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LATE SPORTS



# WHEELS of JUSTICE

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JIM MacMILLAN/DAILY NEWS

Attorney Thomas Kline, shown above in his Center City office, says juries have something in common with the sixth-graders he taught years ago: They're "too smart and too savvy to talk down to."



# He's showing a lot of class

## \$51M lawyer credits teaching experience

by Paul Davies

Daily News Staff Writer

Mark McGuire and Sammy Sosa have nothing on Tom Kline.

Kline has emerged as the "Babe Ruth" of personal injury litigation, as one attorney put it.

Kline is the Philadelphia lawyer who cleaned SEPTA's clock in the \$51-million verdict after a subway escalator accident ripped off a 4-year-old boy's foot.

The victory for the boy, Shareif Hall, and his mother, Deneen Hall, caps a 14-month run in which Kline has smacked quite a few out of the park.

Since October 1998, Kline has won four cases with verdicts totaling \$114.3 million. Another dozen cases settled for multi-million dollar payouts.

"If major injury litigation were baseball, Tom Kline would be Babe Ruth," said Gerard G. Bernhardt Jr., a Center City lawyer who also handles personal-injury cases.

Like star athletes, Kline is well compensated for his work. Barring a reduction from appeals, Kline's cut on the four recent cases he won is estimated at more than \$30 million. But unlike many spoiled athletes, Kline is not doing it for the glory, observers say.

"There are lots of good lawyers who just

do their job," said Judge Mark I. Bernstein. "But with Tom Kline, you can tell he cares."

Kline often represents the poor or disenfranchised. Many have been maimed or mistreated by doctors, hospitals or drug companies. Kline shares a special bond with mistreated cancer patients, since both of his parents died from the disease.

Kline, 52, takes on powerful institutions with a vengeance. By the time Kline got through with SEPTA earlier this month, the transit agency did not even offer a defense. The jury awarded Kline's client a whopping \$51 million. The SEPTA verdict is just the biggest in a long line of lucrative victories for Kline.

In the early 1980s, Kline won a \$5.5 million verdict against the makers of the



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Kline after \$51M SEPTA verdict with Shareif and Deneen Hall

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## KLINE

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Dalkon Shield — then the largest judgment against the company.

One client sent Kline a note that said he was the only lawyer she knew who sued for \$1 million and settled for \$1.2 million.

In a similar case, Kline told the opposition what it would take to settle before the trial. After each trial day, Kline said the price would increase by \$100,000. After three days of watching Kline in court, the case settled.

To Kline's credit, even the defense lawyers he faces voice nothing but praise. Defense lawyer Richard Galli told a jury that Kline could cross-examine a weatherman and get him to change his forecast.

A Penn cancer specialist in a different trial said he asked several doctors at the hospital, "Who's the malpractice lawyer you're most afraid of?" The unanimous reply: Tom Kline.

Kline's special talent comes from an ability to connect with juries. Despite Kline's penchant for \$2,000 black suits and designer glasses, his genuine concern shines through. Kline can take a complicated case and separate right from wrong. After playing to a jury's head, he goes for the heart.

In the SEPTA case, the first piece of evidence Kline introduced was Shareif's ripped black sneaker, followed by his torn sock and shredded pants. Near the end of trial, Shareif limped into court, his mother removed his prosthesis and revealed his butchered limb. Some jurors looked away in horror. Others cried.

Good trial lawyers perform in court. In a case involving a deaf and blind boy named Tommie, Kline sang "The Who" song with the same name. Kline has put on a one-man show called "Trial as Theater," in which he recounts dramatic moments from real cases.

Before going to law school, Kline spent six years teaching social studies in Freeland, Pa., population 6,000. Keeping students engaged requires the ability to perform and make complicated things easy to understand. Kline believes his best courtroom training occurred in the classroom.

"Sixth-graders are too smart and too savvy to talk down to," he said. "It's the same way with juries."

Many of Kline's cases are malpractice suits against prestigious hospitals and doctors. Kline cuts through complicated medical jargon. Big words used by doctors, like "hypertensive," get translated into "high blood pressure."

Heaven help the witness who tries to tell only part of the truth. Those caught in Kline's crosshairs often leave the witness stand in a pool of sweat.

In one case a defense team witness lacked formal education in epidemiology. Kline asked about his schooling. The witness, an ac-



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**Attorney Thomas Kline fields questions after winning \$51 million for Shareif Hall (left)**

complished doctor, said he enrolled in a course but did not complete the work.

"Where I come from we call that a dropout," Kline said.

In another case, boxer Dennis Richardson had a blood clot erupt in his brain, turning him into a vegetable. The accident occurred after Richardson had to

wait more than an hour for an ambulance to take him to another hospital. A witness for the defense tried to offer a convoluted explanation to justify the delay.

Kline asked the witness if he ever ordered take-out food or called for a taxi. And when your food or cab didn't arrive, what did you do? Kline asked the witness. The witness said he called back.

"Well don't you think Dennis Richardson deserved at least the same attention you give when calling for a taxi?" Kline demanded.

The case settled for "a ton of money," he said.

Thomas R. Kline was born in Hazleton, Pa., an old coal town just west of the Poconos. His father, Isadore, managed a dress factory and his mother, Jeanne, was a homemaker who raised Kline and his sister.

Kline's parents shaped his values and work ethic. In Kline's office is his baseball mitt with a ball signed by Ted Williams that his dad caught in Yankee Stadium.



On the wall is a typed letter from his father dated 1969 that reads, in part, "I know mother and I will always be proud of you." Kline's upbringing keeps him grounded and helps him relate to his clients and juries.

"I take every opportunity I can to remind myself where I came from," he said.

Kline was the first in his family to go to college. He graduated from Albright College in 1969 and received a master's in American history from Lehigh University in 1971. He began teaching

elementary school and later returned to law school, graduating from Duquesne University in 1978.

Kline spent a year as a clerk for state Supreme Court Judge Thomas W. Pomeroy. In 1980, Kline came to Philadelphia to work for James Beasley. He left Beasley in 1995 to form his own firm with Shanin Specter, son of U.S. Sen. Arlen Specter.

Philadelphia magazine named Kline and Specter the top personal injury lawyers in the city, and Kline was selected to the Inner

Circle of Advocates, an elite grouping of the 100 top personal-injury lawyers in the country.

The legal profession has made Kline rich. His top-floor office near Rittenhouse Square offers a sweeping southern view of the city.

Kline lives with his wife of 27-years, Paula, and two children, Hilary, 20, and Zachary, 15, in a \$1 million house in Society Hill. He has a vacation home on Long Beach Island. Kline plays squash at the Racquet Club and enjoys courtside seats to the Sixers.

Despite great wealth, Kline remains grounded. He enjoys pizza at Marra's in South Philly. In the middle of a recent trial, he brought his son to Temple's Apollo for Bob Dylan's concert.

During trials, Kline eats and sleeps the case. He keeps a notebook by his bed. When in court, Kline's diet consists of soft pretzels and Mike & Ike candy.

"Everytime I stand up to give an opening speech I know someone's future is riding on what I do," he said. "Those are big stakes."

A little more than a week after the SEPTA trial, Kline already has his eye on the next big stake.

Kline is representing an Upper Darby auto mechanic left paralyzed and without speech after receiving experimental radiation treatments at Thomas Jefferson University.

The trial is scheduled to begin in February. Kline can't wait.

"They are going to be on the hot seat," he said. ■

**Kline's already looking forward to his next big case, set for February**