

PITTSBURGH'S

BEST LAWYERS[®]

2011 EDITION

THE DEFINITIVE GUIDE TO LEGAL REPRESENTATION IN PITTSBURGH

VICTOR PRIBANIC
MEDICAL MALPRACTICE
POWERHOUSE

WHO ARE THE
LAWYERS OF THE YEAR?

A SPECIAL ADVERTISING
SUPPLEMENT TO THE
PITTSBURGH POST-GAZETTE

The Legal Intelligencer

An **ALM** Publication

 **Best Lawyers[®]**
THE WORLD'S PREMIER GUIDE



PITTSBURGH'S BEST LAWYERS®

2011 EDITION

THE GUIDE TO PITTSBURGH'S TOP ATTORNEYS

It's inevitable—at some point in your life, you're going to need a lawyer, and you won't always be able to predict when that need will arise. Whether you're starting a business or selling one, getting married or divorced, patenting your invention, litigating a contract, or buying a home—there is a talented and highly competent attorney listed in this guide who can help. Perhaps you or a family member is involved in an accident or accused of a crime. These are all serious matters for which you need first-rate legal representation.

Pittsburgh's Best Lawyers® helps take the mystery out of locating a high-quality advocate to protect you, your family, your business and all other assets. The exceptional attorneys listed in this guide are only those attorneys listed in *The Best Lawyers in America®*.

These attorneys were nominated by and voted in by their peers. Lawyers cannot buy their way into this guide. They must earn a spot through exemplary legal work that attracts the notice of their colleagues. To remain on the list, they must be at the top of their game, year after year. *Best Lawyers*, the leading referral list in the legal profession, and ALM, the nation's leading legal journalism and information company, have teamed up to provide this invaluable resource for readers, whatever your legal needs may be. Lawyers in this guide are arranged by their legal specialty—from Administrative Law to Workers' Compensation Law—which makes it easy to find the professional advice you need.

Keep this comprehensive guide available for those times when you need a first-rate advocate to assist you. The lawyers listed in *Pittsburgh's Best Lawyers* are eager to help.

VICTOR PRIBANIC: PITTSBURGH MEDICAL MALPRACTICE LAW IN ACTION 7

2011 LAWYERS OF THE YEAR 9

PITTSBURGH'S BEST LAWYERS BY SPECIALTY

Administrative / Regulatory Law 3	International Trade and Finance Law 8
Alternative Dispute Resolution 3	Labor and Employment Law 8
Antitrust Law 3	Land Use & Zoning Law 10
Appellate Practice 3	Legal Malpractice Law 10
Banking and Finance Law 3	Leveraged Buyouts and Private Equity Law 10
Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law 3	Mass Tort Litigation 10
Bet-the-Company Litigation 4	Media Law 10
Civil Rights Law 4	Medical Malpractice Law 10
Collaborative Law: Family Law 4	Mergers & Acquisitions Law 11
Commercial Litigation 4	Mining Law 11
Construction Law 4	Municipal Law 11
Corporate Governance and Compliance Law 6	Mutual Funds Law 11
Corporate Law 4	Natural Resources Law 11
Criminal Defense: Non-White-Collar 6	Non-Profit/Charities Law 11
Criminal Defense: White-Collar 6	Oil & Gas Law 11
Education Law 6	Personal Injury Litigation 11
Elder Law 6	Product Liability Litigation 12
Eminent Domain and Condemnation Law 8	Professional Malpractice Law 12
Employee Benefits (ERISA) Law 8	Project Finance Law 12
Energy Law 8	Public Finance Law 12
Environmental Law 8	Railroad Law 13
Family Law 8	Real Estate Law 13
Family Law Mediation 8	Securities / Capital Markets Law 13
First Amendment Law 8	Securitization and Structured Finance Law 13
Franchise Law 8	Tax Law 13
Health Care Law 8	Technology Law 14
Immigration Law 8	Transportation Law 14
Information Technology Law 8	Trusts and Estates 14
Insurance Law 8	Venture Capital Law 14
Intellectual Property Law 8	Water Law 14
	Workers' Compensation Law 14

METHODOLOGY

This list is excerpted from the 2011 edition of *The Best Lawyers in America®*, the preeminent referral guide to the legal profession in the United States. Published for nearly three decades, *Best Lawyers®* lists attorneys in 82 practice areas, representing all 50 states and the District of Columbia, who have been chosen through an exhaustive survey in which thousands of the nation's top lawyers confidentially evaluate their professional peers. The 2011 edition of *Best Lawyers*, which was published in November 2010, is based on more than 3.1 million evaluations of lawyers by other lawyers.

