

LOS ANGELES JURY AWARDS 76-YEAR-OLD OIL REFINERY WORKER \$14.876 MILLION FOR ASBESTOS EXPOSURE

Featured Case

Robert W. Johnson & Associates was retained to provide economic testimony in quantifying the present cash value of lost earning capacity and household services.

Location: Los Angeles, California

Case: Shahabi v. A.W. Chesterton Company, et al.

Court: Superior Court of the State of California, County of Los Angeles, Case No. BC 379085.

Plaintiff's Attorneys: Simona Farrise of Farrise Law Firm, Santa Barbara, California and Michael Armitage, Kevin Oliver and Benno Ashrafi of Waters & Kraus, Los Angeles, California.

Judge: The Honorable Robert H. O'Brien

Case Synopsis: Mr. Amanollah Shahabi, a 76-year-old Iranian-American engineer, worked at oil refineries for over forty years in Iran and the U.S. Mr. Shahabi specialized in pre-commissioning and commissioning oil refineries for the state run National Iranian Oil Company. Mr. Shahabi was heavily involved in operations and management of the oil refineries.

Mr. Shahabi relocated to the U.S. in the early
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HOW CAN YOU BENEFIT FROM STRUCTURED ATTORNEY FEES?

Structured Attorney Fees provide a unique opportunity for attorneys to accumulate wealth, with unmatched rates of return.

Structuring is the ideal vehicle to achieve greater wealth accumulation. You can *defer taxes, receive unmatched rates of return* and, most importantly, be able to *pay yourself first*.

As an attorney, you already know that your fees can be unpredictable. You cannot be sure when cases will arrive or when they will conclude, which makes it challenging to manage cash flow. When your fees do arrive, taxes can take a huge bite from your income.

Structured Attorney Fees allow you to:

- Defer up to 100% of your pre-tax income
- Contribute as much income as you like
- Increase your guaranteed flow of income
- Even out your cash flow

Moreover, structuring your fees gives you a chance to plan for the "big things" in your life. For you, the "big thing" might be buying that next big house, or sending your child to Stanford,

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What are the benefits of Structuring your Attorney Fees? See Page 3



JURY AWARDS 76-YEAR-OLD REFINERY WORKER \$14.876 MILLION VERDICT

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1980's where he worked as a consultant while obtaining his U.S. citizenship. He later worked for Bechtel on site at the Chevron refinery in Segundo, California. Since age 65, Mr. Shahabi had retired and then returned to work several times as a consultant.

For over forty years, Mr. Shahabi was exposed to asbestos-coated and asbestos-containing parts when he worked at oil refineries. In June 2007, Mr. Shahabi was diagnosed with mesothelioma, a terminal cancer caused by asbestos exposure.

Expert Testimony: First, Mr. Johnson was asked to calculate Mr. Shahabi's loss of future earning capacity. Mr. Johnson reviewed Mr. Shahabi's deposition testimony which stated that Mr. Shahabi had consulting opportunities to return to work. His rate of pay, based on previous job offers as an oil and gas consultant, would have been \$250/hour. Mr. Johnson then determined that Mr. Shahabi's earning capacity would have been that of a consultant at least working quarter-time. Quarter-time could consist of ei-

ther only three months per year or as little as two hours per day. Mr. Shahabi had no intention of retiring as a consultant, so Mr. Johnson calculated the loss out to his life expectancy, less two years.

Second, Mr. Johnson was asked to calculate Mr. Shahabi's loss of future household services due to Mr. Shahabi's injuries. These damages were calculated out to Mr. Shahabi's life expectancy, less two years.

Result: After a trial lasting over a month, it took the jury only 3 days of deliberations to award Mr. Shahabi \$14,876,000. The award consisted of:

- \$1,676,000 in economic damages, and
- \$13,200,000 for pain and suffering.



The verdict, decided by a diverse jury of 10 men and 2 women, held that The Fluor Corporation exposed plaintiff to asbestos and was 45% responsible for causing his terminal cancer.

Attorney's Comments: According to Plaintiff's attorney Simona Farrise, "Mr. Johnson's work in this case, as in every case where he has worked as an expert, has been superb! His preparation is impeccable. He is always responsive and flexible to the needs of the case. "Top notch across the board."

The Proper Perspective

How big is a Million Dollars?

If you stack one million US\$1 bills, it would be 361 ft. (110m) high and weigh exactly 1 ton.

HOW CAN YOU BENEFIT FROM STRUCTURED ATTORNEY FEES?

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or buying out your partner when they retire. Whatever the “big thing” might be for you, the important point is that structuring your fees gives you the ability to achieve it – easily, painlessly, and with an unmatched rate of return.

How do structured settlements compare to traditional investments?

Structured Attorney Fees have been around since the mid 1990's. Unfortunately, attorneys have been reluctant to structure their fees because they have not been able to accurately compare this investment with other investment vehicles. Robert W. Johnson & Associates has developed the Tax Equivalent Guaranteed Return (**T.E.G.R.SM**) methodology to simplify this comparison for you.

What is the **T.E.G.R.SM**? The **T.E.G.R.SM** is the guaranteed rate of return that any other investment needs in order to match the pre-tax payout of Structured Attorney Fees.

