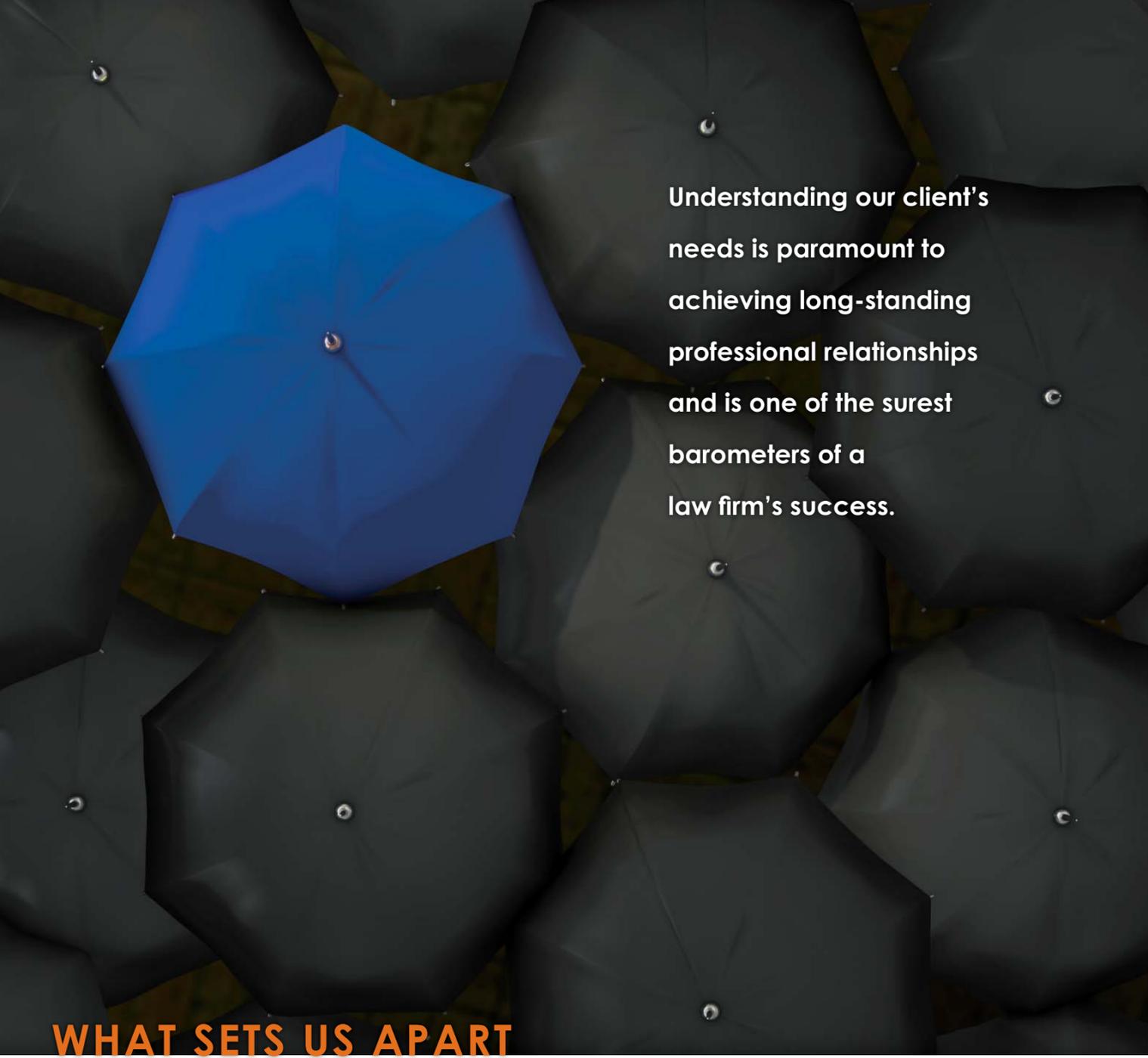




WE TAKE ON THE STORM

R&C

RUTHERFORD & CHRISTIE
NEW YORK ATLANTA



Understanding our client's needs is paramount to achieving long-standing professional relationships and is one of the surest barometers of a law firm's success.