The method used to compile *Best Lawyers* remains unchanged since the first edition was compiled more than 28 years ago. Lawyers are chosen for inclusion based solely on a vote of their peers. Listings cannot be bought, and no purchase is required to be included. In this regard, *Best Lawyers* remains the gold standard of reliability and integrity in lawyer ratings. The nomination pool for the 2011 edition consisted of all lawyers whose names appeared in the previous edition of *Best Lawyers*, lawyers who were nominated since the previous survey, and new nominees solicited from listed attorneys. In general, lawyers were asked to vote only on nominees in their own practice area in their own jurisdiction. Lawyers in closely related practice areas were asked to vote across practice areas, as were lawyers in smaller jurisdictions. Where practice areas are national or international in nature, lawyers were asked to vote nationally as well as locally. Voting

lawyers were also given an opportunity to offer more detailed comments on nominees.

Voting lawyers were provided this general guideline for determining if a nominee should be listed: "If you had a close friend or relative who needed a real estate lawyer (for example), and you could not handle the case yourself, to whom would you refer them?" All votes and comments were solicited with a guarantee of confidentiality – a critical factor in the viability and validity of *Best Lawyers* surveys. To ensure the rigor of the selection process, lawyers were urged to use only their highest standards when voting, and to evaluate each nominee based only on his or her individual merits. The additional comments were used to make more accurate comparisons between voting patterns and weight votes accordingly. *Best Lawyers* uses various methodological tools to identify and correct for anomalies in both the nomination and voting process.

Ultimately, of course, a lawyer's inclusion is based on the subjective judgments of his or her fellow attorneys. While it is true that the lists may at times disproportionately reward visibility or popularity, the breadth of the survey, the candor of the respondents, and the sophistication of the polling methodology largely correct for any biases. For all these reasons, *Best Lawyers* lists continue to represent the most reliable, accurate and useful guide to the legal profession in the United States.

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MEDICAL MALPRACTICE LAW,
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PRIBANIC PRIBANIC, LLC

PRIBANIC PRIBANIC, LLC IS A Pittsburgh-based regional practice that has become one of the premier plaintiff's personal injury and medical negligence trial law firms in the northeast region of the United States. The firm's attorneys provide representation which includes conducting focus groups and mock trials to identify how a jury will likely perceive a client's case and spending time with clients to get a sense of how their injury has affected them on a day-to-day basis. "By spending a day or an evening at a client's house as we're preparing for a trial we learn things that we couldn't possibly know from an interview in the office or over the telephone," founding partner Victor H. Pribanic says.

SINCE ITS FOUNDING IN 1984, PRIBANIC Pribanic, LLC has expanded from its original location in McKeesport, Pennsylvania to offices in White Oak, downtown Pittsburgh and Brookville, Pennsylvania. While the firm initially serviced only the Pittsburgh area, it has taken on increasingly more complex cases as its reputation has grown. The firm's attorneys now represent individuals and their families in personal injury and wrongful death cases across the United States.

THE FIRM'S ABILITY TO TRY A VARIETY OF CASES in courtrooms throughout the country, has led to significant recognition for the firm and its attorneys. Pribanic Pribanic, LLC has been recognized by *U.S. News & World Report* as a Pittsburgh Tier 1 law firm in the areas of Medical Malpractice Law and Product Liability Litigation. Victor Pribanic has been selected for inclusion in both *The Best Lawyers in America*® and the *Pennsylvania Super Lawyers*. He has also been AV-rated by Martindale-Hubbell and is a member of the American College of Trial Lawyers, the International Society of Barristers and the Academy of Trial Lawyers of Allegheny County.

THE FIRM'S EXPERIENCED ATTORNEYS HAVE attained numerous verdicts and settlements in excess of \$1 million for their clients. Whether a case is successful by a verdict or a settlement, Pribanic says that what he most values is the help that he's able to give his clients. "It's incredibly rewarding to be able to help people in a way that has a lasting impact on their lives," he says. "That's something that remains with you long after you've forgotten about any financial benefits that were afforded by the case."



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PERSONAL INJURY LITIGATION

For nearly two decades, the lawyers at Ainsman Levine and Drexler have been providing a voice for injured clients, battling insurance companies on their behalf.

"We understand that injuries can hurt people financially, as well as physically," founding partner David Ainsman said.

The firm has experienced lawyers willing to take on tough cases, according to Ainsman, who was recently selected for inclusion in *The Best Lawyers in America*®.

