

LETTER OF THE LAW

AUGUST 2006

Client Profile: Chris Morrow

Just after dawn on August 27, 2002, Chris Morrow kissed his wife Vickie goodbye and left for work. What should have been a relatively uneventful Monday morning for this North Texas family quickly turned into an epic tragedy. Shortly after 8:00 in the morning, Vickie stopped at the stop sign where Grove Street intersects the railroad tracks that run through the length of her hometown of Pilot Point. Her three children, Abby, John and Cody, were in the car with her. This particular railroad crossing did not have flashing light signals and gates to warn drivers of approaching trains.

After looking both ways, Vickie pulled forward, unaware that a train was rapidly approaching from her left.

Vickie and her children first saw the Union Pacific train barreling down the tracks when the engineer sounded the horn only seconds before impact. Vickie did not see or hear the train until it was too late to avoid the tragic collision. The front of the locomotive smashed into her car, flipping it in the air and dropping it upside down by the side of the tracks.



Vickie and Chris Morrow

“A friend on the fire department called me at work and told me there had been a train wreck,” recalls Chris. “The kids would be OK, but Vickie was in bad shape and I needed to get to the hospital right away.” Miraculously, the three children survived the crash, sustaining relatively minor injuries. But Vickie was not so fortunate. Abby, Cody, and John were able to crawl out of the car and watched as their mother was extricated and taken away by ambulance. The 35-year-old wife and mother of three died from injuries within a matter of hours.

Still dealing with his children’s and his own grief, Chris had the presence of mind to seek out an attorney. “Vickie was always a careful driv-

er. I knew she wouldn’t have tried to beat the train, especially with our kids in the car. Other crossings in Pilot Point had lights and gates, and I felt this crossing should have had them. I didn’t want Vickie’s death to be a waste.”

Shortly thereafter, Chris got in touch with WB’s John Fabry. John has years of experience dealing with railroad crossing

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Staff Spotlight

Jael Hamilton

Now that WB has settled all of its cases from the BP explosion, one of the people at the firm who can pause to catch her breath is Jael Hamilton. A paralegal with nearly 15 years experience, Jael managed the docket not only for our firm but for the entire steering committee of plaintiffs' lawyers involved. In addition to being a regular member of the Labor and Employment department, Jael proved to be an invaluable asset because of her experience and knowledge with past explosion cases.



Jael started at WB just over six years ago. Previously, she worked for a number of different plaintiffs' and defense firms. She finds her current position to be the most rewarding of her career, especially because of her boss, WB partner Jim Hart. "Unlike a lot of attorneys, Jim is very accessible," says Jael. "And he's an excellent teacher."

"Helping our clients recover damages...and knowing that you had a hand in their recovery is very rewarding."

Born and raised in Houston's First Ward, Jael was the youngest of 12 children. "My father taught all of us to work hard, be dedicated and give of yourself," recalls Jael. She applies those same values to her job at WB. "Helping our clients recover damages – especially against big corporations – and knowing that you had a hand in their recovery is very rewarding."

WB Settles All BP Cases

In early July, WB announced that it settled all of its cases related to the explosion at the BP plant in Texas City last year. Clients will apply their awards from that horrific tragedy to future medical treatments, lost wages and counseling for post-traumatic stress disorders.

"I could not be happier for our clients," said John Eddie Williams, Jr., managing partner of Williams Bailey Law Firm.

"I could not be happier for our clients..."

~John Eddie Williams, Jr.

"This has been a long and arduous battle, but the courage shown by all of these men and women was an inspiration to me and our lawyers." Williams Bailey represented over 150 workers who were injured by the explosion at the plant's isomerization unit on March 23, 2005.

To learn more about Williams Bailey, please visit us at www.williamsbailey.com.



Jael and her husband Scott have three children: Kody, 12; Sara, 8; and Evan, 3. Sara was born with Down Syndrome, something that has taught Jael "to appreciate life so much more."

