

# Daily Journal

JUNE 19, 2019

## TOP PLAINTIFF LAWYERS 2019

Mary E.  
Alexander

Mary Alexander &  
Associates PC

San Francisco

Personal injury



**T**he founder of Mary Alexander & Associates PC does more than take cases. She has started a movement to hold wrongdoers accountable in the courtroom.

Over the last three decades, she waged a campaign to protect consumer rights, seek justice in wrongful death cases and secure damages for loss.

Her litigation work has garnered national attention including her representation of plaintiffs in the Ghost Ship warehouse fire as well as the North Bay fire cases. But the public attention isn't what motivates her.

"It's very satisfying to help people but to also make a difference," said Alexander. "It's really important to obtain justice to get the compensation that people deserve because it creates a change. It's my calling and it's been a passion of mine to help people throughout my career."

Earlier this year, Alexander convinced a Contra Costa County jury to award \$21.4 million to the families of two brothers who died from cancer after years of exposure to a chemical solvent often used in tire manufacturing.

Gary Eaves and Randy Eaves were exposed to benzene, an organic chemical compound, while working at Cooper Tire & Rubber Co. in Texarkana, Arkansas, according to court documents. Then owned by Chevron Corp., Cooper Tire & Rubber later merged with Union Oil, now known

as Unocal. Gary Eaves died in 2015 at age 61, while Randy Eaves died about three years later, also at 61.

The lawsuit filed by the brothers' survivors, naming Unocal as the defendant, alleged Union Oil "knew or should have known" benzene exposure could cause cancer and other harmful illnesses but failed to warn the Eaves brothers of the risks of exposure.

Litigating the toxic tort case wasn't an issue but the venue where it would be tried posed an obstacle, Alexander said. The case was filed in California but the incident happened in Arkansas, so her opposing counsel attempted to move it there. That effort was unsuccessful.

"It was legally significant that California maintained jurisdiction," she said. "The laws in Arkansas would've been in the town where the company was based — it's not just regulations but basic laws for consumer products are different in Arkansas than it is in California."

The jury delivered its verdict in favor of the plaintiffs in March.

Alexander has also represented public entities battling large corporations, including a public nuisance case filed against manufacturers ConAgra and Sherwin Williams Co., involving lead paint found in houses built before 1951 in 10 California cities. *County of Santa Clara v. Atlantic Richfield Co., et al*, 1-00-CV-788657 (S.C. Super. Ct., filed Mar. 23,

2000).

Plaintiffs won a whopping \$1.15 billion in 2013. An appellate panel upheld the ruling concerning the defendants' liability for homes built before 1951 but overturned it regarding homes built from 1951 to 1980. The case was remanded to state court to recalculate the amount to cover the costs of remediating homes built before 1951. Litigation in the case spanned nearly two decades. ConAgra and Sherwin Williams were ordered to pay \$409 million but paint companies tried to vacate the case through other avenues. The paint suppliers eventually backed off.

"It's really exciting that finally after nearly 20 years of having this case open we can finally get a judgment. It's the end of a chapter," said Alexander. "It's been very satisfying because the lead paint companies have fought this battle so hard, and this money is going to be used to protect children from lead poisoning."

For Alexander, the fight for victims results in consequences long after the trial ends.

"When people are injured, they're vulnerable. They worry about how they're going to take care of themselves, their families or getting the best medical care — all the things they need depends on whether we win for them or not," she said. "Our fight always goes beyond the courtroom." — Gina Kim