

LETTER OF THE LAW

MAY 2006

Client Profile: Kerry Daniels

Few prescription drugs have caused as many injuries – including deaths – as “fen-phen,” a combination of the drug *fenfluramine* or *dexfenfluramine* and an appetite suppressant called *phentermine*. Wyeth-Ayerst Laboratories manufactured fenfluramine and dexfenfluramine under the names Pondimin and Redux, and mixing either of these two drugs with phentermine resulted in serious health problems.

Soon after Wyeth withdrew Pondimin and Redux from the market at the recommendation of the FDA, WB began signing up thousands of fen-phen users who suffered severe side effects from taking the drugs. One of the thousands was Kerry Daniels of Richfield, Utah. Like millions of American women, Kerry was seduced by fen-phen’s promise of safe and effective weight loss.

Unfortunately, this was not Kerry’s experience at all. She took Wyeth’s medication faithfully for nearly a

year, and was eventually diagnosed with *mitral regurgitation*. This meant that the valves of her heart were no longer closing properly, allowing blood to flow backward into her heart and preventing the efficient movement of blood through her body.



Kerry Daniels

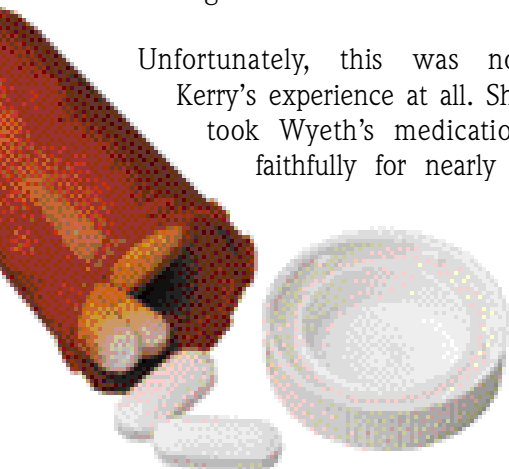
During the process of filing suit against Wyeth, Kerry had to be questioned by one of the drug company’s lawyers in a deposition – a recording of out-of-court testimony that will be used during the lawsuit. Wyeth is known for treating users of its products with contempt, and Kerry’s experience was no different. Wyeth’s attorney asked certain questions about Kerry’s personal life that were completely irrelevant to her use of the medications.

But WB attorney Mike Talabi was there to defend her. “He literally stood up for me and did not allow that line of questioning to continue,” said Kerry. “Mike was a wonderful attorney, treating me with respect and dignity.” Kerry also credits WB attorney Craig McClelland and paralegal Virginia Brady for their hard work on her case.

In this issue...

- **Client Profile: Kerry Daniels**
page 1
- **Staff Spotlight: Christina Hogue**
page 2
- **BP Anniversary**
page 2
- **New Attorney at WB**
page 3
- **CEO Compensation Out of Control**
page 3
- **New WB Billboards**
page 4

Kerry’s case is pending, with a trial date set for May 1. She remains optimistic that, after they hear the evidence, the jury will rule in her favor. Although it has taken two years for Kerry’s case to finally come to trial, her enthusiasm for WB hasn’t waned. “I have been extremely impressed by everyone I’ve met or spoken with at Williams Bailey.”



Staff Spotlight

Christina Hogue

One of the many strengths of WB is the impressive array of paralegals who support its many dockets. One of the firm's youngest dockets, the welding fume docket, happens to have as one of its supervisors one of the firm's youngest employees, Christina Hogue (formerly Daman).



Joining WB only weeks after completing her bachelor's with honors at the University of Nebraska in 2003, Christina was assigned to the welding fume docket as a general legal assistant. Although no cases had gone to trial yet, this docket was growing fast as the firm sent teams around the country to screen potential clients for manganese poisoning. (When welding rod fumes are inhaled over long periods of time, the manganese in the fumes can cause permanent brain damage).

"Coming right out of school, I was eager to find a position within a company that would offer a variety of experiences," recalls Christina. "Joining the welding docket when I did provided the perfect opportunity for me to learn and grow with the docket itself." In January 2005, Christina earned her certification from the National Association of Legal Assistants.

