



Michael Shaffer Honored by the United States Supreme Court

Michael Shaffer, Immediate Past President of the Temple American Inn of Court, was honored at the United States Supreme Court Award of Excellence Dinner in Washington, DC. The American Inn of Court is a national organization designed to improve the skills, professionalism and ethics of the Bench and Bar. Shaffer was the President of the American Inn of Court last year and the Temple American Inn of Court was awarded Platinum Status. Shaffer went to the United States Supreme Court for their annual Dinner where the Temple Inn was recognized for its outstanding work.

Supreme Court Victory Leads to Arbitration Award

It certainly seemed like a long-time coming, but our firm was successful in taking our client’s case all the way to the Pennsylvania Supreme Court and finally securing a substantial award on her behalf.

In 2012, our client, Omar F., was employed by Metra Industries. Metra Industries was hired by the Chester Water Authority (“CWA”) to perform rehabilitation work on its water system in the City of Chester. On the date of the accident, a worker employed by CWA illegally parked his truck in front of a ditch where Omar was working. A third party struck the illegally parked truck, pushing it into the ditch, and sticking Omar and literally cutting Omar in half and killing him.

Defendants filed Motions for Summary Judgment based upon Sovereign Immunity, asserting that the accident did not “arise from the operation of a motor vehicle” as required by Pennsylvania Sovereign Immunity Statute since CWA was a governmental agency. The Trial Court originally granted Summary Judgment and the Commonwealth Court affirmed the Lower Court’s decision.

Shaffer & Gaier took this matter up to the Supreme Court of Pennsylvania and we were successful in overturning 40 years of confusing and conflicting law on the issue. We changed the law in Pennsylvania because any person injured by a governmental vehicle may now bring a claim. This is a major victory for all citizens across the Commonwealth.

After the matter was finally remanded back to Trial Court, the parties agreed to submit the matter to binding Arbitration. We are happy to report that we are able to successfully achieve a confidential Arbitration Award on behalf of our client’s family. Although it took almost 7 years – justice certainly did prevail not just for our clients but we changed the law for all injured people in Pennsylvania.

Fall Off Rooftop Results in Settlement Pre-Suit

Shaffer & Gaier represented Jesse G. who was renting an art studio/apartment in Olde City Philadelphia. Jesse rented the 4th and 5th floors of a rowhouse located in that area. Jesse had access to the rooftop deck via a ladder that was located in the apartment that led right to the rooftop. The roof was pitched and it had no railings or guards. Jesse, an aspiring artist and college student, went to the top of the roof deck one night, lost his balance and fell off the roof, five stories to the street. Miraculously, Jesse survived the fall from this extraordinary height. However, Jesse sustained catastrophic injuries. He shattered his hip, broke both ankles and fractured several vertebrae.

Shaffer & Gaier was able to establish that the premises were unsafe, due to lack of railings or guards because the tenants had access to the roof deck. Shaffer & Gaier was able to prove before even filing suit that the roof deck should have either been inaccessible to tenants or should have had railings or guards that would prevent an individual from falling. We were happy to have such a satisfactory result on behalf of our client.

“This one time, in court...”

INCREDIBLE (AND SOMETIMES DOWNRIGHT UNBELIEVABLE)
STORIES OF THINGS THAT HAPPENED WITH CASES. (REALLY, THEY DID.)

We represented a young man who had no health insurance and he went to the Emergency Room at a suburban hospital with a blinding headache and soaring blood pressure which developed into a stroke. He was admitted for treatment and observation. Unfortunately, his blood pressure remained exceedingly high and he

continued to be at risk for a second stroke. With these symptoms, the young attending doctor should have been ordering daily CT scans to see if another stroke was developing, but he did not, and our client suffered a second stroke that was fatal.

At his deposition, we asked the young doctor why he had not ordered the

daily CT scans. The frustrated witness said he “was tired of getting yelled at by my bosses for ordering tests for people that don’t have insurance.”

Sometimes we lawyers have to listen more than we talk – this case settled soon after this deposition.