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# NASH & FRANCISKATO

## ATTORNEYS AT LAW



SUMMER 2007

Brought to you by  
**Nash & Franciskato**  
Law Firm

Two Pershing Square  
2300 Main Street  
Suite 170  
Kansas City, MO 64108

816-221-6600  
FAX: 816-221-6612

e-mail:

deannash@nashfranciskato.com  
bfranciskato@nashfranciskato.com  
smortimer@nashfranciskato.com  
mparrish@nashfranciskato.com

**ATTORNEYS:**

Dean Nash  
Brian Franciskato  
Stacey Mortimer  
Mark Parrish

**PARALEGALS:**

Holly Long  
Stephanie Robinson

**INVESTIGATOR:**

Jay Schwarz

**ADMINISTRATIVE ASSISTANT:**

Canaan Sprouse

- Appointments available on evenings and weekends
- Free initial consultation

**AREAS OF PRACTICE**

- Automobile Accidents
- Trucking Litigation
- Wrongful Death
- Product Liability
- Highway Defects
- Slip and Falls
- Burn Injuries
- Pharmacy Malpractice
- Medical Device Failures
- Medical Malpractice
- Commercial Litigation
- ERISA and Insurance
- Railroad Crossing Litigation
- Automobile Crashworthiness
- Tire Tread Separation
- Aviation Litigation

## Nash & Franciskato gives back to the surrounding community!

In sincere expression of our appreciation of our clients' faith in us to represent them to successful resolutions of their personal injury claims, the **Nash & Franciskato Law Firm** shares our financial rewards and personal service with those in the community around us, both in Missouri and Kansas. We support many causes and foundations throughout the area, including contributions to the Muscular Dystrophy Association, Justice for Missouri Families, the Kavanagh House, the Leukemia & Lymphoma Society, the Midwest Transplant Network, the Hickman Mills Educational Foundation, the American Heart Association, the Lee's Summit Education Foundation, Lawyers Encouraging Academic Performance (LEAP), the Missouri Law School Foundation, William Jewell College, St. James Place Soup Kitchen, the Lee's Summit Soccer

Association, the Blue Springs Athletic Association, 3 and 2 Baseball of Olathe, and our family church organizations.

Most recently, we collected donations from friends and families to add to our firm's contribution for a family devastated by the Greensburg, Kansas tornado of May 4, 2007. In addition, Nash & Franciskato organizes an annual "Blanket Project" in late fall to assist the homeless of Kansas City by distributing blankets, coats, hats, and gloves to individuals in need through the City Union Mission of Kansas City.

We also welcome individual contributions to our Blanket Project! If you would like to contribute and/or participate, please contact **Stephanie Robinson** at our office, either by e-mail at [srobinson@nashfranciskato.com](mailto:srobinson@nashfranciskato.com) or phone at **(816) 221-6600**.



## Product liability

There's *good* product liability news. Federal product liability lawsuits fell 14 percent in 2005, and the number is expected to drop another 16 percent for 2006. Recalls and consumer pressure seem to be making products safer. However, there's also *bad* product liability news. In mid-2006, the Consumer Product Safety Commission (CPSC) weakened rules specifying when companies must report potentially dangerous products. Product-safety watchers say that CPSC's changes will grant manufacturers deniability when negligently designed or manufactured hazardous products result in serious injury or even death.

The rule relaxation eliminates a key incentive for corporations to act responsibly and represents a backwards step in the effort to protect the American public. Former Association of Trial Lawyers of America\* president Ken Suggs said that the regulation change would "provide less consistent reporting guidance, increasing the likelihood that product defects known to manufacturers, distributors, or retailers will not be disclosed to the Commission and the public."

**\*Now known as the American Association for Justice.**

*Let our experience get you the results you want!*

# Racial discrimination

America's civil justice system is often the last recourse for those seeking to protect their civil rights and stop discrimination.