Even though she'd been at the firm less than a year, Christina was asked to support the litigation team on the first ever trial for welding rod fumes in Texas. "Christina did a fantastic job, exceeding everyone's expectations many times over," said John Neese, WB attorney and co-counsel for that

(continued on page 3: "Staff Spotlight")

BP Anniversary

March 23 marked the first anniversary of the deadly explosion at the BP plant in Texas City that killed 15 and injured hundreds. It was the worst refinery accident in the U.S. in almost 20 years. Williams Bailey represents over 150 of the victims, more than any other law firm.

Unfortunately, despite initial assurances that they would compensate those harmed by the explosion, BP has only dragged its feet. WB's managing partner, John Eddie Williams, Jr., spoke about this when interviewed by the *Houston Chronicle* for its front-page story last month: "We received multiple assurances that they were going to quickly compensate our clients, but they said one thing and they quickly disappeared."

As of this writing, only those who lost their lives or were severely burned have received any attention from BP. Everyone else has been ignored. "For whatever reason, there was no follow-up with the people who had career-ending injuries."

WB has represented clients in every major refinery explosion in the Gulf Coast region since 1989, and nothing in our experience has compared to BP. Despite the poor safety records for so many of the plants – Phillips, in particular – John Eddie says, "In all my 28 years of practicing law, this is the most callous disregard for safety of any corporation."

"For whatever reason, there was no follow-up with the people who had career-ending injuries."

There is plenty of evidence of this "callous disregard." The Occupational Safety and Health Administration (OSHA) and the U.S. Chemical Safety Board have issued reports stating that BP's lax attitude towards safety is one of the main reasons for the explosion;

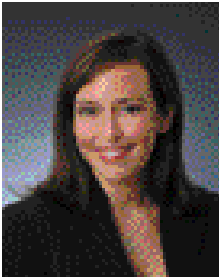
OSHA fined BP in excess of \$21 million.

In addition, federal, state, and local law enforcement agencies are investigating whether or not BP and its managers should face criminal charges for failing to follow safety guidelines since it took over the plant from Amoco in 2000.



New Attorney at WB

Malorie Gist was recently made an associate after nearly five years with Williams Bailey. She started out as a clerk, and was hired as a full-time contract attorney after earning her law degree from the University of Houston in 2002. Since then, she has worked on three of the firm's largest dockets: asbestos, fen-phen and welding fumes.



"I feel very fortunate that I have been able to work on our older, more established dockets as well as our newer welding fume exposure docket. Even though they are very distinct from each other, I believe I have a better sense of the phases the welding docket will move

through from having worked on the others. We are very lucky to have the other dockets as our 'role models' in formulating our procedures and knowing what obstacles may lie ahead."

After graduating *magna cum laude* from St. Edward's University in Austin, Malorie began pursuing her master's degree in public health at the University of Texas School of Public Health. Although she ultimately decided to change fields, she continued her graduate research in public health while studying for her law degree.

"I have always wanted a career that involved both health and the law. Working at Williams Bailey has allowed me to have the best of both worlds in that we work every day to address major public health issues."

(continued from page 2: "Staff Spotlight")

first case. "She did whatever it took to get the job done."

Recently, Christina was promoted to litigation supervisor of the welding fume docket. In that capacity, she manages all phases of the litigation process – from discovery all the way up to trial. "What I enjoy most is that it's a constant set of challenges," Christina says. "For me, success is ensuring the continued achievements of this docket."

Away from WB, Christina enjoys spending time with her husband, Dylan. Longtime sweethearts who met while attending the same high school in Beaumont, they were wed in March. Also members of the family are a pair of Chihuahuas, Cobber and Brody.

Thanks for all your contributions, Christina!

CEO Compensation Out of Control

The AFL-CIO, the nation's largest labor organization, announced that CEO compensation levels have reached unprecedented levels. As of 2005, the average CEO compensation for an S&P 500 company is just under \$12 million. That computes to 431 times the salary for the average worker at those companies!

