

CASE IN FOCUS
LITIGATOR PROFILE

Identifying With Little Guy Helps lawyer Win Big Cases

Name: Garo Mardirossian**Name of firm:** Mardirossian & Associates, Inc.**Location of firm:** 6311 Wilshire Blvd., Los Angeles, Calif. 90048**Law School:** Whittier College School of Law (1980)**Affiliations:** Consumer Attorneys Association of Los Angeles (1991-present member of the Board of Governors), Consumer Attorneys of California, Los Angeles County Bar Association, Armenian Bar Association, American Trial Lawyers Association, American Bar Association and Police Watch.**How Long Practicing:** 14 years**Types of cases:** Plaintiff's tort litigation: police misconduct, product liability, construction accidents and toxic torts.

Key to success: Mardirossian grew up in an Armenian household and says his parents gave him his formula for success: His father constantly emphasized the importance of hard work and self-sacrifice and his mother encouraged him to pursue a higher education. Neither of his parents attended high school, having quit to work and take care of their families. Mardirossian's father brought his family to the United States in 1967 from the Middle East. They settled in Ohio with their only assets—three Oriental rugs. When they moved to California some years later, Mardirossian's father declared: "I have discovered the real America; we've been living in Canada!" The family was so poor during those early years that his father worked two jobs and at one point Mardirossian and his three sisters had to live with relatives for a year so they could be properly cared for. Growing up, Mardirossian worked in his family's auto repair shop and put his father's advice on hard work into



HUGH WILLIAMS

SATISFIED — "I learned to serve people and to gain the type of satisfaction that is attained in knowing that I was helping my family and the community at large," says Garo Mardirossian

practice. He learned how to manage a business, became a state-certified smog inspector and auto mechanic and worked his way through college working as a driving school instructor and a truck driver for a local bakery. "I learned to serve people and to gain the type of satisfaction that is attained in knowing that I was helping my family and the community at large," Mardirossian says. He also credits his staff for his success. He calls them "bright, energetic, highly skilled and devoted to their work" and said he hired them not only for their skills but for their desire to both excel in their careers and help others.

Case in focus: David Dole, et al. v. County of Los Angeles, et al., Consolidated with Fea Paul Talamaivao, et al. v. County of Los Angeles, et al., C751398 C/W Case No. C753 391.

Favorite trial moment: Mardirossian was representing a plaintiff in a car accident case and called the defendant to the witness stand. "He came into court in a wheelchair, having had his leg recently amputated, and being pushed by his wife, who was carrying a Bible," Mardirossian remembered. The defendant insisted that the damaged area on the plaintiff's vehicle was so old and rusted that it could not have been caused by his car. The defendant even said that he got some of the brown rust on his hand when he touched the plaintiff's car. But Mardirossian remembered from his days as an auto mechanic that that particular car, a Volvo, had aluminum bumpers and he knew that aluminum does not rust. "I confronted the witness, got the information on the record and won the case," Mardirossian said.

Personal: Mardirossian's wife, Kathy, attended law school and became an attorney after they were married and has since become an essential part of their practice. "She is instrumental in managing our firm as well as providing an excellent home environment for our family," Mardirossian said. They have two daughters, Ani, 6, and Nora, 5. The couple went to Armenia in 1991 with the Armenian Assembly of America to aid with earthquake relief in that country. They met with school and government officials, viewed prefabricated homes that were being made available to those displaced by the earthquake and encouraged the earthquake victims that there was hope for the future. The family spends leisure time at home and at their mountain cabin in Lake Arrowhead. Mardirossian enjoys water skiing locally and around the world.

What other litigation professionals say about this attorney: Retired Judge Harry T. Shafer said: "It is an extreme pleasure to have him in my courtroom. I rank Garo Mardirossian among the great trial lawyers, and bear in mind that I have witnessed many in my time." And Thomas Dempsey, 1993 president of the Consumer Attorneys Association of Los Angeles, commented: "I attribute Mardirossian's success and effectiveness to his unpretentiousness and ability to identify with ordinary people. He has a devoted staff that enables him to take on complex litigation, and through his leadership skills he is able to obtain excellent results for his clients."

THE CASE

Police Misconduct Jury Gives Partygoers \$15.9 Million

Type: Civil rights, police misconduct, false arrest and excessive force

Verdict: \$15,954,161 total

Case/Number: David Dole, et al. v. County of Los Angeles Sheriff's, et al./ C751398

Court/Date: L.A. Superior Central / August 16, 1995

Judge: Hon. Robert Devich, Dept. 71

Disbursement: \$15,954,161 to 36 Plaintiff (individual awards ranged from \$35,000 to \$3,881,000)

Contributions: \$15,919,161 compensatory verdict against Defendant Los Angeles County Sheriff's Department; \$35,000 stipulated punitive damages against 23 officers.

Attorneys: Plaintiff-Garo Mardirossian (Mardirossian & Associates, Inc. L.A.) for 20 Plaintiffs; Hugh R. Manes (Manes & Watson, L.A.) for 6 Plaintiffs; Thomas E. Beck (Law Offices of Thomas E. Beck & Associates, L.A.) for 10 Plaintiffs. Defendant - Paul Paquette (Ser-

ritella & Paquette, L.A.)