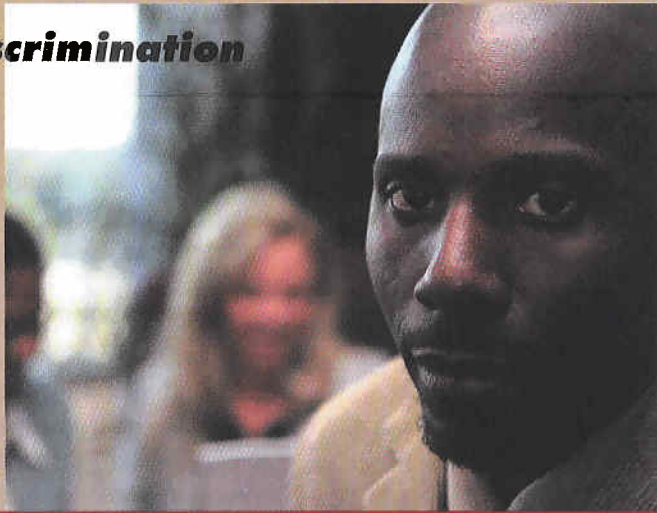
Throughout the 1990s, San Francisco's Interstate Brands Corporation (IBC) bakery, makers of Wonder® Bread and Hostess® snack pastries, discriminated against its African-American employees. Management refused to promote African-Americans to supervisory positions, gave poorly maintained vehicles to African-American drivers, and set aside restrooms and lunchrooms meant only for whites. IBC also denied or refused to investigate racial bias and harassment claims.

When two dozen African-American employees filed a lawsuit in 2000, IBC filed 21 motions to dismiss their case as frivolous. A judge and jury awarded a \$121 million verdict, the largest in the history of racial-discrimination cases, sending a message to corporate America that racism in the workplace would not be tolerated.

## Workplace discrimination

Over 26,700 workplace racial-discrimination complaints were filed with the Equal Employment Opportunity Commission in 2005. Twenty-six percent of African-Americans report being subjected to workplace discrimination.

®Registered trademark  
Interstate Brands Corporation



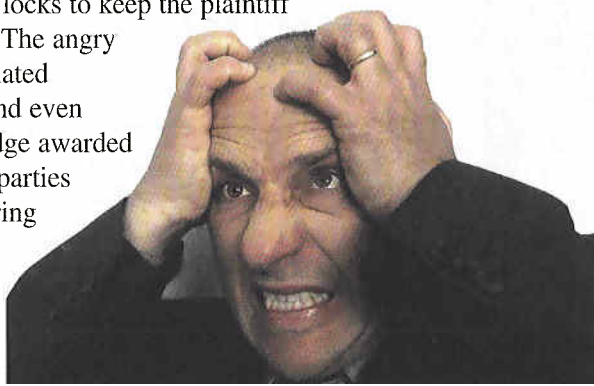
## Warring neighbors

Most minor disagreements about noise or trespass between neighbors can be handled with a face-to-face negotiation, a handshake, and a smile. Sometimes, though, a community's mediation center can help if neighbors seriously dispute trespass or property damage. However, when clashes become rancorous, our civil justice system can provide remedy.

### A very angry neighbor

A California resident filed suit against a neighbor whose crusade was to intimidate the plaintiff into fleeing from the neighborhood. The resident's attorney showed

that the angry neighbor poisoned landscape planting, chain-sawed shrubs and trees, and sabotaged door and window locks to keep the plaintiff from getting into his own home. The angry neighbor's behavior further escalated to painting graffiti on a garage and even attempting arson. At trial, the judge awarded damages to the plaintiff, but the parties agreed to a higher settlement during the punitive-damages portion of the trial.



## Client service Guiding values

Our pledge to each client is always to do our best every time you call on us for legal assistance.

Here are several guiding values that our firm holds dear:

### Client interest—

Whether we are representing someone injured in an auto accident or managing complicated commercial matters, we always focus on the best interests of our clients.

### Flexibility—

Our years of counsel and trial experience tell us when it may be best for a client to litigate or to settle.

### Forward thinking—

Anticipating what may happen next in each phase of a case and constantly foreseeing the final step—a trial—help us stay ahead of the curve.

### Hard work—

Diligence, to us, means committing all of our experience, creativity, and energy to each client's case

### Hope—

Clients often ask for our assistance after they have tried several other approaches that failed to deliver results.

### Passion—

We will struggle on behalf of the little guy facing powerful adversaries.

We hope that the quality of our service always pleases you.

