SOUNDOFF



LAWYERS PROFILED: WHERE DO THEY ALL COME FROM?

I read your article about Hamilton & Reynolds with great curiosity (ARIZ. ATTORNEY, April 2005). I may be showing my ignorance but I'm not really sure if this was a joke or not. The attorneys you profiled for the piece don't really seem worthy of spotlighting in an official publication of the State Bar, but I can't say I haven't met others like them. Then, there is the former name of the firm—Hamilton, Joe, Frank & Reynolds. That was also the name of a one-hit wonder band from the '70s. I must admit that one got me thinking this had to be a hoax. On the other hand, though, who am I to judge?

-Eleanor Rigby, Tucson

TOM KARAS MEMORIES

Thanks to Tom Kleinschmidt and Terry McIllicuddy for reminding us of Tom Karas, the man and the lawyer (ARIZ. ATTORNEY, April 2005). His lawyering skills were well demonstrated in a case prosecuted by the U.S. Attorney in the late 1960s before Judge William Copple. Five



Colorado men were charged with fraud. The four defendants Tom's client were represented by Bill Mahoney, Doug Odegaard, Irwin Harris and myself. Tom led the defense team.

A key piece of evidence was a money order

issued by a bank. The prosecution's key witness testified to having bought the money order, but because of his doubts about the wisdom of turning it over to the defendants, had walked around Las Vegas for over two hours with the money order in his shoe. The best part of the closing argument was Tom's displaying the money order—in absolutely mint condition—to the jury and offering, "If anyone walked around Las Vegas with this money order inside his shoe for over two hours, I'll eat it!"

He did not have to eat it. The jury acquitted all of the defendants.

—Ronald I. Rubin Renaud Cook Drury Mesaros PA Phoenix

—Ronald I. Rubin

When I was a very young attorney more than 20 years ago, I had occasion to talk to Tom Karas for advice on a criminal case I was handling.

I did not know Mr. Karas, but as I asked around, I was assured that he was "an expert." So, I got up my nerve and called him. I don't remember the advice or the outcome, but I remember how kind he was to talk to me and to give me his time. I never had occasion to speak with him again, but he made a great impression on how to treat a colleague, even a young, not-so-smart one.

I try to remember this lesson as I have gotten older and wiser. It goes to the heart of why practicing law is a profession. Thanks for a

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tribute to a well-deserving man.

—Crystal Francis, Senior Law Project Indiana Legal Services, Indianapolis

VERDICT MESSAGE: TORTS NOT OUT OF CONTROL

There must be something wrong with the survey of civil jury verdicts (ARIZ. ATTORNEY, May 2005). Why is there no medical malpractice verdict among the "Top 10" verdicts? And does the author really expect us to believe defense verdicts are reached in 93 percent of all malpractice cases? What's she hiding, and who is she working for? There must be a conspiracy, as nothing else can explain the author's statistics and a crisis so significant that one doctor in Tucson had to retire to the Virgin Islands!

More generally, why are there only five personal injury cases on the list? Really, only four, as one case—number 9—involved a verdict against a man convicted of first-degree murder (who, undoubtedly, did not have coverage for his wrongful act). And why do five of the seven largest verdicts involve business-to-business disputes? Again, are these statistics really accurate? They're certainly inconsistent with everything I hear on cable television and read on the op-ed pages.

Would some people, for reasons of self-interest or the opportunity to mouth off in public, have hyped the tort "crisis"? Politicians? Insurance companies? It's hard to imagine, but it's also hard to reconcile the statistics with the assertiveness with which the tort "reformers" tell us every imaginable problem in America is caused by "greedy" trial lawyers and—although they never mention them—"greedy" plaintiffs and "gullible" jurors.

Sarcasm aside, I know there are problems with the system for resolving civil disputes. I know a "Top 10" list does not prove very much. That said, the statistics show what they show, and certainly call into question the certainty with which the "reform" movement cloaks its arguments. We'll only make our system better when the "reformers" lower their voices and we all work together to improve the system.

—Mark Rubin Law Office of Mark Rubin, PLC, Tucson

www.myazbar.org June 2005 Arizona attorney 9