

Alumnus Tom Brandi:

'The Law Can Make a Difference for People'

Last year, Thomas J. Brandi ('72) served as President of the Consumers Attorneys of California (CAOC), the largest state organization of plaintiffs' attorneys in the nation.

Earlier this year in Vancouver, British Columbia, Mr. Brandi was inducted into the exclusive 500-member International Academy of Trial Lawyers, joining the company of such notable attorneys as Roy Black, David Boies, James Brosnahan, Plato Cacheris, Joe Jamail, Lee Kriendler and Ron Motley.

In June, he was awarded a \$12 million verdict for a family that lost three children and their grandmother in a fire in public housing at Hunter's Point.

Mr. Brandi is a plaintiff's attorney. And he's one of the best. But in spite of all the success he's achieved, he remains modest. "I didn't come from privilege," he has said. "I know what real lives are like. I know the law can make a difference for people."

Tom Brandi is a native San Franciscan, a child of the socially turbulent 1960s and the son of a shipyard worker who died from asbestos poisoning. Believing that law was the best instrument for social change, Tom Brandi enrolled at USF School of Law "to help people in some way." He'd never even spoken to a lawyer before entering law school, and recalls asking only one question in class during the three years.

Mr. Brandi worked his way through college and USF Law School as a truck driver, warehouse worker, playground supervisor, and public school teacher and coach. "I didn't have much money, was married, and we had two kids in the three years that I was at USF. Law school was one of the most difficult and hardest times of my life. I felt law school stifled my creativity," he says. "But as difficult as

that was, that's how much I like being an attorney. You have to do what you love, and USF made it possible."

In the intervening years, Mr. Brandi has done just that. Although he began his career as an attorney defending the State of California, for the past 20 years he's represented plaintiffs in personal injury cases involving Dalkon Shield, "fen/phen," breast implants, dangerous products, dangerous roads, consumer fraud, and deceptive business practices. Today, Tom Brandi heads a four-person law office under his own name.

"Sometimes, the only place you can find a remedy is in the courtroom," he says. "It is through litigation that you can help people achieve just and fair compensation or put companies on notice that unacceptable conduct needs to be changed."

Of all his cases, Tom Brandi is most proud of the \$12 million verdict awarded earlier this year to a poor family from Hunter's Point that was "totally disenfranchised — politically and economically." He represented the family, which had lost three small children, as well as the children's grandmother, in a fire caused by a defective heating system in a home that didn't have a downstairs smoke detector. It was a case, he says, "not only of negligence, but of indifference."

Even Mr. Brandi's opponents speak highly of him. "I would say he's one of the best plaintiffs' attorneys in the state," defense lawyer Kevin J. Dunne was quoted as saying in a *Los Angeles Daily Journal* story. Mr. Dunne, a partner at Sedgwick Detert Moran & Arnold, went up against Tom Brandi in the Dalkon Shield litigation. "He's tenacious. He's an excellent tactician and strategist, and a terrific oral advocate."

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Thomas J. Brandi ('72)

In his career, Tom Brandi has:

Represented clients in over 31 counties in California and has tried cases in 16 separate jurisdictions.

Obtained nine verdicts from \$1 million to \$15.3 million, with the highest figure coming from a highway design case out of Morro Bay.

Served as Dalkon Shield counsel from 1982 to 1997, and plaintiff's lead and liaison counsel in 1982 and 1984-85. He successfully opposed class action status in the U.S. Ninth Circuit Court of Appeals.

Maintained a widely varying practice, including highway design, product liability, medical malpractice, wrongful termination, insurance bad faith, aviation, shareholder rights, construction defect and fraud.

"I long for the day when judges and lawyers realize that at the bottom of every dispute there is a human being."

Thomas J. Brandi

“To be a successful trial lawyer, you have to like people,” Mr. Brandi says. “You have to understand the human condition.” He believes juries reflect the fundamental values of society. “The rule of law must apply to everyone — citizen, entity or corporation. Jurors can see through misinformation and find the truth. They know if you’re genuine or not. They know if you’re being logical and fair. I firmly believe in the jury system.”

While serving in 2000 as President of CAOC (formerly known as the California Trial Lawyers Association), Mr. Brandi became involved in efforts to defeat Proposition 30, the plan by insurers to dilute plaintiffs’ rights to sue. By giving some 300 speeches all over the state, he says, “I learned how people make decisions, and I learned how to listen more.” He also met

and worked with “a number of legislators interested in improving the lives of people — protecting victims of Northridge earthquake, providing low-cost insurance to poor people, and providing remedies for HMOs who placed profits before patients’ needs.”

Mr. Brandi credits California Assembly Member Kevin Shelley and State Senator Martha Escutia with working tirelessly to advance consumer causes. “The experience gave me a greater understanding into the commitment of those seeking to protect consumer interests and the power of those seeking to thwart those efforts,” he says. “California is the biggest playing field in the United States. What happens here happens everywhere else — that’s why insurers fight so hard here.

Of his tenure as CAOC President, Tom Brandi says he is most proud of “having established practice groups that enable members to share information and improve their clients’ chances for success, and in seeing pro-consumer legislation through to its conclusion.”

Reflecting on his career, Mr. Brandi says, “It’s wonderful to help people who are poor and have never had an advantage to take on a large institution and win. It’s a wonderfully liberating feeling,” he says. “USF provided me the opportunity to give my clients the dignity and respect they’re entitled to.”