



BERNHEIM KELLEY BATTISTA, LLC
ATTORNEYS AT LAW

**Real Advocates. Real
Experience. Real Justice.**

Personal Injury, Workers Compensation,
Home/Business Insurance Claims, and
Mass Tort Law Firm.

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BK Gets New Digs!

After the Fort Lauderdale office working remotely beginning with the Covid pandemic, Bernheim Kelley Battista, LLC, is proud to announce the new Fort Lauderdale headquarters that opened in April 2023.

“It is a beautiful, light-filled space up in the trees,” said Barbara Lee, BK office manager, HR director, and coordinator for the new headquarters. “We have wonderful balconies and huge windows that really pull in the tranquility and greenery of nature. But it’s also eminently modern with chic inviting spaces and stunning views of the skyline and Fort Lauderdale.”

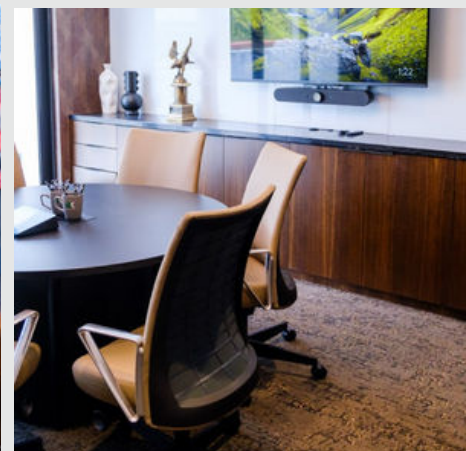
Barbara continued with, “I truly love all of it. It’s innovative and creative with the latest technology that aids in everyone’s efficiency, productivity, and communication. It’s a great environment for our team and our clients.”

“Our team has built out an incredible work space for our staff, clients, and friends as we look forward to continuing to serve the South Florida community for years to come,” said Jesse Bernheim, CEO and Trial Attorney. “A special thanks to our office

manager and HR director, Barbara Lee, for all the hard work and tireless effort she put in to get us in to this great space."

"Jesse always says how important it is to take care of your people," said Barbara. "I have worked tirelessly on this project for over a year, and I truly believe that what we put together for these headquarters is a testament to wanting to give our employees the absolute best working environment that we're able to."

Check out our new space!





Q&A Time with Jesse Bernheim

Q: I understand that there were some recent major tort reform passed in Florida. How do you pivot when a new law is passed, like House Bill (HB) 837?

A: We represent the plaintiffs. We represent the people against large business and insurance. So, we're a very resilient group, and we have no choice but to be very creative in our approach to make sure our clients have a voice. That's why we talk about "real justice." Tort reform like HB 837 no question hurts our clients' ability to seek justice, but we always find a way to keep on fighting. Slight modifications in strategy may be necessary, but other than that we're going to continue business as usual. As of right now BK has no intention of turning away cases, and we will continue to work to get the best results for our clients.

Q: What is your vision for the firm over the next five years?

A: My vision is to grow the firm strategically and purposefully. I really have no intention of being the biggest firm in Florida or Massachusetts. What I do intend is to have the strongest core of attorneys, paralegals, and support staff. I intend to put the right pieces of the puzzle together and the right people in place at the right times to insure that we aren't just growing to grow, but growing the best way we need to in order to deliver the highest quality of service and get the best results for our clients. Our core and our infrastructure is second to none.

Q: What do you think has made BK so successful and so well recognized both locally and nationally?

A: I always talk about reputation—not just the reputation of the firm, but of each individual in the firm. In our business, if you are known for working hard and doing not only what's in the best interest of your clients, but also doing so with indisputable ethics and morals, then you have a recipe for incredible short term and long term success. Reputation stays with you, and it's very important to me that everyone on the BK team views their reputation and the reputation of the firm as something that needs to be very carefully worked on, guarded, protected, and maintained.

BK Attorney Jeff DeCarlo Had Two Jury Trials Over Two Weeks With Two Wins for Homeowners in Dade County Circuit Court!



A Miami Dade County jury recently awarded Hialeah homeowner, Clara Noa, a \$71,032.11 verdict against her homeowner's insurance company Citizens Property Insurance Corporation for damage to her home due to the cumulative effects of the rock mining industry's blasting at limestone quarries in West Miami-Dade County.

On April 11th, Hialeah homeowners Joel and Claribel Escobar received a \$65,323.46 verdict against Citizens Property Insurance Corporation for similar damage. The homeowners were represented by attorneys from Bernheim Kelley Battista, LLC, and Morgan & Morgan, and they recovered 100 percent of what they sought to repair their homes in both cases. There are approximately nine quarries in Miami-Dade County operating with active blasting permits. The Noa home was about a half mile from a quarry.