WHAT SETS US APART

FIRM PHILOSOPHY:

Managing tough litigation is like taking on a storm, and our firm is prepared to help your company face whatever looms on the horizon. Our approach is based on three principle tenets:

- Accessibility
- Advocacy
- Accountability

We are known for our tenacity and innovative approaches to litigation, and we pursue the open exchange of information, ideas and recommendations with our clients to develop winning case strategies. We have litigated against some of the most prominent and formidable plaintiffs' lawyers, always collaborating with our clients to ensure their interests are protected.

Understanding our client's needs is paramount to achieving long-standing professional relationships and is one of the surest barometers of a law firm's success. Rutherford & Christie proudly serves as

sole litigation counsel for some of America's best known companies because of the manner in which we approach and manage their toughest litigation.

DIVERSITY:

Our firm is certified by the Georgia Women's Business Council as a Women's Business Enterprise (WBE). More than 50 percent of our partners and associates are from diverse backgrounds. The varied ethnicity and gender of our attorneys and staff uniquely equips us to handle the myriad of issues faced by our diverse clientele.



AREAS OF LITIGATION

AVIATION:

Defense of domestic and foreign airlines, aviation service companies, ground handling companies and public and private airport operators in cases involving aviation accidents, wrongful death claims, emergency landings, evacuation incidents, work-site accidents, false arrest, cargo claims, denied boarding, and ticketing issues. Extensive experience in the application of the Warsaw and Montreal Conventions and the IATA Inter-Carrier Agreement.

CONSTITUTIONAL LAW:

Defense of national religious organizations in cases involving First Amendment protections, clergy misconduct, constitutional challenges to federal statutes, free speech and separation of church and state disputes.

CONSTRUCTION & CONSTRUCTION DEFECT:

Defense of construction liability and contract cases and defense of developers, general contractors and subcontractors. Defense of indemnity, breach of contract and third party liability actions.

EMPLOYMENT:

Defense of employers in cases brought under Title VII, including sexual harassment, hostile work environment, discrimination based on gender, race, age, religion or national origin, and claims of unlawful retaliation.

ENVIRONMENTAL LAW/TOXIC TORTS:

Defense of all aspects of environmental law and toxic torts, including property damage and personal injuries that result from exposure to toxic substances and releases, such as asbestos, mold, chemicals, lead paint, heavy metals and underground storage tanks.

ERISA:

Defense of life, health, and disability insurance companies, plan sponsors under ERISA, and third-party administrators in claims that involve denial of employee benefits, bad faith, subrogation and reimbursement, rescission, and breach of life, health or disability benefit contracts.

GENERAL DEFENSE LITIGATION:

Defense of cases involving catastrophic injury and death, breach of contract, violation of constitutional rights, fraud, breach of fiduciary duty, defamation, false imprisonment and dram shop.

INSURANCE:

Analyze and provide coverage opinions, defense of coverage and premium disputes, pursue declaratory judgment actions, first party claims, and draft policy wording.

MUNICIPAL AND EDUCATION LAW:

Defense of municipalities and school districts in cases involving civil rights, Section 1983, discrimination, employment practices liability, land use, police misconduct, special education, negligent hiring claims and general negligence.

PRODUCTS LIABILITY:

Defense of cases involving a wide range of products, including sporting and recreational equipment, helmets, paints and solvents, forklifts, industrial machines and racking, pharmaceutical cases, nutritional supplements and residential siding. In addition, our attorneys have been involved in risk management and prevention, designing product recalls and retrofits and drafting product warnings.

PROFESSIONAL LIABILITY:

Defense of physicians, nurses, attorneys, and other professionals, regarding malpractice and breach of fiduciary duty.

WORKERS' COMPENSATION:

Defense of employers, insurers and self-insurers, with clients ranging from small businesses to some of the largest employers in the nation.



“Advice is judged by results, not by intentions”

Cicero, ad Atticum IX, 66 B.C.

GUIDING OUR CLIENTS THROUGH THE STORM

RECENT RESULTS ACHIEVED FOR OUR CLIENTS

Defense verdict at state court trial involving woman who suffered reflex sympathetic dystrophy (RSD) resulting in the loss of use of her right leg after airline gate agent moved jetbridge while she was on it. Verdict affirmed on appeal.