Pre-Tax Comparison

It is important to remember that with Structured Attorney Fees you are working with 100% of your money because you invest on a pre-tax basis. It is also important to understand that the results are **guaranteed**. With a traditional investment, you are typically working with 60% - 65% of your money after-taxes, and the results usually are **not guaranteed**.

Unmatchable Rates of Return

Structuring your fees gives you an unmatched rate of return, with annual **Tax Equivalent Guaranteed Returns** that can reach:

- 20+% for a 5-year investment
- 15+% for a 10-year investment
- 10+% for a 20-year investment

A Long-Term Scenario: Funding Retirement

An attorney planning to retire has just settled a case with \$500,000 in fees. The attorney has the option to either (a) structure their \$500,000 fee, or (b) pay the tax and invest the balance.

(a) If the attorney structures their fee, the \$500,000 will pay out \$38,229 annually, before tax, over 20 years, **guaranteed**.

(b) On the other hand, if the attorney pays the 40% tax (\$200,000) and invests the \$300,000 balance, the investment would need to generate a **T.E.G.R.SM of 11.23%** to match the structure's **guaranteed** total payout.

Clearly, few investments are likely to yield a steady return of 11.23% over 20 years, whereas the structure is **guaranteed**, no matter what happens. The structured approach is the obvious choice to maximize the return on the initial fee.

The benefits are clear:

- **Unbeatable, guaranteed returns**
- **Increased cash flow and lower taxes**
- **100% tax deferral**
- **Unlimited contribution allowance**

You can use the structure as an investment vehicle to meet almost any financial goal.

Structured Attorney Fees beat every other guaranteed investment vehicle for investing and maximizing the benefit from your hard-earned fees. It not only makes more money, but it is unhindered by down-turns in the economy and the stock market.

You provide the vision and we'll provide the investment vehicle.

All you need to do is contact us at (800) 541-7435 and we'll help you get started.

2008 Year End Verdicts & Settlements

Attorney	Case	Case Type	Verdict
Richard Alexander / Jeffrey Rickard	Rasheed T. Hilson v. Kim Phuoc Tran, et al. ¹	PI - Pedestrian v. Auto	\$29,323,000
John Langdoc / Roger Gold	Mahoney, et al. v. Georgia Pacific, et al.	PI - Mesothelioma	\$20,050,000
Simona Farrise / Michael Armitage / Kevin Oliver / Benno Ashrafi	Shahabi v. A.W. Chesterton Company, et al.	PI - Mesothelioma	\$14,876,000
David Berglund / Daniel W. Johnson	Flores, et al. v. Toyota, et al.	PI - Auto Accident	\$14,544,000
Philip A. Harley / David McClain	Ulysses Collins, et al. v. Plant Insulation Co., et al.	WD - Mesothelioma	\$10,038,000
Simona Farrise / Carolin Shining	Larry Stewart v. A.W. Chesterton Co.	PI & Punitive Damages - Mesothelioma	\$9,200,000
Joseph Barrett / Brian T. Dunn	Sandra Griffin, et al. v. City of Los Angeles, et al.	PI - Auto Accident	\$6,872,000
Thomas G. Stolpman	Melissa Camp v. State of California, et al.	PI - Auto Accident	\$5,592,000
Thomas A. Paoli / Charles O. Geerhart	Tran Lam v. Sanmo International Co., Inc. ²	PI - Pedestrian v. Bus	\$5,000,000
Mark S. Nelson	Allen Durham v. 7-11 Materials, et al. ²	PI - Auto Accident	\$3,750,000
Stephen A. Seach / Jill A. Moran	Slusser v. LBEC	Legal Malpractice	\$3,411,000
William L. Veen / Cynthia Bernet-McGuinn / Miles Cooper / Karen Stomeyer	Jane Doe v. Alameda-Contra Costa County Transit, et al. ²	PI - Bus Accident	\$2,750,000
John R. Malmo	Garcia v. Rodriguez, et al.	WD - Auto Accident	\$2,387,000
James R. Murphy, Jr.	Laura Estrada v. Goehner, et al.	PI - Auto Accident	\$1,680,000
Thomas J. Brandi	Mercy Zamora v. Cushman, Inc.	PI - Auto Accident	\$1,595,000
Jeffrey C. Locke / Daniel J. O'Neill	Mattson, et al. v. Ride-On Transportation, et al. ²	PI - Auto Accident	\$1,250,000
Robert F. Vaage	McDarmont v. Kaiser Foundation Hospitals, et al.	PI - Medical Malpractice	\$543,000
Totals			\$132,861,000

¹ Richard Alexander and Jeffrey Rickard were named "Trial Lawyers of the Year" by the Santa Clara County Trial Lawyers Association (SCCTLA) for their successful legal trial strategy of the case.

² Settlement

Note: Amounts may be rounded



About Robert W. Johnson & Associates: A nationally recognized, full service, consulting firm that specializes in illustrating and quantifying damages. Services include: court-qualified expert witness testimony in quantifying the loss of enjoyment of life (pain and suffering) in personal injury cases and quantifying the loss of love, care, comfort, society, consortium, etc. to the survivors in

wrongful death cases. Other litigation support services include analysis and placement of structured settlements, generating wage loss reports that include the present value of future medical expenses and illustrating the loss of quality of life with the LIFE ACTIVITY CALENDAR®.