

Brown Goldstein & Levy

Trial Lawyers & Advocates

BGL 2021-2022: A Year of Big Wins, Impactful Cases, and Impressive Victories

The last year brought Brown, Goldstein & Levy some of its largest and most impactful victories yet. Take a look through the highlights below and [click here for more details about each case.](#)



Ranked by Chambers

[Andy Freeman](#) and [Kobie Flowers](#) won a D.C. Circuit Court of Appeals case reversing [a 2020 lower court decision on Whiteru v. WMATA](#). The case centers on the 2013 death of Okiemute Whiteru, a lawyer who suffered an accidental injury in the Washington D.C. Judiciary Square metro station and subsequently died from his injuries. The plaintiffs accused the Washington Metropolitan Area Transit Authority of negligence under D.C. common law, as the station agent on duty failed to discover Mr. Whiteru in time to provide lifesaving care. The reversal allows Mr. Whiteru's parents to seek damages at trial.

[BGL](#) won a favorable decision in a Ninth Circuit Court of Appeals case holding that individuals with disabilities have the right to sue schools and colleges over policies and practices that have a discriminatory impact, regardless of whether the discrimination was intentional.

[Andy Freeman](#) won a D.C. Circuit Court of Appeals case on behalf of the National Association of Postal Supervisors, holding that the association has the right to challenge various aspects of the Postal Service's compensation decisions and that NAPS has the right to represent postmasters and all other managerial employees.

[More appellate wins](#)



Eve Hill, a team of BGL attorneys, and a coalition of civil rights organizations won an injunction on behalf of 12 students with disabilities in a lawsuit challenging Virginia Governor Glenn Youngkin's ban on school mask mandates.

Jessie Weber and a team of BGL attorneys reached a groundbreaking settlement in a disability rights case requiring Fairfax County Public Schools to ban seclusion in all schools by the start of the 2022-2023 school year and to sharply curtail the use of physical restraint.

Anisha Queen, **Chelsea Crawford**, **Joshua Treem**, and a team of co-counsel secured \$8 million in compensation for the family of Malcolm Bryant in January 2022, following Mr. Bryant's exoneration from prison after serving nearly 18 years for a murder he did not commit.

Gregory Care reached an October 2021 settlement on behalf of a coalition of New Hampshire disability rights organizations and their members that successfully resolved their lawsuit alleging that the New Hampshire Department of State had discriminated against voters with disabilities.

More civil rights wins



BGL and a team of co-counsel reached a settlement of a wage and hour class action brought by a class of cable installers wrongly denied overtime pay. The March 2022 settlement awarded \$1.95 million to the workers, plus fees.

More class action wins



Ranked by Chambers

Andrew Levy, **Kevin Docherty**, **Jamie Strawbridge**, and **Lauren Kelleher** successfully moved to vacate a \$13.4 million confessed judgment against organic salad dressing maker Tessemae's.

Kevin Docherty and **Andy Freeman** successfully represented a management services company in arbitration for breach of contract by a medical cannabis

growing, processing, and retail business, with damages valued in excess of \$25 million.

[More commercial litigation wins](#)



Ranked by Chambers

[Joshua Treem](#) and [Neel Lalchandani](#) achieved a successful outcome in a federal criminal proceeding on behalf of a Baltimore County doctor. Faced with a zealous prosecution that accused the doctor of illegally distributing pain medication as part of the country’s Opioid Crisis, the BGL team built a strong defense and negotiated an outcome that resulted in the doctor serving only two months in prison—instead of the government’s request of decades—before being released on home confinement.

[Kobie Flowers](#) and [Monica Basche](#) secured a favorable ruling, after a two-day suppression motion hearing, in which their client testified against three FBI agents. The ruling, from a D.C. federal district court, prohibits federal prosecutors from using illegally seized digital cameras as evidence against their client, who stands accused of having a key role in the events of Jan. 6, 2021, at the U.S. Capitol. The ruling also allows the defense to challenge the government’s “taint team” determinations on attorney-client privilege and work product regarding their client’s electronic devices. The ruling is legally based on BGL’s victory in *In re Search Warrant Issued June 13, 2019*, 942 F.3d 159 (4th Cir. 2019), which remains the country’s most important case limiting the government’s violation of the attorney-client privilege and the work product doctrine via its use of taint teams.

There are other Big Wins this year from the BGL Criminal Defense & Investigations Team, which must remain confidential due to their sensitive nature.

[More criminal defense & investigations wins](#)



[Eve Hill](#) and [Inclusivity Strategic Consulting](#) produced a report for Monroe County, Indiana, assessing the strengths and weaknesses of its community-based mental health, jail, and court systems for preventing incarceration, treating, and preventing recidivism of people with mental health conditions and substance use disorders. Inclusivity made recommendations for changes to all three systems to improve prevention, treatment, and diversion outcomes to focus on treatment rather than punishment.

For Access Ready, [Inclusivity Strategic Consulting](#) and [Eve Hill](#) drafted descriptions of the legal foundational requirements for digital accessibility to healthcare, government services, business, voting, and education.

[Inclusivity Strategic Consulting](#) helped eSSENTIAL Accessibility, Inc. advise its clients about how to develop and implement policies and procedures to ensure its websites and mobile apps are accessible and remain accessible.

[More disability consulting wins](#)



[Eve Hill](#) and [Anthony May](#) negotiated a settlement with Amazon.com on behalf of a blind resident of Howell, Michigan, who attempted to apply for a virtual customer service position but could not complete the application due to its inaccessible platform. While the terms of the settlement remain confidential, the parties were able to amicably reach a resolution on all issues.

[Kevin Docherty](#) obtained a reversal from the United States Court of Appeals for the Fourth Circuit of a district court's order incorrectly finding that Yasmin Reyazuddin, a blind employee discriminated against by Montgomery County, Maryland, was not a "prevailing party" in her employment discrimination lawsuit.

[Anisha Queen](#) settled a lawsuit on behalf of a deaf employee of the U.S. Securities and Exchange Commission ("SEC"), in which the SEC agreed to provide more interpreter services for the employee.

[Gregory Care](#) obtained a reversal of the career-altering discipline imposed on an Army physician in his residency program—a notoriously difficult result in military internal due process proceedings—allowing him to graduate from his program based on his excellent performance.

[More employment wins](#)



[Dana McKee](#) settled a high-net-worth divorce case that drew on her extensive Collaborative Law experience to obtain a seven-figure settlement, without the need for protracted litigation that would have taken a toll on the couple's finance and mental health.

[More family law wins](#)



[Sharon Krevor-Weisbaum](#) secured victory for a 25-year-old client living with muscular dystrophy seeking community living. The victory was a reversal of a decision made by the Maryland Department of Health, Developmental Disabilities Division that deemed the client ineligible for community living in a licensed setting because he uses a BiPAP at night and CoughAssist twice per day.

[More health care regulation & Medicaid wins](#)

Personal Injury/Wrongful Death

[Chelsea Crawford](#) and [Andy Freeman](#) reached a \$6.5 million settlement in October 2021 on behalf of the estate and family of Eric Sopp, an unarmed man who was shot and killed by a Baltimore County police officer in November 2019.

[More personal injury/wrongful death wins](#)

For a full list of Brown, Goldstein & Levy's biggest wins from the last year, [click here](#).



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