

For  
Lawyers Weekly  
USA  
Subscribers  
click here for  
more info

**USA Newspaper  
Subscribers Only**

[REGISTER HERE](#)

(paper subscribers only)

- ▶ [USA Archives](#)  
(all years)
- ▶ [Free Opinions](#)
- ▶ [Daily Alert](#) **NEW**
- ▶ [Practice-Area  
Alert](#)
- ▶ [Specialty Pages](#)  
(cases, articles & more)  
  - [Bankruptcy Law](#)
  - [Business Law](#)
  - [Criminal Law](#)
  - [Employment Law](#)
  - [Family Law](#)
  - [Personal Injury Law](#)
  - [Practice Management](#)
  - [Tax & Estate Planning](#)
- ▶ [U.S. Supreme  
Court Decisions](#)
- ▶ [Certiorari Granted](#)
- ▶ [Important Docs](#)
- ▶ [Important Bills](#)
- ▶ [New Laws](#)
- ▶ [Law Reviews](#)
- ▶ [Money Judgment](#)
- ▶ [Interest Rates](#)

**Services**

# LAWYERS WEEKLY USA

THE NATIONAL NEWSPAPER FOR SMALL-FIRM LAWYERS

**DECEMBER 24, 2001**

*Lawyers of the Year*

## Ten Who 'Stood Out From The Crowd'

© 2001, Lawyers Weekly



There are more than a million lawyers in the United States. Most of them make a difference, in large ways and small, every day in their practices.

This year, Lawyers Weekly USA singles out 10 attorneys who, in very different ways, had a noticeable impact on the law and legal system in this country.

These lawyers represent the diverse population of law practice in America. They were all involved in cases and/or issues that have affected the development of the law and the legal system in important and sometimes innovative ways.

The results of the efforts of these lawyers are not necessarily popular or even preferred. In singling out these 10 lawyers, Lawyers Weekly USA does not necessarily endorse the results achieved, but merely acknowledges the importance of the underlying issues to lawyers and to society.

### **JOHN ASHCROFT**

**Washington, D.C.**

Love him or hate him, Ashcroft has been the dominant force in law in 2001. After the embarrassment of losing his U.S. Senate seat in November 2000 to a dead man (Missouri Gov. Carnahan, whose widow ultimately filled the seat), Ashcroft emerged as the surprise choice of President George W. Bush to be the nation's new attorney general. Despite a bruising Senate hearing and narrow confirmation, Ashcroft's stature rose significantly with the terrorist attacks on Sept. 11. He didn't get everything he asked the Congress for to fight terror, but the bipartisan measures that were ultimately enacted gave law enforcement officials plenty to crow about - and provided civil libertarians with reasons for concern. A dynamic personality he may not be. But Ashcroft has been in the center of controversies over military tribunals and eavesdropping on some attorney-client conversations.

\* \* \*

**MELISSA A. BAILEY**

- ▶ [Subscribe](#)
- ▶ [Get 3 Free Issues](#)
- ▶ [Law Students](#)
- ▶ [How to Advertise](#)
- ▶ [About Us](#)
- ▶ [Lost Password ?](#)
- ▶ [My Account](#)
- ▶ [Help](#)
- ▶ [Press Room](#)
  
- ▶ [LW USA Home](#)



## Washington, D.C.

One of the dying acts of the Clinton administration was OSHA's implementation of standards governing ergonomics that would have required employers to create special programs for jobs where work-related repetitive stress was an issue. Bailey, who practices in the Employment Law department of the law firm Arent Fox, has been involved in the ergonomics debate through much of her relatively short legal career (she graduated from law school in 1994). Her testimony before Congress regarding the ergonomics debate was a notable voice in the chorus of opposition that convinced lawmakers to overturn the controversial standards - for now. Bailey knows the Capitol ways well, having previously served as counsel to the Senate Committee on Small Business.

\* \* \*

## LEO V. BOYLE

**Boston**

As president of the Association of Trial Lawyers of America, Boyle, a well-known Massachusetts litigator, moved with lightning speed to preempt any snickering about lawyers taking advantage of the Sept. 11 tragedies. Graceful, articulate and sincere in calling for a moratorium on lawsuits, Boyle, who practices with the firm Meehan, Boyle, Black & Fitzgerald, was instrumental in lending ATLA's unprecedented support to the federal Victim Compensation Fund. His effort to encourage trial lawyers to handle the claims pro bono may have been good PR, but it was also a genuine attempt to prove that trial lawyers do care.