The Escobar home was around 1.2 miles from the same quarry. Thousands of homeowners within the blast radius of approximately three to four miles,

including communities in both Miami-Dade and Broward Counties, can feel the land shock waves. Over time, these land shock waves cause fatigue damage to people's homes, including cracked walls, ceilings, and floors, as well as roof leaks. Both families filed claims with their homeowners' insurance companies in 2018, complaining that the blasting had caused cracking in exterior walls, interior drywall, and flooring, as well as separation between countertops and walls. After their claims were denied, both families were forced to sue Citizens Property Insurance Corporation. In both cases, attorneys for Citizens argued that the damage was due to imperceptible movements caused by heat from the sun, concrete shrinkage or settling into the soil, rather than by the land shock waves that have shaken the houses hundreds of times over many years.

BK attorney Jeff DeCarlo and Morgan & Morgan attorney Mark Nation were able to overcome significant pushback from Citizens Property Insurance Corporation in order to win crucial money for the homeowners' needed repairs.

More About Winning Attorney Jeff DeCarlo

Jeff DeCarlo, Esq., is a trial attorney with more than 28 years of experience representing personal injury victims, consumers, property owners, and small business owners. He has tried cases in federal and state courts throughout Florida, the NYSE, NASD, and the AAA. Jeff has worked on cases resulting in significant verdicts and settlements throughout Florida and the nation.

For twelve years, Jeff DeCarlo worked for and was trained by large, national law firms representing Fortune 500 companies, small businesses and insurance companies before starting a successful solo law practice. As a solo-practitioner, Jeff DeCarlo devoted substantial time and resources working for people injured by dangerous drugs and medical products, representing policyholders in insurance coverage disputes, and representing owners, partners and shareholders in complex business litigation.

We're proud that Jeff is now a part of the BK team, providing that amazing level of knowledge and service to our clients. "I joined BK because it's a young and vibrant firm," said Jeff. I've also known Jesse for a long time. I like him, I like what he stands for, and I knew I could be an asset to the firm."

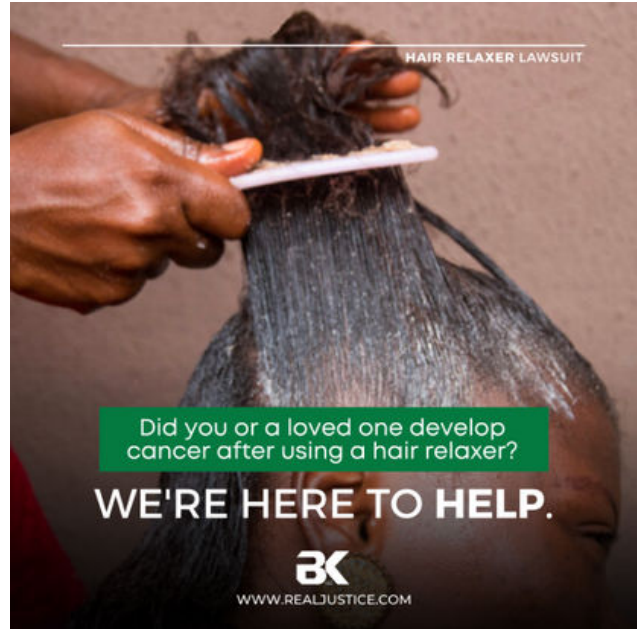
A plethora of accolades have followed Jeff throughout his career. In 2009, Jeff DeCarlo was appointed by a federal court judge to a plaintiffs' steering committee in a multi-district litigation proceeding regarding a dangerous product that was later voluntarily recalled off the market. In 2011, Jeff DeCarlo was admitted to the Million Dollar Advocates Forum and Multi-Million Dollar Advocates Forum, which are reserved for only a small percentage of attorneys who obtain multiple settlements or verdicts for their clients totaling millions of dollars or more. Since 2012, Jeff has been rated AV Preeminent (Highest Competency and Ethics Rating from Martindale-Hubbell). Jeff DeCarlo has been a nationally recognized pharmaceutical and medical device injury lawyer since 2014 when he was admitted to the National Trial Lawyers: Top 100, which is an invitation-only organization composed of premier trial lawyers from each state or region.

Jeff considers it a privilege to represent the people, not the powerful, and we're so glad he's on the BK team!

We're on the Case: Lawsuit Updates

Hair Relaxer Lawsuit

In October 2022, results from the Sister Study implicated hair relaxer products in the elevated risk of uterine cancer for women. The study, which was conducted by the National Institutes of Health and followed 33,000 women over an 11-year period, evaluated the risk of uterine cancer between groups who had used hair relaxer products and those who had not. The study found that the risk of uterine cancer was potentially 2.5 times higher among those exposed to the products.



Earlier this year, personal injury cases over the products were consolidated in a federal Multidistrict Litigation (MDL), which is being overseen by Judge Mary M. Rowland in the Northern District of Illinois.

The lawsuits allege that, for decades, hair relaxer manufacturers have targeted young girls in Black and Brown communities with insidious marketing. The products have long been peddled as “natural” means to “real beauty,” and the litigation threatens to expose these companies for liability over known cancer risks.