Obtained summary judgment on behalf of general contractor in a catastrophic injury case with lost wages and medical damages in excess of \$10 million. Affirmed by the Court of Appeals.

Obtained summary judgment in federal court on UCC grounds for allegedly defective and non-conforming product, breach of contract, breach of warranty, negligence, fraud and bad faith, with claims exceeding \$400,000.00

Obtained dismissal of construction client from three lawsuits involving two deaths and one catastrophic injury claim, with actual damages in excess of \$6,000,000.00.

Defense verdict at federal court trial involving airport worker who sustained fractures in both wrists, with surgical repair, permanent Carpal

Tunnel Syndrome and back problems after being struck by luggage dolly.

Successfully defended instructor in clinical nursing program at state college in case alleging claims pursuant to 42 U.S.C. § 1983 for violation of First and Fourteenth Amendment rights. Obtained dismissal in case where plaintiff sought \$2,000,000.00 in general damages and \$750,000.00 in punitive damages for violation of her civil rights, intentional infliction of emotional distress, and lost educational opportunity.

Defense verdict at federal court trial involving plaintiff who sustained broken humerus requiring surgical repair after she fell into unprotected gutter on jetbridge.

Successfully defended physician-otolaryngologist in medical malpractice case arising out of surgery to remove a brain tumor, which resulted in subarachnoid hemorrhage and devastating neurological damage to young mother. Obtained dismissal of physician while co-defendants settled with plaintiffs for \$4,650,000.

Defense verdict at federal court trial where the plaintiff allegedly slipped and fell in an aircraft

lavatory. Our defense centered on establishing that the plaintiff, who was in jeopardy of losing his job as a salesman, faked the accident.

Obtained dismissal in federal court of international heavy industrial contractor with expertise in the areas of Power, Mining/Minerals Processing, Oil/Gas/Chemical, Renewable Energy, Water and Wastewater, and Marine in which plaintiff seeking minimum of \$800,000.00 in damages for work performed in Grenada.

Defense verdict in federal court trial in First Amendment retaliation by Head Custodian against school district, its board members and administrators. Plaintiff alleged violation of his First Amendment rights when disciplinary charges were filed and he was ultimately terminated from his employment. Plaintiff claimed that the charges and his termination were retaliatory for his public comments about hazardous material handling at the school.

Successfully defended state trooper in case involving allegations of sexual assault and false imprisonment during a traffic stop. Plaintiff sought damages in excess of \$500,000.00 plus punitive damages. Obtained dismissal of case

on dispositive motion, which was upheld in the Georgia Court of Appeals.

Defense verdict in federal court trial defending school district and three administrators against pregnancy discrimination lawsuit. Plaintiff alleged that she was denied tenure and terminated from her employment because of her pregnancy, as evidenced by good performance reviews before her pregnancy announcement and comments made by administrators after her announcement. Case centered on explaining to the jury how school performance evaluations are read and that the plaintiff's claims of good performance were not accurate.

Successfully defended president of state university in federal case involving allegations of fraud and mismanagement of financial aid funds seeking over \$4,000,000.00 in damages. Obtained dismissal on dispositive motion, affirmed by the Eleventh Circuit Court of Appeals.

Defense verdict in federal court trial against airline by passenger who allegedly suffered debilitating knee injury, requiring surgical repair, when he was struck by a beverage cart while seated.

Obtained dismissal of physician-pediatric radiologist in medical malpractice case involving wrongful death of premature infant caused by ruptured liver allegedly as a result of failure to diagnosis malpositioned and/or malfunctioning umbilical venous catheter.

Obtained landmark decision granting summary judgment for real estate broker and her agency in action by cooperative apartment owners who alleged that misrepresentations were made in connection with the sale of the units and the offering plan for the cooperative.

Successfully defended vice president of state university in case alleging defamation, hostile work environment and intentional infliction of emotional distress. Obtained dismissal on dispositive motion, affirmed by the Eleventh Circuit Court of Appeals.

Defense verdict in Supreme Court, Bronx County, involving driver for beer distributor who suffered head and hand injuries when kegs of beer fell on him due to alleged greasy kitchen floor.

Successfully defended multiple state employees, including Attorney General and former Governor

of Georgia, in case involving federal RICO claims. Obtained dismissal on dispositive motion.

