

Lawyer for fire plaintiffs draws judicial rebuke

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By Gina Kim

Daily Journal Staff Writer

A Los Angeles County judge trying to herd dozens of lawyers representing thousands of plaintiffs in a sprawling wildfire litigation ordered one of the more outspoken plaintiffs lawyers to personally apologize to a defense attorney for an “ad hominem” attack, and warned him that he could end up like disgraced trial lawyer Tom Girardi.

Gerald B. Singleton has been especially vocal in objecting to a protocol Southern California Edison Co. set up to settle cases filed over the Woolsey fire that burned nearly 100,000 in Los Angeles and Ventura counties in 2018. *Woolsey Fire cases*, JCCP 5000.

On Wednesday, Singleton seemed to have pressed too far in his argument that his clients who opted out of the protocol should move toward trial. According to a transcript of the proceedings, he complained that Ed-

ison’s lead lawyer, John Hueston, is too busy representing “horrific drug pushers” in his defense of a pharmaceutical company currently on trial in Orange County over the opioid epidemic.

“Now, while every lawyer has the right to make the argument they wish, and even drug-pushers like Purdue and their ilk are entitled to a defense, to say that it is more important for him to make those false arguments in Orange County than it is for victims of Edison’s negligence to be compensated, I find offensive,” Singleton told the judge. “So if Mr. Hueston has the time to represent these horrific drug pushers and make false claims on their behalf--.”

“Mr. Singleton, if you want to be persuasive and respected in my court, it would be appreciated if you would avoid ad hominem attacks on other lawyers involved in the case,” Highberger interrupted.

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Hueston was in Texas trying another case. He also is representing Endo Pharmaceuticals, one of four drugmakers accused by local governments in California of falsely advertising that their opioid products were not addictive.

Singleton apologized to the judge but the judge told him to make a personal apology outside of the court to Hueston and to Andrew K. Walsh, the Hueston Hennigan LLP partner who was in court.

Highberger wasn't finished with Singleton, threatening to give the lawyer what he was asking for and proceed quickly to trial.

Singleton said he was ready. He told the judge that his cases won't be too costly to take to trial because there is no dispute over causation, and that his staff was prepared to take depositions.

"We are very fortunate in that we have been litigating those cases for a long time and we have a war chest which, while it doesn't match the \$22.7 billion of Edison's market cap,

it is more than enough to allow our attorneys to both settle cases and work them up for trial," Singleton told the judge.

Highberger warned the lawyer to be careful in his "stewardship of your war chest so that you don't wind up in the same circumstance as another high-visibility plaintiffs' firm that has been in the news of late."

The judge appeared to be referring to Girardi who has been forced into bankruptcy by creditors who say he stole millions of dollars from personal injury clients to fund a lavish lifestyle.

"I appreciate that Your Honor, but I'm not a crook. He was; which is why he's in the situation he's in," Singleton replied.

"I'm not trying to opine whether he is or isn't," Highberger responded.

Girardi is under federal investigation but has not been charged with any crimes.

Other lawyers, including the leadership counsel for individual plaintiffs Lexi J. Hazam of Lieff Cabraser Heimann & Bernstein and Alexan-

der Robertson of Robertson & Associates contended the protocol was working very well for their clients. Robertson, who represents 1,166 plaintiffs in Woolsey, said he has settled 100% of the cases he has mediated with Edison so far with the help of mediator and retired judge Peter Lichtman.

At the end of the hearing, Highberger granted Edison's request to continue the trial to Oct. 26. He also ruled the stay on discovery will remain until July 23. Parties will discuss on June 22 whether or not that stay should be lifted by Sept. 1. The judge also advised Hueston Hennigan to find extra staff to prepare for potential litigation, and to not retaliate against objectors by refusing to proceed with mediation.

Wednesday evening, Singleton posted on the case's digital bulletin board that he did in fact apologize to Walsh afterwards for his language, but contended he stood by his main point.

gina_kim@dailyjournal.com