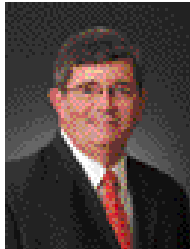
Ask anyone about Jael's other passion in life, and they will tell you it's the Houston Astros. So dedicated is she to her team

that she actually drove to Florida in March to watch the ball club during Spring Training. Her favorite player? Fellow longtime Houstonian, Andy Pettitte, of course.

Thanks for all your contributions, Jael!

New Attorney at WB

Jim Doyle is WB's newest attorney. With almost two decades of experience as a litigator, Jim has successfully represented thousands of plaintiffs – most notably, those injured by the diet-drug fen phen. For the past several years, Jim practiced with Fleming & Associates, and is a member of the Seventh Amendment Liaison Committee, a group that administered an additional \$1.25 billion fund to compensate diet drug victims.



“Lawsuits are difficult and should be pursued with careful thought and preparation. When lives have been lost or unfair advantage has been taken, every person has the right to take action. As a lawyer, I often work with people whose lives have been devastated; I work with

my clients and against those who have caused harm.”

After graduating with a bachelors in business administration from Oklahoma State University in 1988, Jim earned his law degree from Oklahoma City University. In addition to being licensed to practice law in both Texas and Oklahoma, Jim has tried cases in Texas and several other states. He has also practiced before the United States Court of Appeals for the Third, Fifth and Seventh Circuits.

“Caring for my family, my clients and their cases are, and always will be, my top priorities.”

In his free time, Jim enjoys biking, camping and spending time with his wife Nancy and their four children. Jim is an active supporter of Bellaire Little League Baseball.

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collisions. Upon visiting the scene of the tragedy, John immediately identified multiple obstructions that would block a driver's view of approaching trains, making the crossing “extra-hazardous” under Texas law.

“Drivers heading west on Grove Street, and stopped at the crossing, have their view of trains approaching from both the north and south obstructed by trees and other vegetation,” explains John. “When drivers heading east on Grove Street stop for the crossing, as Vickie and her children did, their view of trains approaching from the north is blocked by a fence surrounding a dumpster. If you do what you are supposed to do at the crossing, which is stop at the stop sign and look for trains, you can't see them coming in three of the four directions. And to make matters worse, trains are authorized to go 60 miles per hour through this unguarded crossing.”

John filed a lawsuit alleging that the Grove Street crossing is extra-hazardous and Union Pacific could have prevented this tragedy by installing lights and gates. “As part of our investigation we read the minutes from meetings of the Pilot Point



Vickie Morrow's car

City Council. We learned that more than 15 years earlier, a Union Pacific representative had predicted that collisions and deaths would occur at crossings in Pilot Point. However, they wanted Pilot Point to fix the problem and did nothing.”

WB Attorney New VP of Houston Trial Lawyers



WB attorney John Fabry was elected vice president of the Houston Trial Lawyer's Association (HTLA). Having served on the board of directors since 2000, John says he is now taking “a more active role in HTLA's mission to protect the civil justice system in Houston.”

In addition to monitoring changes in laws and making fellow members aware of how those changes might impact their practices, John plans to liaison with local judges to ensure that a level playing field exists for plaintiffs bringing cases to trial.

After a thorough investigation that included interviewing witnesses, researching the history of the crossing, a survey of the crossing, evaluating the locomotive event-recorder data, consulting with experts on crossing safety, and numerous depositions, John and Chris went to mediation with Union Pacific. The first round of mediation failed. With trial rapidly approaching, the court ordered a second round of mediation to be conducted by a Federal Magistrate Judge. This time, Union Pacific was persuaded to make an offer that was satisfactory to Chris.

“John and his team worked very hard and did a great job for me and my family,” says Chris. “John steered me in the right direction every step of the way. And, most importantly, my kids have been taken care of by the settlement.”

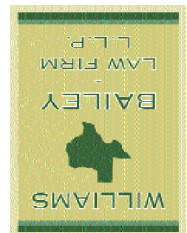
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Did you know that WB is still taking Vioxx cases?

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