Facts: In February of 1989, Plaintiff members of a Samoan/American family and friends held a bridal shower for Plaintiff Melinda Dole Paopao, the Daughter of Plaintiff Arthur Dole. The Dole family and invited guests at the home ranged in age from a 5-year-old boy to his grandfather; there were 3 generations of family there, celebrating with the Dole sisters, their relatives, and their girlfriends. Most of the men at the gathering had arrived later in the afternoon and early evening to join their wives and girlfriend in wishing the best to Melinda Dole, who was to marry Terry Paopao. The Sheriff's deputies allegedly had received a call about partygoers "fighting in the streets with sticks and knives." More than 100 sheriff's deputies converged on the Cerritos bridal shower where dozens of sheriffs kicked in the front door, smashed in the rear of the house entry, flooding in across a patio and in to the kitchen, pushing, beating, and handcuffing Plaintiffs. As one sheriff deputy later de-

scribed the scene in a report filed with the department, "if one could visualize attempting to calm or quell the hysteria found in a Halloween house of horror with the screaming and shouting from females and males alike wanting to become involved in a lynching of several Pacific Islander-(sic) type males that deputies were fighting, in an effort to restrain and handcuff, would somewhat depict the scene." A videotape taken by a neighbor showed deputies dragging party guests from the party and striking them with clubs; 35 arrests were made. Sheriff's deputies charged the Plaintiffs with throwing rocks and bottles and inciting a riot. Three Plaintiffs at the bridal shower were tried for numerous Felony counts; seven were formally Charged. There was a four-week-long preliminary hearing, followed by a 6-week criminal jury trial, which ended with each family/friend member being acquitted. Charges against all others were dismissed.

Contentions: Plaintiffs contended that All 25 named Defendant deputies had

conspired to deprive all 36 Plaintiffs of their Constitutionally-protected civil rights; that all 36 Plaintiffs had been unlawfully arrested, detained, or imprisoned; that 34 of the 36 Plaintiffs, were subjected to unreasonable, unnecessary, and excessive force; and that 23 of the 25 deputies named as Defendants should have punitive damages assessed against them for their malicious and oppressive conduct. Plaintiffs further contended that Defendants conducted a department wide conspiracy to cover up the brutality, create false reports, procure false testimony, initiate malicious prosecutions, and fail to adequately investigate the mattering discipline purposefully violent and racist sheriffs. Plaintiff contended that the deputies shouted racial epithets at most of the guests and publicly congratulated each other for a "job well-done," while helicopters circled overhead on the war-zone atmosphere. Finally, Plaintiffs contended that there was no evidence to support the deputies' version of a battle — "people hurling

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Partygoers Get \$15.9 Million

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rocks, bottles, and other objects at the deputies," that criminal charges against the Plaintiffs were groundless, fraudulently created to serve as a defense to the brutality, and intended to make a unified false impression of why the house was stormed, why all within were terrorized, and why so many beatings took place. Defendants contended that the violent behavior of the Plaintiffs occurred before the videotape was rolling; that the force used was reasonable and necessary; and that there was no cover-up efforts.

Injuries: Head injuries and broken hand were sustained by David Dole also injured were 60-year-old Arthur Dole with broken ribs and a pregnant woman. Many Plaintiffs were struck on their skulls with metal billy clubs and metal flashlights; most were handcuffed and thrown out of the house and onto the front lawn and driveway in the cold February evening air. Six men were struck in the groin, one of whom required testicular surgery. Additional injuries included swollen wrists, fractured bones, and lacerations. Almost all Plaintiffs have suffered and continue to endure post-traumatic stress disorder of a chronic nature as a result of their beatings.

Damages: Plaintiffs claimed false arrest, violation of civil rights, excessive force, legal fees, defamation of character, and punitive damages.

Trial Jury: Length 29 weeks, Poll varied; Deliberation not disclosed. The trial consisted of 3 separate phases with 3 separate jury deliberation and verdicts.

Settlement Discussions: Plaintiffs contend their demands varied and Defendants offered \$199,000 for the entire group of Plaintiffs.

Other Information: A personnel complaint against the responding police officers was filed with both Sheriff Sherman Block and the Department, over 5 years ago, on March 7, 1989, requesting an immediate investigation into the brutality and subsequent cover up by the Department; there was no response. At the close of the liability phase of this trial, the parties stipulated to punitive damages against all 23 deputies, ranging from \$5,000 for the leader (Sgt. Unland) and \$3,000 to the more involved, down to \$1,000 for the other 18.

The Verdicts: The jury on the liability phase found: (1) that all 25 deputies conspired to deprive all 36 Plaintiffs of their constitutional rights; (2) that 23 of the 25 deputies acted with oppression or maliciousness and were liable for punitive damages; (3) that all 36 Plaintiffs were falsely arrested, detained, or imprisoned; (4) that 34 of the 36 Plaintiffs were subjected to excessive or unreasonable or unnecessary use of force; (5) that 7 Plaintiffs who were formally charged, 3 of whom went through a felony trial, were maliciously prosecuted and thereby awarded malicious-prosecution damages plus attorney's fees as a part of the damages awarded above' and (6) that a pattern, custom, and practice of excessive force within the Sheriff's Department caused the incident.