

November 13, 2013

Zarwin Baum Opens the Doors to New Jersey City Office

Zarwin Baum DeVito Kaplan Schaer & Toddy, P.C. opened the doors to its new Jersey City, New Jersey office on October 28. After having been at the previous location at 75 Montgomery Street since 1999, the new office, located at 30 Montgomery Street will help accommodate the needs of Zarwin Baum's ever growing clientele and expanding roster of attorneys.

With a commitment to top-quality legal services, the move will allow the Zarwin Baum team to continue to expand its presence and continue providing great service to the firm's current and future clients.

The Jersey City office is managed by attorney [Lisa Z. Slotkin](#). The lawyers in the Jersey City office focus their practice on insurance defense and coverage litigation along with general civil and commercial litigation matters, and are able to call upon their colleagues from Zarwin Baum's other offices to assist with handling a host of litigation and transactional matters.

Headquartered in Philadelphia, PA, Zarwin Baum currently maintains satellite offices in Marlton, New Jersey and Wilmington, DE, in addition to Jersey City.

November 18, 2013

Zarwin Baum Opens the Doors to Harrisburg Office

Having recently opened the doors to a larger office in Jersey City, NJ, Zarwin Baum DeVito Kaplan Schaer Toddy. P.C. continues its upward growth trajectory by relocating its Bethlehem, PA office to Harrisburg, PA.

The Harrisburg office will be managed by attorney [Milan K. Mrkobrad](#), who is a member of the firm's Casualty Defense Department. With extensive experience in the corporate, governmental and private sectors, Milan boasts a wide and deep understanding of litigation and transactional law.

Due to client demand, we are opening an office to include the Harrisburg market," says Zarwin Baum managing shareholder [Mitchell Kaplan](#). "This move expands our geographical coverage in a westerly direction and gives us an opportunity to connect our clients to the Pennsylvania state legislature."

Headquartered in Philadelphia, PA, Zarwin Baum currently maintains satellite offices in Marlton, New Jersey and Wilmington, DE, in addition to Jersey City. For more information and news regarding Zarwin Baum, visit zarwin.com.

November 12, 2013

TED SCHAER, ESQ

Ted is co-head of the firm's Casualty and Professional Liability Defense Department. He has defended some of the most high-profile cases in the Country

Theodore Schaer Obtains Defense Verdict in Bus Case in New Jersey Superior Court

[Theodore M. Schaer](#), shareholder and Co-Chair of the Casualty Defense Department at Zarwin Baum DeVito Kaplan Schaer Toddy, P.C., recently returned a 'no cause' verdict in Hudson County, NJ, on behalf of a bus driver - in a win that marked the first step to preventing Plaintiffs from 'double-dipping' by seeking a separate hedonic damages award.

In the matter of *Johnson v. Reed*, the Plaintiff alleged that the Defendant driver, while operating his bus, veered into the Plaintiff's legally parked car. At the time of impact, the Plaintiff was inside of the vehicle. Notwithstanding minimal contact between the bus and the parked car, the Plaintiff claimed to have undergone cervical fusion, lumbar fusion and shoulder surgery. The Plaintiff, aged 43, also claimed total disability and the inability to return to employment in the future. The Plaintiff's damages included \$800,000 in lost wages, \$800,000 in lost household management services, roughly \$3 million in hedonic damages, as well as pain and suffering, and permanent disability. The Plaintiff's husband claimed damages for loss of consortium. The Plaintiff's settlement demand was \$3.5 million when the trial commenced.

Schaer successfully argued that due to an emergency situation – an impending collision with a phantom vehicle - the Defendant driver acted reasonably under the circumstances. Following an extensive trial, the jury returned a "no negligence verdict" on behalf of Schaer's client despite the Judge's exclusion of a "sudden emergency doctrine" jury charge and the Plaintiff's allegations of extensive and permanent injuries.

"The jury believed our case that this driver did not act negligently in how he handled the situation before him," said Schaer. "The failure of the Plaintiff to offer expert testimony on the driver's reaction to this situation allowed us to argue that they had failed to meet their burden of proof on negligence. Moreover, we had strong arguments on "causation" of the accident to the injuries suffered which further gave the jury pause about the credibility of the Plaintiff's case."

The case marked another first as, for the first time in New Jersey, the trial court conducted an evidentiary hearing to determine whether hedonic damages are recoverable in New Jersey – during which Schaer conducted the cross examination of noted hedonic damage expert Stanley Smith. Hedonic damage testimonies are quantitative models for juries to consider in determining financial compensation for non- economic damages including, loss of life's enjoyment and pleasure resulting from death or injury. From the bench the Judge issued an oral opinion ruling that that hedonic damages are inadmissible in New Jersey. A written opinion is expected shortly.