The lawyers at Ainsman Levine and Drexler handle a wide variety of personal injury cases.

"We've helped thousands of people since the firm was founded in 1993," according to Ainsman. "We see our job as fighting to get our clients the highest possible settlement—and if the case goes to trial—the maximum verdict."

Many of the firm's lawyers also participate in civic activities and charitable boards, and have been recognized for their civic involvement as well as their professional achievements. "We get a tremendous amount of satisfaction out of seeing people change their lives for the better as the result of our efforts," Ainsman said.



From Left: Steve Drexler, Robin Wertkin, David Ainsman, Richard Levine, G. Christopher Apossos, Ginny Scott, Jephthah Orstein

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VICTOR PRIBANIC AND A STORY OF PERSEVERANCE

Pittsburgh Medical Malpractice Law in Action

Where some lawyers see risk, fearless attorney Victor Pribanic, who founded his own plaintiff's personal injury practice back in 1984, sees a challenge.

When he took on a Pittsburgh area woman who operated a local travel agency as a client, it was after she had consulted with several attorneys and was told by them that her case was a lost cause. But when she entered the offices of Pribanic & Pribanic, the soon-to-be client, a victim of medical negligence, was told she had a solid case.

"I accepted the case and it was settled minutes before the closing argument," Pribanic says confidently. "We were able to get her a very substantial settlement, which she was entitled to under the circumstances."

Years before she first met with Pribanic, the plaintiff had gone to see her urologist for a routine procedure. Her doctors were made aware that she's a diabetic, and as Pribanic points out, "diabetics can be a little more susceptible to infection than the rest of us."

Ultimately, this would be her doctor's defense when the medical negligence case eventually went to trial.

"She developed symptoms that were ignored by her urologists for several days," explains Pribanic. "Her son was actually a cardiologist and by the time he was able to come in to see her from Philadelphia, she was in what he described as fulminant sepsis, but it had not been diagnosed."

Fulminant sepsis can create a condition where a patient loses blood circulation to the extremities, because the body is busy fighting for the preservation of vital organs. "That's what happened to my client," Pribanic says. "She ended up losing most of her fingers and both of her legs below the knees."

As part of his pre-trial research for the case, Pribanic says he spent a great deal of time with his client at her home, "just to get some appreciation for what happened to her and how difficult life was for her—things you could never learn in an office or over the phone."

The plaintiff refuses to use a wheelchair but utilizes bilateral prosthetic devices to get around. She walks, Pribanic says, but "with a great deal of effort. But spending time with her gave me a better feel for communicating her problems to the jurors. That jury senses that you know who

you are dealing with and what their problems are...that you care about what will become of them after these trials."

At trial, a local doctor who was called in as an expert witness for the defense took the stand. It was a doctor Pribanic had had previous dealings with.

"That made this an intriguing case," he notes. According to Pribanic, he had videotaped a number of depositions with the expert witness years and years before, and that tape was already part of the public record, and thus admissible as evidence. "I was able to do my cross examination by having video clips immediately played after things this witness said on the stand...and what he said on video was contrary to statements he'd made during the trial."

After the first witness, a second expert was brought in by the defense—a professor of urology from Ohio.

"He testified that the defendant had done everything properly," Pribanic starts. "Unfortunately for the professor, I had an article he had written back in 1976, and what he wrote contradicted virtually everything he said on the witness stand."

Minutes before the trial was to end, the defense approached Pribanic with a seven-figure settlement offer he couldn't turn down.

"It was a very gratifying case," recalls Pribanic, who still maintains contact with the Pittsburgh woman, who ended up writing a book about her experience called *Beyond My Imagination: Living Tragedy With Tolerance and Patience*.

"She is a genuine hero in my eyes because she was able to suffer those kinds of problems that would really lay many people physically and psychologically low," Pribanic says.

"She makes the most of every day, even with the limitations she has to live with now. She picked herself up, dusted herself off and got back on with the business of living. It's really inspiring and it's a pleasure to help people like that."

—Chris Harris



Chandler Crowell

"SHE IS A GENUINE HERO IN MY EYES BECAUSE SHE WAS ABLE TO SUFFER THOSE KINDS OF PROBLEMS THAT WOULD REALLY LAY MANY PEOPLE PHYSICALLY AND PSYCHOLOGICALLY LOW,"

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William Caroselli

*Caroselli Beachler
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**PRODUCT LIABILITY
LITIGATION**

Raised in the small steel town of North Braddock, William Caroselli has been an attorney for 45 years and considers it his job to effect “some real changes in public safety in the area of consumer products and industrial products.”



