

SOKOLOVE SUCCESS

SOKOLOVE MEANS SUCCESS. *Volume I, April 2009*



A Message From Jim Sokolove

On March 4th we all exhaled a long-awaited sigh of relief — the Supreme Court voted 6-3 in favor of Diana Levine in the Wyeth case. A certain victory not only for Ms. Levine, but for all Americans ... and especially those of us who valiantly fought the preemption battle. Congratulations to all who supported this very important cause.

Let's not rest on our laurels, however. The Levine case is only one in a string of efforts by big corporations to diminish the work of trial lawyers and to limit Americans' right to justice. It is imperative that we remain vigilant if we want to preserve this nation's unique civil justice system and its access to all Americans. Sokolove Law is committed to being at the forefront of all initiatives to safeguard and promote our industry's interests, and we encourage all of you to join us.


Jim Sokolove
Chairman

Partnering With You

We seek to build long-term relationships with firms who possess an appetite for growth, and to generate outstanding return on marketing investment. At any given time, we have opportunities available within our National Networks and our National Campaigns. Here's how we partner with you:

	NATIONAL NETWORKS	NATIONAL CAMPAIGNS
CASE TYPES:	<ul style="list-style-type: none"> • Nursing Home Neglect & Abuse • Birth Injury/Medical Malpractice • Wage & Hour Violations • Other networks conducive to state-by-state participation 	<ul style="list-style-type: none"> • Mass Torts • Class Actions • Securities Fraud • Business Torts • Other timely and opportunistic campaigns conducive to national fact patterns
PARTICIPATION:	On a state-by-state basis	National
EXCLUSIVITY:	All leads generated in your territory; right of first refusal to renew	Either all leads generated nationally or, if multiple firms, equal share of leads generated based on lead quality
# OF FIRMS PARTICIPATING:	35-70 in each network	1-4
PRORATED MARKETING INVESTMENT:	Prorated share of overall budget	Equal share of overall budget
DURATION:	12 months	Dependent upon volume of cases desired and overall budget
LEAD HANDLING:	Screened and tiered based on quality; forwarded via e-mail or "warm" live transfer	Screening customized to your specific criteria, and client sign-up utilizing your forms

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Don't Ignore Your State's Advertising Regulations

by Will Hornsby

No dramatizations, no testimonials, no animation, no background sounds, nothing that can confuse the viewer — in some states, the rules that govern lawyer advertisements can seem a little strange. Sometimes the requirements distract from the message. Sometimes the rules simply make it hard for the message to be heard. Yet, even if the rules limit you and others seem to be ignoring them, it is important that you comply with your state's advertising rules.

The first and most obvious reason to comply is the potential of disciplinary action. In a recent Florida matter, lawyers who participated in a referral service that was in violation of the rules had to attend ethics classes as part of their sanctions. While state disciplinary counsels rarely have the resources to pro-actively seek out lawyers who advertise outside of the rules, they do investigate complaints, which often come from competing lawyers.

Even if a breach of the advertising rules does not rise to the level of formal action, disciplinary counsel in many states will send what amounts to a cease and desist letter. The state will notify the lawyer of the complaint and the alleged breach and ask the lawyer to show that subsequent ads will comply. In many cases, this carries a significant expense. If a non-compliant brochure has been printed

or a radio ad produced, the lawyer will have to scuttle the material and perhaps the entire campaign. If a lawyer has hired an ad agency or consultant, that cost may also be lost as they return to the drawing board.

Perhaps worse than the prospect of discipline and the cost to reform an advertising campaign is the possibility that fees earned from a matter brought to the firm through improper conduct could be disgorged. Kentucky is the only state with an ethics provision specifically calling for a forfeiture of fees when a lawyer solicits a client in violation of the ethics rules. However, under the concept that a person cannot benefit from his or her wrongdoing, it is logical that forfeiture or disgorgement could be extended to any state.

Even when the rules seem like nonsense and even when everyone else seems to be in violation, the risks are too high not to comply with the ethics rules governing advertising and solicitations.

Will Hornsby is staff counsel in the ABA Division for Legal Services. You may contact him at whornsby@staff.abanet.org. Between 1990 and 2002, he served as staff counsel to the ABA Commission on Advertising. The opinions in this article are solely those of the author. Nothing in this article should be construed as the policies of the ABA or any of its constituent entities.

co-counsel SPOTlight

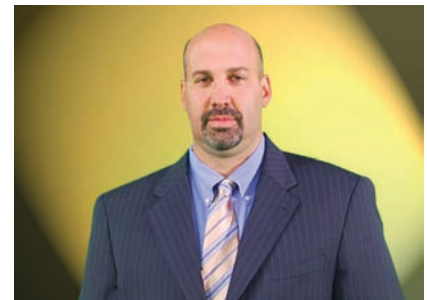
Marc Grossman, Senior Partner
The Sanders Law Firm, Long Island, NY

The Sanders Firm became a Sokolove co-counsel firm in July 2008 as part of the National Medical Malpractice Network funding and handling leads for the New York City area. In less than a year, they have received over 100 medical malpractice and birth injury leads and have signed almost 20 cases.