\* \* \*

## LAWRENCE S. GREENWALD

**Baltimore**

Attempts to hold gun makers liable for crime have met with mostly negative results thus far, as evidenced by a case this year from New York, in which the state's highest court ruled that gun manufacturers could not be held liable on a "market share" theory. The case was filed by relatives of victims of handgun violence who claimed that several gun manufacturers - including Greenwald's clients Beretta USA Corp. and American Arms Inc. - should be liable even though the plaintiffs didn't know which company actually produced the guns. The New York Court of Appeals sided with Greenwald's clients and the other defendants, ruling that there could be no recovery under a "negligent marketing" theory just because the evidence was unavailable. Greenwald, a veteran litigator at Gordon, Feinblatt, Rothman, Hoffberger & Hollander, has been a fellow of the American College of Trial Lawyers since 1982.

\* \* \*

## KENNETH LERNER

**Portland, Ore.**

The U.S. Supreme Court was deeply divided over the issue. Is a warrant required for police to use a "thermal imager" to scan a house for high-intensity lights used to grow marijuana? The court's 5-4 decision that a warrantless thermal search is unlawful overturned the result in every federal circuit that had addressed the question. It was a huge victory for defense lawyer Lerner and his client and a surprise setback for law enforcement, which could see the decision applied to other kinds of police surveillance as well. The ruling was all the more

notable because it came from a court that, in recent years, has not been very friendly to arguments presented by criminal defendants.

\* \* \*

## **RUSSEL MURRAY III**

**Aurora, Colo.**

The Internet has already turned commerce on its head. Now the World Wide Web may be poised to do the same in divorce. This year saw the first slew of rulings in which courts began to recognize that visitation via the Internet might, in appropriate circumstances, be an option for divorcing couples who don't plan to live close to one another. In Murray's case, a federal judge approved a custody arrangement that provided for "Internet visitation" with videoconferencing and e-mail. For Murray, a solo, that meant his client, a mother, could keep in virtual touch with her child after the boy moved to Spain with his father. Murray says he has been attempting to insert "enforceable provisions regarding electronic communications" in pretty much every interstate or international custody case. And many divorce attorneys around the country are beginning to follow suit.

\* \* \*

## **DEBORAH RHODE**

**Stanford, Calif.**

The strides women have made in the legal profession have been enormous in the last two decades. Women now account for 30 percent of all attorneys in the United States and they constitute a majority of law students these days. But have women achieved total equality? Rhode, a Stanford Law School professor, served as chairwoman of the American Bar Association Commission on Women, which this year issued a report concluding that females - despite tremendous gains - continue to be under-represented in those legal positions of involving the greatest status and economic reward.

\* \* \*

## **JAMES D. SHANNON**

**Hazlehurst, Miss.**

It was, according to Shannon, a relatively straightforward "failure to warn" suit. But being the first jury verdict over the heartburn drug Propulsid, Shannon's case this year was a notable one. And the amount of damages awarded - \$100 million to 10 plaintiffs who claimed the drug put them at risk of serious heart damage - certainly got the attention of manufacturer Janssen. With 700 cases pending over Propulsid, Janssen's corporate parent, Johnson & Johnson, may be in for more corporate heartburn. Shannon himself, who heads a three-lawyer firm, has a second set of plaintiffs ready for trial in January. And that case could prove even more lucrative because it involves two deaths.

\* \* \*

## **JULIE A. SU**

**Los Angeles**

Many lawyers may think of themselves as a "genius," but few get the label applied to them by others. Su, the director of the Asian Pacific American Legal Center, was the only lawyer this year to have a prestigious "genius grant"

bestowed on her by the MacArthur Foundation. The young lawyer, who graduated from law school in 1995, was recognized for her groundbreaking litigation strategies to protect undocumented immigrant garment workers. Her clients - Thai and Latino immigrant workers who sewed for 18 hours a day under armed guard for more than a dozen major clothing companies - recovered \$1.2 million in a settlement. She also broke ground by successfully arguing that the laws written to protect narcotics informants could be applied to undocumented workers who expose the criminal activities of their employers. That protection allowed Su's clients to actively participate in building the case against the clothing companies and eventually helped them win legal immigrant status.

\* \* \*

## **ARNOLD ANDERSON (ANDY) VICKERY**

### **Houston**

Plaintiffs' lawyers have argued for years that so-called miracle antidepressants like Prozac, Paxil and Zoloft have a darker side that pharmaceutical makers have hidden from the general public. But juries hadn't bought it - until this year, when Vickery, who practices with the firm Archer, Waldner & Vickery, convinced a federal jury in Wyoming to award \$6.4 million to relatives of a man who had been taking Paxil for just 48 hours when he shot and killed his wife, his daughter, his granddaughter and himself. Vickery's win against SmithKline Beecham (now GlaxoSmithKline) could alter the landscape in a mass tort that had struggled to gain traction.

---

[Help](#) | [Our Privacy Policy](#)

Send any questions or comments to [comments@lawyersweekly.com](mailto:comments@lawyersweekly.com)

© Copyright 2002 Lawyers Weekly, Inc. All Rights Reserved

63.231.87.15/5.40