A founding partner at Caroselli Beachler McTiernan & Conboy, Caroselli graduated from Brown University where he played football for three years as a pre-med student with regrets.

“Towards the end, I did not feel that I wanted to become a doctor,” says Caroselli, a Fellow of the International Academy of Trial Lawyers. “A lot of other people wanted me to become a doctor, but I didn’t.”

Not knowing what his next move should be, Caroselli followed a friend’s advice and applied to The Dickinson School of Law of Pennsylvania State University, where he eventually earned his JD. He started working for personal injury attorney James McCardle, and then took his bar exam.

“I passed it on a Monday, got specially admitted on a Tuesday, and picked my first jury on a Wednesday,” says Caroselli, a die-hard Pittsburgh Steelers fan who can often be found on the tennis court or the ski slopes when he’s not in the office.

A former member of the executive committee of the American Association for Justice, Caroselli works hard to provide a voice to the voiceless.

“I represent many people who are catastrophically injured, who do not have any real light at the end of the tunnel,” he says. “Fortunately, we’ve been able to get compensation that has created a lifestyle for our clients, so at least these people can live beyond a basic sustenance level.”

—Chris Harris

Timothy Conboy

*Caroselli Beachler
McTiernan & Conboy*

**WORKERS’ COMPENSATION
LAW**

Attorney Timothy Conboy has been practicing law for three decades now. But that wasn’t always the plan. Conboy nearly ended up following in his father’s footsteps. The lawyer’s dad, Jerry, was a college basketball coach and spent 20 years coaching at Point Park University.



“I decided I didn’t want to go into an occupation where you rely on 18 to 22 year-olds for your livelihood,” the graduate of Allegheny College and University of Pittsburgh School of Law jokes.

Instead, today, people rely on him.

Conboy, a former assistant district attorney for Allegheny County and the current President of the Pennsylvania Association For Justice, represents those who’ve been injured at work.

“These are people who are in unforeseen, desperate times that they never in their life could have anticipated,” Conboy said, adding that he has the trial experience to “obtain them the benefits and compensation that they deserve. It’s very gratifying work.”

A partner at Caroselli Beachler McTiernan & Conboy who joined the firm in 1985, he’s a lifelong Pittsburgh resident who has three adult sons with his wife, Beth. An avid golfer, still pursuing that perfect round, Conboy also reveals himself as humble.

“It’s important to understand the way we work in our firm,” Conboy, who is AV-rated by Martindale-Hubbell, starts. “This honor is not just a personal honor but a testament to the culture and approach in our firm of working together in representing workers. That has brought this recognition.”

—Chris Harris

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Bernstein Law Firm team congratulates Kirk & Bob on the recognition by their peers and clients that their selection for Pennsylvania's Best Lawyers represents.



Robert S. Bernstein
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LEECH TISHMAN

The members of Leech Tishman identify themselves as more than just lawyers. "We think of ourselves as businesspeople who also practice law," explained managing partner Pete Fuscaldo, who advises clients in corporate and tax law. "We view legal problems from a business perspective so that we can find solutions that are most valuable to our clients."

Partner Sally Griffith Cimini, who is recognized both for her work as an employment and labor lawyer and as a mediator, is a strong example. "Because of my human resources background, I bring a practical approach to my practice," Cimini said. "I serve as an adviser and business partner to my clients to help them achieve their goals with a full understanding of the relevant legal landscape."

David Lampl, who has played a major role in complex national and local cases and has acted as lead counsel in cases on behalf of banks, creditors' committees, major suppliers and debtor companies, said that Leech Tishman also stands out because of its hands-on environment. Because the firm is midsized, he explained, attorneys are able to have more direct involvement in client matters than attorneys at larger firms.

Furthermore, attorneys frequently work together to make sure that every client is being given the best possible service. "Teamwork and camaraderie have been institutionalized here," Fuscaldo said. "We are strong believers that there is no place for ego when it comes to serving a client."



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Lea E. Anderson is a shareholder at Goehring, Rutter & Boehm and heads its family law group. Since 2007, she has concentrated her family law practice in collaborative law, which reaches resolution by settlement customized to address the needs of each separate case. Collaborative law is practiced outside of the court process and allows the parties to maintain healthy relationships with children and extended family during and after the divorce. Ms. Anderson is also an experienced litigator in traditional divorce matters. She is a founding member of the Collaborative Law Association of Southwest Pennsylvania, a member of the IACP and a trainer and frequent lecturer on collaborative law and ADR processes. In addition to family law, she also has an established business law and estate planning and administration practice.