"They are on top of the leads we send them and their cases from beginning to end," says Betty Velez, one of the Sokolove quality assurance managers that works closely with the Sanders Firm.

The 50-lawyer Sanders Law Firm, established in 1968 in Long Island, also handles Mass Torts, Nursing Home Abuse, Products Liability, Labor Law, Insurance Claims Litigation and Class Actions. The Firm has tripled in size over the past ten years and has collected over \$100 Million in settlements or verdicts every single year since 2003. "With the help of our brilliant partners at Sokolove Law, I believe continued growth is inevitable," says Senior Partner Marc Grossman.

As part of their Products Liability practice, the Sanders Firm has also participated in several



Sokolove national campaigns targeting pharmaceutical and medical device claims. "We enjoy working with Sokolove Law," says Grossman. "They're easy to work with and they deliver what they promise — both in quality and quantity of cases."



Have an Idea? Call us First. These Firms Did.

Sokolove Law welcomes new ideas from co-counsel firms to develop and test-market. If you've had success with a particular case type or practice area and believe that your success is scalable, let us know. If you recognize a potential opportunity and believe there is a repeatable fact pattern, call us. We understand your concerns and can work with you regarding confidentiality. If we agree it is a viable campaign, we'll test market your idea nationally and regionally.

CASE STUDY: DIESEL EXHAUST TEST CAMPAIGN — Reich & Binstock of Houston, TX approached us regarding a possible campaign targeting lung cancer victims who had worked in industries where they were exposed to diesel exhaust. The firm had successfully represented a few plaintiffs obtaining high six-figure settlements and was eager to cost-effectively find more cases. Sokolove Law co-ventured on a campaign with Reich & Binstock resulting in almost 25 new signed cases in 8 weeks.

CASE STUDY: METHADONE TOXICITY CAMPAIGN — In the course of representing a number of clients regarding deaths from methadone toxicity and after extensive research, Texas firm Harrison Davis Steakley, P.C. believed they had a strong, scalable fact pattern. The firm contacted us about a potential campaign targeting victims of methadone toxicity nationwide.

Sokolove Law developed a highly targeted campaign that generated over 2100 leads and 60 signed cases over a 6-month period. HDS was free to focus on handling the cases, as Sokolove Law managed client sign-up on behalf of the firm, using HDS' specific screening criteria and documents. Given the high volume of leads this campaign generated, Sokolove's ability to efficiently execute on this labor intensive process saved HDS countless hours of administrative effort.

"I couldn't be more pleased and impressed with the success of this campaign," says Zollie Steakley. "Sokolove Law has allowed us to bring our specialized and unique knowledge in handling these cases to a nationwide audience that we feel will bring much-needed help to victims of this dangerous drug."

Let Sokolove's Client Acquisition Services Work for You.

At Sokolove Law, we understand that your time is one of your most valuable assets. That's why we've developed a range of client acquisition services that enable you and your staff to concentrate on casework, while we take on the administrative work associated with client screening, qualifying and sign-up.

- ▶ We offer deep case screening as part of our 2-tier lead qualifying process to provide you with detailed, informative and accurate leads because we know that higher quality leads convert more readily to fee-generating cases.
- ▶ Our "Sign-Up Packet" fulfillment service can reduce the up-front administrative work required to retain clients for your firm. As soon as we qualify potential clients using your screening criteria, we send out contract packets and then follow up repeatedly with clients until packets are returned. In the past year, we coordinated packet fulfillment campaigns for more than 20 separate case types with multiple firms, issued thousands of customized sign-up packets, and delivered an average packet return rate of over 70 percent.
- ▶ We can also make investigators available to meet with potential clients in person anywhere in the United States, on very short notice, for a select number of highly qualified potential cases.

SOKOLOVE IN THE NEWS

April 13, 2009

LA Daily Journal

"Law of Evolution"

Michael J. Skoler, CEO of Sokolove Law, discusses how law is not just a profession dedicated to representing the interests of its clients, but a business whose evolution is central to its survival.

March 23, 2009

AdAge

"The Law Firm That Operates Like An Ad Agency"

How nonstop TV buyer Sokolove Law uses direct-response pitches to build a legal empire.

March 9, 2009

MSNBC.com

"Job Bias Claims Rise to Record"

Jim Sokolove comments on workplace discrimination.