Directed verdict in state court trial by maintenance employee against homeless shelter. Plaintiff fell down elevator shaft, suffering severe personal injuries.

Obtained dismissal of plaintiff's emotional distress claims in landmark decision involving passengers on the domestic portion of an international flight when the aircraft overran the runway at Kennedy International Airport and passengers underwent emergency evacuation. Second Circuit Court of Appeals affirmed the U.S. District Court's decision holding that emotional distress injuries that are caused by an accident are not "bodily injuries" under the Warsaw Convention.

Successfully defended multiple doctors and nurses in death case alleging deliberate indifference to a serious medical condition, diabetes, which led to cardiac arrest and death of Georgia inmate. Obtained dismissal on dispositive motion.

Under Georgia and New York's Codes of Professional Responsibility, portions of this document may contain attorney advertising. Prior results do not guarantee a similar outcome. Results depend upon a variety of factors unique to each representation.

OPINIONS THAT MATTER

“Your firm is the standard by which we measure all the other firms we use across the country.”

Senior Claim Analyst
Major United States Airline

“The thing I like about these lawyers is that they think outside the box. They look for creative ways to defend or resolve our cases.”

Vice President and Director of Claims
Major Insurance Co.

“I am forever grateful for your commitment, untiring work ethic, ethical belief system and your willingness to partner with me in taking on the most difficult and challenging of circumstances. We have been through the fire of unbelievable pressure and each time we have emerged stronger and that is a credit to you.”

Superintendent of Schools, Westchester County School District
following defense verdict at trial

“The firm of Rutherford & Christie represented us in an action that was initiated against us for damages that were totally out of our control or ability to meet. The firm met the challenge with pristine business ethics and an extremely well developed legal strategy. I have never encountered a firm that has been able to consistently maintain that high of a standard over the entire course of litigation. I will always be grateful to the firm for their representation and help.”

Grammy Award Winning and International Recording Artist
following successful trial

“There is nothing I can say or write that would adequately thank you for doing such an outstanding job . . . As the trial unfolded it was almost overwhelming to sit there and think that you had made order [of the case]. Your closing statements covered everything in a clear and professional manner. Thank you for doing a really great job!!”

Middle School Principal
following defense verdict at trial

“Congratulations on a job well done. I know these issues were difficult. [Our village] is fortunate to have you on our team.”

Village Mayor
following Second Circuit Court of Appeals decision
affirming dismissal of case against the Village

“I wanted to take time today to offer my sincere and abundant gratitude for all of the assistance you’ve offered . . . Your help has been immeasurable and you have, in many instances, gone above and beyond the “call of duty” in serving as local counsel . . . Thank you. Your help is always appreciated.”

Co-counsel in Major Airline Disaster Litigation



“We have worked with you quite a bit on [national product liability litigation], and we have been extremely pleased with the skill and judgment you have shown in representing and protecting our interests.”

National Counsel
Product Manufacturer

“Thank you so much! As always, you did a great job on an important case, in a District that was faced with many hurdles. Thanks again for all of your hard work. You are the best!!”

Managing Claims Counsel
Public Entity Insurer

“Rutherford & Christie demonstrate expert competence, a meticulous attention to detail, and unmatched skill and commitment... a true long term partnership resulting in unparalleled success.”

Workers’ Compensation Manager
Multi-state Self Insured Corporation

“It is a pleasure to work with the lawyers of Rutherford & Christie, who are professional, trustworthy, consistent, efficient and always give great results.”

Account Executive
Worldwide Insurance Broker



COME IN OUT OF THE RAIN

R&C

RUTHERFORD & CHRISTIE LLP
NEW YORK ATLANTA

ATLANTA

225 PEACHTREE STREET NE
SOUTH TOWER, SUITE 1750
ATLANTA, GA 30303

TELEPHONE: 404. 522. 6888

FAX: 404. 522. 0108

NEW YORK

369 LEXINGTON AVENUE
8TH FLOOR
NEW YORK, NY 10017-5947

TELEPHONE: 212. 599. 5799

FAX: 212. 599. 5162

WWW.RUTHERFORDCHRISTIE.COM

WBE CERTIFIED