Even more disturbing are the results of recent studies on retirement packages for CEOs. The average pension among the CEOs of the 25 largest U.S. corporations is \$3.4 million. This information comes out at a time when it's becoming more and more common for companies to scale-back or cut out entirely worker pension plans.

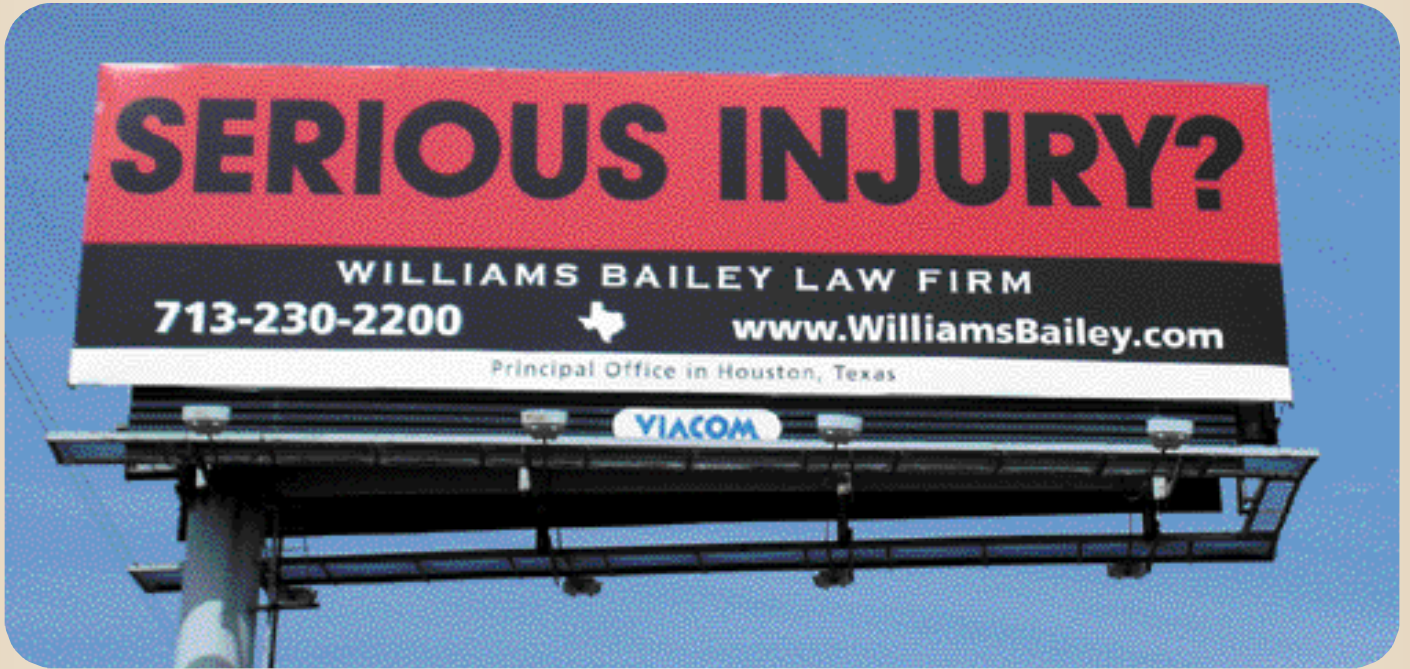
"When it comes to a job and retirement security, there is a double standard and workers are not the ones coming out on top," said Richard Trumka, secretary-treasurer of the AFL-CIO. "Corporate CEOs have been able to rig the rules of the game in their favor and leave workers and their families on the sidelines."



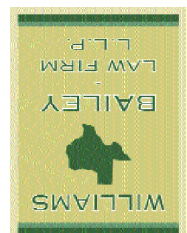
Source: www.paywatch.org

"When it comes to a job and retirement security, there is a double standard and workers are not the ones coming out on top." ~Richard Trumka, secretary-treasurer of the AFL-CIO

Have you seen our latest billboards in Galveston County?



8441 Gulf Freeway, Suite 600
Houston, TX 77017



PRESORT-STANDARD
U.S. POSTAGE
PAID
HOUSTON, TX
PERMIT NO. 7338