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He is past chair of the Allegheny County Bar Association (ACBA) Family Law Council. He serves as chair of the ACBA Appellate Practice Committee and a member of Pennsylvania Supreme Court Appellate Court Procedural Rules Committee (ACPRC). Mr. Frank has been honored by *The Best Lawyers in America*® for being listed for 10 consecutive years. He has been named a Pennsylvania *Super Lawyer* (top 5% of the bar) and one of the Top 50 Lawyers in Allegheny County by *Philadelphia Magazine*.

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Mr. Ogg is a founding member of Ogg, Murphy & Perkosky, LLP. He has represented clients in a variety of personal injury cases for over twenty-nine years. He is a member of the Academy of Trial Lawyers of Allegheny County. Attorney Ogg has been

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A graduate of Duquesne Law School, Stanley M. Stein has litigated in federal and state courts since 1972. His area of concentration is commercial litigation, including intellectual property and corporate litigation. He has appeared

in state and federal courts around the country, including the United States Supreme Court. He is the Chair of the United States District Court Local Rules Advisory Committee and past-Chair of the District Court's Magistrate Judge Recommendation Committee. A member of the Academy of Trial Lawyers of Allegheny County, he currently serves as its Treasurer. He is also a member of the Civil Litigation Council of the Allegheny County Bar Association. He is very active in the fund-raising activities of the Cystic Fibrosis Foundation.

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From Left: David A. McGowan, Susan A. Meredith, Thomas G. Smith, Daniel K. Bricmont, John W. McTiernan, Kelly L. Enders, William R. Caroselli, Edwin H. Beachler, G. Timothy Conboy, Jennifer Modell, Fred C. Soilis, Craig E. Coleman, Rhett P. Cherkin, Melissa Ruefle-Spencer, (not pictured) Kevin W. Lee

CAROSELLI BEACHLER MCTIERNAN & CONBOY, LLC has been on the forefront of plaintiff personal injury litigation since its inception in 1972. The firm was the first in Pennsylvania to handle an asbestosis disease claim and founding partner William R. Caroselli was the first attorney in the state to file a cigarette-related cancer case. "We're not afraid to push the envelope in order to advance the interests of our clients," said partner John W. McTiernan.

THE FIRM REPRESENTS INJURED INDIVIDUALS AND THEIR families across Pennsylvania through its offices in Pittsburgh and Philadelphia. The firm has established a reputation as one of the premiere plaintiff personal injury firms in the state for matters in workers' compensation, personal injury, medical malpractice, asbestos litigation, and social security. It also pursues bad faith insurance claims, toxic torts, and class action lawsuits. The firm has been involved in some of the highest profile cases in Pennsylvania history, including a lawsuit against a sitting governor for eliminating health insurance for the working poor and the internationally recognized "Kids for Cash" case.

MAJOR COMPLEX PERSONAL INJURY CLAIMS ARE FREQUENTLY REFERRED to the firm by other attorneys, both locally and nationally. The firm has frequently served as local counsel or co-counsel in joint ventures with other firms in Pittsburgh and Philadelphia based litigation in both state and federal courts. In addition, many of the firm's referrals

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come from friends and family members of previous clients. "One of the reasons we've been so successful is that we give our clients excellent service," McTiernan said. "We're responsive to their inquiries and we make sure to keep them informed as the litigation progresses."

THE ATTORNEYS OF CAROSELLI BEACHLER MCTIERNAN & Conboy are known to be among the best in their field. The firm's lawyers have been fixtures in *The Best Lawyers in America*® since 1987, and nine of the firm's 19 lawyers have been selected for inclusion in the 2011 edition: William R. Caroselli, Edwin H. Beachler, John W. McTiernan, Timothy Conboy, Craig E. Coleman, Thomas G. Smith, Daniel K. Bricmont, Fred C. Soilis and David A. McGowan. The firm's attorneys have also been elected and appointed to professional leadership positions by the Pennsylvania Supreme Court and professional associations, including the Pennsylvania Association for Justice, the Academy of Trial Lawyers of Allegheny County, the Pennsylvania Bar Association, and the Allegheny County Bar Association.

CAROSELLI BEACHLER MCTIERNAN & CONBOY IS DEDICATED TO achieving results for its clients by obtaining monetary compensation for medical bills, lost wages, pain and suffering, as well as other expenses. The firm has access to the experts, technology and financial resources to take a case to trial without having to ask clients to pay for the associated costs since fees are generally contingent on a case's outcome.

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