



BOOK REVIEW: *Changing Laws Saving Lives: How to Take on the Corporate Giants & Win*

by Kenneth H. Levinson

Trial attorneys are underdogs. We wage battle on behalf of the little guy, after all. We go for broke against large insurance companies, which often have nothing to lose but marginal sums of money. It's the classic battle of David vs. Goliath.

Trial lawyer Randi McGinn, the nationally recognized trial lawyer specializing in cases stemming from wrongful death, serious injuries and workplace violence, among other things, isn't necessarily buying the underdog label. In her latest book, *Changing Laws Saving Lives: How to Take on the Corporate Giants & Win*, she warns that big corporations should be afraid. Very afraid.

And when it comes to McGinn it's easy to understand why. She once cross-examined a lying witness so thoroughly that he vomited on the stand. In another case, she left a defendant's pretentious expert witness standing in front of the jury covered with post-its and clutching a grapefruit to his chest, however that may have come about.

McGinn has overseen several of New Mexico's largest jury verdicts for personal injury cases, including multi-million dollar cases with companies like Biotronik and, yes, Allsup's, the subject of much scrutiny in *Changing Laws Saving Lives*. Corporate giants may fear her, in particular, but McGinn's belief is that they should fear the rest of us, too.

Equal parts "How-To" and running narrative, *Changing Laws Saving Lives* is a book about the power of truth, chronicling several of McGinn's cases that have played out over the

years, with one notable standout. It's through this particular case that McGinn champions her work and, by extension, the work of other trial lawyers, weaving the wisdom of self-help advice with John Grisham-like plot-points. After the first few chapters, you're thinking of ways to apply McGinn's techniques while scanning the pages in anticipation of what's next.

The book begins with the story of Elizabeth Garcia, a single mother, community college student and a newly hired Allsup's convenient store clerk, who was viscerously raped and murdered while working the graveyard shift at an Allsup's store in southwest New Mexico (McGinn describes it as "the middle of nowhere"). There were no security cameras, no safe rooms, no deterrents. "Easy pickins," as one former Allsup's robber described it. Garcia's family, including her three children, received no workers insurance compensation because of a technicality. Worse still, Allsup's did little, if anything, to improve working conditions after Elizabeth's murder.

As we learn, McGinn goes to work gathering the gritty details, uncovering a mass of troubling information about the near 60-year-old corporation. She discovers several instances of rape, assault and murder, most of which go unrecognized by company leaders. Deposition after deposition, McGinn collects evidence and expert testimony in the heat of stonewalling tactics and pressure strategies used by Allsup's corporate defense lawyers, employed by an AIG subsidiary company.

All this might leave any number of small firms biting their fingernails. McGinn, however, steps up in the face of overwhelming odds with an ostensibly impenetrable conviction. To paraphrase: "Using the tools at your disposal and some creativity, you can succeed by telling the truth." It may sound idealistic for lawyers battling the corporate machine, but like anything, preparation proves key to McGinn's success. "One hundred hours of work for every hour in the courtroom," as one chapter illustrates.

The compelling case of Elizabeth Garcia is just one masterly tool that McGinn uses to illustrate her points, but the achievement of *Changing Laws Saving Lives* is its creative approach to the practice of trial law. It's what McGinn refers to as

"transformative law," the idea that every case is about fixing a broken system rather than cashing a settlement check. She writes about identifying "heroes and villains," cross-examining expert witnesses (which, as it pertains to Garcia's case, included an ex-con who robbed Allsup's stores on a regular basis), even visiting the scene of a crime (which many lawyers fail to do).

She uses several client cases as supplemental examples, which indirectly contribute to aspects of the Allsup's case: a lesson applied from



a drunk driving arrest, a family who lost their son because of a negligent medical staff, a suicidal businessman who was shot by a renegade SWAT team without provocation. A particularly memorable scene features McGinn hiring a former police chief from Gainesville, Florida, to testify as part of the Garcia case. Demonstrating her resourcefulness, McGinn writes:

We asked him, how would he deliberately design a convenience store that would attract criminals?

As demonstrated with a powerful PowerPoint slide, one by one, we visually removed all the standard safety devices discussed by Chief Clifton to create a dangerous store. Once all of those devices were removed and the store staffed by a lone woman clerk, what remained was an Allsup's convenience store—a place designed to attract criminals.

These educational moments

are just a few that are at the heart of McGinn's teachings: simplicity, creativity, and most importantly, empathy. *Changing Laws Changing Lives* is filled with ways to help all of us with our cases. It's a book you'll want to read again and again. Best of all, it's a book that'll make you proud to be a trial lawyer.

Ken Levinson is the founding partner of *Levinson and Stefani*. He handles wrongful death and significant injury cases arising out of truck, bus, automobile collisions, and child injury cases. He is on the Board of Managers of the Illinois Trial Lawyers Association and is a graduate of the prestigious Gerry Spence Trial Lawyers College. Ken has spoken at dozens of legal programs throughout the country. Ken would like to thank the greatest law partner a lawyer could have, Jay Stefani, for reviewing this piece and offering wonderful suggestions.

A link to the book, which is published by Trial Guides, is available here - <http://www.trialguides.com/book/changing-laws-saving-lives/>



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