



This one's for you

DONNA BADER, ESQ., EDITOR



Welcome to the first issue of *Plaintiff* magazine! We've started this magazine for you because we think that plaintiffs' attorneys are a special group with unique needs. We've mailed the magazine to 5,000 of you in Northern California: From San Luis Obispo to Crescent City, from San Francisco to Sacramento to Placerville and throughout the Central Valley from Modesto to Fresno.

Who are plaintiffs' attorneys? Most of you come from small firms and have limited funds to fight against insurance companies, government entities, or corporations. You are generally working on a contingency-basis, often representing individuals, but sometimes businesses. You are often facing a David against Goliath scenario in prosecuting your cases. You are at the same time professionals and independent business people. With *Plaintiff*, we offer you additional resources to perform at the highest level of your profession and to manage your businesses; to effectively prepare for trial and achieve the best results on behalf of your clients while at the same time watching your cash flow.

At *Plaintiff*, we have some rather high goals for ourselves. First, we seek to publish high-quality articles that are of particular interest to plaintiffs' attorneys. That does not mean, however, that our articles are limited to legal themes. After all, attorneys have a life after work and how they handle the other aspects of their lives will impact their practices. For that reason, we are hoping to publish articles that will cover a broad spectrum of subjects from practical nuts-and-bolts topics to marketing, psychology, networking, and office technology – even travel and dining tips for when you visit a distant courthouse. The scope of our magazine will be defined by our readers. (We are *always* open to hearing your suggestions.) Generally speaking, we are seeking articles that are informative, thought-provoking, and most of all, *interesting*.

We are quite proud of the articles selected for our premiere issue. Being a plaintiff's attorney can be tough, but Michele Magar talked with some of you and discovered valuable insights in "*Surviving the Legal Profession*." Handling medical malpractice cases can be even tougher, but you can avoid being trapped in a bad case that drains your time and money. Dr. Barry Gustin identifies some of the pitfalls in choosing such cases in "*Medical Malpractice:*

10 Sure Losers." Michael Blum discusses different methods of financing contingency fee cases in "*Financing: The Bane of Contingency Fees*."

In keeping with our theme of premises liability, Michael Panish analyzes the problems with electronically controlled doors. In "*Caught in the Act! Accident Reconstruction from Captured Video Footage*." Craig Fries reminds us to investigate whether video surveillance might have been operating during an accident, thus capturing valuable information for litigation. I have written an article on the doctrine of *res ipsa loquitur*, "*Applying Res Ipsa Loquitur to Premises Liability Fire Cases*."

Leading San Francisco attorney James Sturdevant writes about developments in the law applicable to the Consumer Legal Remedies Act in "*Restoring the Traditional Pleading and Proof Requirements for Claims of Deception under the Consumer Legal Remedies Act*." Since this area is still in a state of flux, we may expect to hear more from Mr. Sturdevant on this important subject.

And we will publish columns on matters of continuing interest. Accomplished trial attorney Shirley Watkins will offer a monthly topic on "*Trial Practice and Procedure*." Since we believe marketing must be a part of every attorney's business, we asked legal marketing pro Geri Wilson to bring you regular tips on how to improve your intake. To motivate you to take action, Ms. Wilson suggests "*Eight Things You Can Do to Kick-Start Your Marketing*."

This being our first issue, we don't have any "Letters to the Editor" . . . yet! But we do want to hear from you. Please address your thoughts to us at editor@plaintiffmagazine.com.

If you find yourself ruminating about the legal profession, why not clear your mind and submit a short essay, up to 800 words, for our "Final Judgment" column which, appropriately enough, will be on the last page of *Plaintiff*.

The law is ever changing and evolving – that's what keeps us interested. *Plaintiff*, with your help, will evolve into the magazine you want it to be. If you want to see an article on a specific subject, let us know. Better yet, if you think you are the one to write that article, we welcome your submissions. You can always contact me at Dbader@plaintiff-magazine.com.