March 5, 2009

Law Society Gazette — London

"Firm Urges US to Follow Regulatory Reforms"

Michael Skoler, CEO of Sokolove Law, says that the US's 50 state bars must amend their rules in reaction to the opportunities that the Legal Services Act 2007 presents to English firms.

February 24, 2009

MSNBC.com

"Workers Have a Friend in Obama"

Jim Sokolove comments on the Fair Wage Act.

February 6, 2009

Massachusetts Lawyers Weekly

"As Seen on TV"

Jim Sokolove and Mike Skoler are interviewed about Sokolove Law's rapid expansion into national advertising over the past decade and how it works for the company and their affiliates.

events

ARCHIVED EVENTS

Gabe Miller, General Counsel for Sokolove Law, moderated HB Litigation's "Client Development for Law Firm Associates" on March 24th, 2009.

Jim Sokolove co-hosted the "Roadmap to Justice" Spring Symposium at Stanford University on March 27th, 2009.

UPCOMING EVENTS

Gabe Miller, General Counsel for Sokolove Law and LSSO Board of Advisors, Rainmakers of the Year Awards Judge, will be moderating a panel at the LSSO RainDance: Redefining Rainmaking conference, June 3rd, 2009, Chicago IL.



JOIN ONE OF OUR 2009 NATIONAL NETWORKS

Participation in our national networks is available on a state-by-state basis. Our contributing co-counsel firms receive guaranteed exclusivity for all leads generated through the marketing campaigns for their state(s). The 12-month national time frame ensures cumulative media frequency and optimal ad exposure, with TV being the primary medium with a focus on national cable: proven high-performing stations, time slots and effective programming.

2009 Medical Malpractice/Birth Injury Start Date: June 29, 2009
Annual National Marketing Budget: \$3 million
Opportunities Available Include: Georgia, Kentucky, Washington, Wisconsin

2009 Nursing Home Neglect & Abuse Start Date: June 29, 2009
Annual National Marketing Budget: \$1 million
Opportunities Available Include: Arizona, Virginia, Washington, Ohio

2009 Wage & Hour Start Date: March 30, 2009
Annual National Marketing Budget: \$500,000
Opportunities Available Include: Arkansas, North Carolina, Ohio, Tennessee

Call us at **1-800-305-4009** to find out if your state is available or to discuss participation.

2008 Highlights

In 2008, Sokolove Law launched close to 60 national and regional highly targeted, multi-channel and fully integrated campaigns with over 140 firms nationwide. With spending reaching an unprecedented \$20 million, our reach and scope was unparalleled. Some of the most successful campaigns for our co-counsel firms include:

Asbestos	Trasylol	Securities Fraud
Yamaha Rhino ATV	Avandia	Digitek
Diesel Exhaust	Heparin	Levaquin

WHAT SPELLS SUCCESS?

Unsurpassed media spending power and leverage for greater efficiencies and effectiveness than anyone else — over \$20 million in 2008.

Fastest to market with the highest quality standards. For example, the FDA issued a Press Release announcing that certain lots of a particular drug had been recalled. Within 5 days, Sokolove Law was marketing aggressively on TV and on the Internet, generating almost 350 signed cases for our co-counsel firms.

Customized intake process and lead qualification tailored to each firm's specifications. Using our co-counsel firms' criteria, we are able to deliver highly qualified leads in a number of ways — from live transfer of potential clients to signed client contracts.



1-800-305-4009

sokolovesuccess.com

UNDER INVESTIGATION

Sokolove Law is currently investigating potential litigation and marketing opportunities for injuries arising out of the following:

► **Byetta**

Use of the injectable diabetes drug Byetta (exenatide) has been linked to cases of severe pancreatitis (acute hemorrhagic or necrotizing pancreatitis) and renal impairment. Byetta is marketed in the U.S. by Amylin Pharmaceuticals and Eli Lilly & Co.

► **WARN Act Violations**

We are investigating claims against employers who fail to comply with statutory notice requirements of the federal Worker Adjustment and Retraining Notification Act or state WARN laws in the event of a plant closing or other mass layoff. We are also looking into layoff-related discrimination claims.

► **Military Burn Pits**

Serious injuries, including respiratory problems, skin diseases, chronic recurrent lesions, lymphocytic leukemia and other cancers have been reported by military personnel, contractors and others who were unnecessarily exposed to toxic chemicals resulting from the negligent maintenance and operation of open-air burn pits at U.S. installations in Iraq and Afghanistan.

► **Avandia/Actos Bone Fracture and Macular Edema**

We are also currently investigating reports of non-cardiovascular side effects, such as an increased risk of bone fractures and diabetic macular edema in patients undergoing long-term treatment with diabetes drugs Avandia (rosiglitazone) and Actos (pioglitazone).