“This litigation tells a story that we’ve sadly heard over and over in the products liability world: companies with only profits in mind use insidious marketing techniques to target an impressionable or vulnerable population and reap the rewards from decades of consumer loyalty. What gets lost in the sales is the health risks that everyone should have seen a mile away,” said BK attorney T. Matthew Leckman.

Bernheim Kelley Battista represents hundreds of women with personal injuries suffered as a result of using hair relaxer products and looks forward to helping to hold these companies responsible.

If you or your loved one developed cancer after using a chemical hair-relaxing product, we can help. Call us now or connect with us online to arrange a free, strictly private consultation.



CPAP Lawsuit

In June 2021, medical device manufacturer Philips Respironics recalled more than 5 million sleep aid devices, including CPAP and BiPAP machines and respirators. The recall was related to harmful chemicals being given off by the sound abatement foam lining the air passages of these machines. The company's recall acknowledged the risk of a host of respiratory injuries and certain cancers as a result of exposure to the chemicals. Since the recall, thousands

of cases have been registered (and hundreds filed) in a federal Multidistrict Litigation (MDL), which is being overseen by Judge Joy Flowers Conti in the Western District of Pennsylvania.

"We believe the evidence in this litigation will show that this company knowingly put dangerous breathing devices into the patient-consumer marketplace and that people all over the country have suffered as a result." said BK attorney T. Matthew Leckman. "The same sleep machines that were intended to help people breathe clearly at night were, in fact, slowly poisoning them. Instead of improving health, these recalled devices have harmed the health and well-being of thousands of users."

Bernheim Kelley Battista, LLC, represents hundreds of plaintiffs with personal injuries suffered as a result of using Philips' recalled devices. In 2022, BK was the first firm to file a Massachusetts state court lawsuit and now leads the charge against Philips on the state court front.



A Virtual Sit Down with Barbara Lee

Q: How long have you been with the firm?

A: I have been working with Jesse for more than 17 years.

Q: What are your responsibilities?

A: I'm the office manager and director of HR. I manage all the people and day-to-day functions in all of the BK offices. And in addition to those, I got to oversee this build-out. Which was very cool and challenging.

Q: What do you like most about your job?

A: I love connecting people—with each other and connecting people with Jesse. I like being able to solve the issues that people come to me with. I love the mix of what I do daily as well as the challenging role of building work.

Q: What do you enjoy most about BK?

A: The company culture. We have a good team with good camaraderie. And it stems from Jesse. No one is afraid to ask Jesse a question. He offers himself up and is available to all. It's also not a conservative environment. We keep things relaxed and loose, and we have a good work-life balance.

Q: In an age where people jump ship so quickly and easily, why have you stayed with BK for so long?

A: I came over with Jesse in the beginning, and I'm incredibly loyal. I work well with Jesse. I understand him. I am treated well, respected, and have a strong sense of security. If I didn't think I was trusted or respected, I wouldn't stay. And I love what I do.



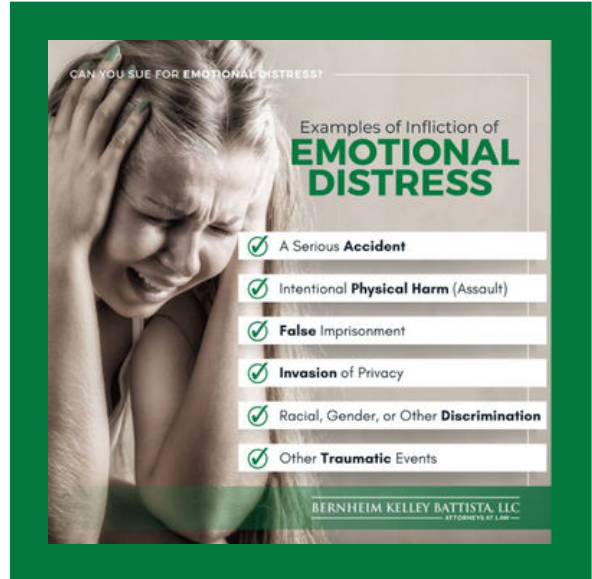
Client Review

The absolute best law firm you could ask for in an injury claim. Worked real hard to ensure not only I was ok but set up all my physical therapy and ensured I was paid for my unfortunate accident. Very helpful, no drop in communication, and always had my best interest in mind. Will recommend this firm to anyone!

★★★★★ **Alexander S.**



BK on Social



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Our Recent Notable Results

\$74.4+ million
Defective Hip Implants

\$250+ million
Mass Tort Recovery

\$30.3 million
Tobacco Verdict Recovery

\$2.8 million
Dangerous Drug Product



If you need legal assistance or you are a referring attorney, please do not hesitate to reach out to us to see if we can help. Please contact Jesse Bernheim, CEO and Trial Attorney at jbernheim@realjustice.com.

Bernheim Kelley Battista, LLC

We have offices in Florida and Massachusetts.
Contact us today for your free consultation at (888) 530-1212
or visit our website at realjustice.com.