marketing strategy for building our brand, connecting with consumers and generating qualified cases for our co-counsel. How have we employed this exciting new medium to date? Some examples include:

- We initiated a social campaign in 2010 focused on the altruistic nature of our asbestos practice by creating a movement to BAN Asbestos Now! The core strategy is to develop a community of BAN supporters

around a common cause – banning the use of asbestos in the US – and through that effort generate case referrals.

- We developed YAZTalk – a suite of social media channels where prospective clients can engage with a peer community host. The community host was a YAZ user and victim herself who represented our client demographic, and thus inspired instant credibility. By having our legal consultation form embedded in this website forum, we were able to generate qualified leads and cases for our co-counsel.

So why aren't more law firms embracing social media? I think the main reason is that many firms simply aren't aware, or don't believe, that social media can drive clients and ultimately revenue for their firm.

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The Social Media Revolution

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We've seen success in generating real business for our co-counsel per the examples above. Firms are also hesitant about how best to engage in this arena as there are few ethical rules specific to social media.

The profession's major ethical issues, such as solicitation and conflict of interest, become difficult to define and adhere to given the fluidity of today's technology.

For any social media initiative that we execute, we're careful to follow some general pointers established by Gabe Miller, Sokolove Law General Counsel, such as:

- Keep responses general versus providing anything that could be construed as legal advice

- Don't say it in social media platforms if we can't say it on TV
- Keep Facebook personal and professional lives separate
- Include disclaimer language on YouTube videos unless purely educational
- When entering chat rooms, announce who we are and what we do

We understand and recognize the power of social media. As such, we have invested in key personnel from marketing strategists, to technologists, to in-house counsel, to ensure that Sokolove Law and its co-counsel firms stay at the forefront of social media in legal services.

Co-counsel SPOTlight

Lubin & Meyer, P.C. Boston, MA

What makes for a long-term relationship? Trust, integrity and results – and those are the very qualities that mark the 30th anniversary of the partnership between Sokolove Law and co-counsel firm Lubin & Meyer, the premier medical malpractice firm in Massachusetts and New England.

- \$40 million: Largest personal injury verdict in state history for a baby's brain injury
- \$30 million: For baby's injuries at birth
- \$23.8 million: Child born with cerebral palsy

"We believe our successful and long-standing relationship with Sokolove Law stems from our client-focused collaboration and shared goal of providing our clients with exceptional service and unsurpassed legal representation - from initial phone call to case completion," says founding partner Andrew C. Meyer, Jr.

Besides the more than \$200 million in settlements and verdicts the firm has obtained from Sokolove-generated cases, Lubin & Meyer boasts some of the largest personal injury verdicts in Massachusetts history, including:

"Lubin & Meyer has an incredible track record of bringing about justice to those that deserve it most. We are proud of the work this firm consistently delivers and the long history we've shared with Drew and his team," says Jim Sokolove.

For 16 consecutive years, Meyer has been selected for inclusion in the Best Lawyers in America in the areas of medical malpractice and personal injury law. According to *Massachusetts Lawyers Weekly*, Lubin & Meyer obtained 20 of the largest settlements of \$1 million or more

NEWS & EVENTS

July 8 64th Annual Melvin M. Belli Society Seminar

Gabe Miller, Sokolove Law General Counsel, will be a presenter at the 64th Annual Melvin M. Belli Society Seminar in New York City. Miller's presentation, "Social Marketing for Clients Without Losing Your Law License," will discuss how best to employ social media without violating the ethics rules.

July 9-13 AAJ 2011 Annual Convention

The Sokolove Law team will be on-site during the annual convention of the American Association for Justice (AAJ) in New York City to meet with co-counsel and prospective co-counsel firms to discuss current campaigns and explore upcoming opportunities.



ANDREW C. MEYER, JR.
Founding Partner

in 2010 for its clients; in 2009, the firm achieved 22 settlements of \$1 million or more.

Meyer enjoys local celebrity status due to the frequent requests by local news media to comment on high-profile cases involving medical malpractice or personal injury.

Today, the firm is comprised of a multidisciplinary team of 12 lawyers, 4 nurses, paralegals and assistants.



Operations Update

Intake Emails Get a New Look and Functionality

Sokolove Law is pleased to announce the roll out of our recently revamped Intake email, which some of you have already begun to receive.

The new format better organizes the intake information we collect from potential clients and also enhances its readability, especially on smart phones. Initial feedback has been overwhelmingly positive.

To enable the new format, whose main objective is to improve the lead communications process with our co-counsel firms, a custom software system was developed and implemented. This is the first phase of building a comprehensive Affiliate

Portal to centralize and streamline communications and collaboration with our co-counsel firms.

New features and functionality will be phased into the Intake email over the remainder of the year. Co-counsel will soon be able to conduct real-time actions such as lead accept/reject and to view campaign performance reports. Additionally, for easy reference and tracking, the Intake email will add statuses on total pending, prospective and open cases for each case type.

Stay tuned for these exciting new features.

Contributing Editor

Improve Case Intake with BPM *By Thomas J. H. Berman*

The goal of any plaintiffs' or contingency based law firm, regardless of size, should be to manage important practice activities such as client intake in a *process-managed approach* so that the firm may maximize efficiency and minimize professional liability risk.

Using BPM—or Business Process Management—allows for the design of controls into the practice, which act to consistently and repeatedly execute important processes at the highest level of quality and care of the client while at the same time maintaining a focus on firm safety and economic vitality.

BPM is a business approach to law firm management, one which meets the challenges of the 21st century. The key to managing a successful law firm environment is to understand the processes which are the DNA of the organization. For the practice to perform at its optimum level, its actions need to be quantified, then *modeled, measured, and monitored*.

Case intake and related activity is an important element of the practice, and the core processes involved in this activity are an important BPM focus.

The BPM initiative is designed to create a pragmatic, streamlined methodology for managing client intake from initial conflicts checks all the way through the process, including economic analysis, medical records, and treating physician issues. Going through the process of evaluation itself should identify opportunities which will lead to

reduced waste, provide process owners with greater transparency, and improve support for the individuals responsible for managing the activities involved; all the while tightening controls and reducing the professional liability risk, which is always a primary concern.

An experienced core team (comprised of a partner(s), a key associate and the non-lawyer individual(s) most involved in managing new client intake) will then analyze the current state of the client intake process. The new practice model for client intake will emerge by defining the important roles, applying appropriate strictures, and incorporating real-world lessons. The outcome of this BPM initiative should be the application of these "best practices" in the integration of people and practice requirements with an overlay of technology.

A pilot project is suggested to test and validate the use of BPM in the case intake process (or *any* process in the firm including litigation support, marketing efforts and so forth). The core team would review and refine the processes until they are comfortable with the results. A successful pilot can help the leadership team spearhead the adoption of BPM across the practice.

Thomas Berman is principal and founder of BERMAN & ASSOCIATES, a consultancy that is involved in all phases of law firm practice management for plaintiffs' firms including mergers/acquisitions, planning, marketing, and risk management.

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