

## Boston attorney to take reins of AAJ

### Trial by fire

The presidency of the country's preeminent national organization of trial attorneys might normally be the envy of many a legal luminary, but maybe not so in this summer of 2009.

With the medical profession set to do battle over a proposed overhaul of the current health care system and with the legal profession very much in the sights of doctors distressed over the dollar amounts of malpractice awards to injured patients, Boston attorney **Anthony Tarricone** is about to wade into the middle of that standoff as incoming president of the American Association for Justice.

The 56-year-old practitioner, who hangs his shingle at the Back Bay office of Kreindler & Kreindler, will be installed as president of the AAJ — formerly known as the Association of Trial Lawyers of America, or ATLA — at its annual meeting in San Francisco late next month.

Already, a speech delivered by President **Barack Obama** last Monday to the American Medical Association in Chicago has Tarricone weighing in on the thorny issue of medical malpractice and on the president's stance in a controversy that has divided doctors and lawyers for decades.

Despite news reports predicting that attorney Obama might abandon his fellow professionals and side with physicians ("Obama Open to Reining in Medical

Suits," a June 15 New York Times story announced before his AMA speech), Tarricone seems pleased with the president's message to doctors.

"He said he had no intention of trying to cap medical-malpractice awards; he said that would be unfair to patients who had been harmed," Tarricone tells Lawyers Weekly. "It was courageous for him to say that in front of that crowd. He could have been silent" on the issue of caps on awards.

"What he did say was that, in an effort to reduce [health care] costs by reducing unnecessary tests and treatment, he would implement practice guidelines," says Tarricone, who believes that such guidelines should be "empirically based" and developed by "independent experts."

In light of the speech, Tarricone does not see a need for any kind of major offensive by the AAJ on the med-mal issue, but, he notes, "we're tracking this and will continue to do so."

What might consume Tarricone's attention after he is sworn in as AAJ president is the Washington, D.C., real estate owned by the association. According to news reports, in the fall of 2007 the AAJ was about to buy a \$100 million-plus office building for itself and would-be tenants just as the red-hot commercial real estate market began to cool. Less than eight weeks before the closing date, Wachovia Corp. reneged on an \$89.5 million loan to



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the AAJ for the purchase of the new headquarters.

The AAJ had to scramble for financing from other lenders and was able to complete the purchase in December 2007, although, as a source notes, the building "has not had the rentals that had been forecast."

The association has sued Charlotte, N.C.-based Wachovia in federal court in Washington, claiming that it had suffered "enormous harm," according to the Charlotte Business Journal. A trial on the lawsuit is slated for this fall.

Meanwhile, on the local front, the push is on for greater membership participation. Last month, Boston medical-malpractice attorney **Neil Sugarman** reportedly hosted a private reception at the 90 Tremont hotel in downtown Boston to enlist new members in the AAJ Leaders Forum.

Tarricone describes the forum as consisting of trial lawyers who are "intimately involved in AAJ and contribute financially." Pressed for details, he says, "I'm not going to discuss our finances with you."

Given the med-mal controversy, the membership drive and the vacancy rate in AAJ headquarters, the association's president-elect appears to have one very full agenda.

Or as the source says: "Anthony is being thrust into all this. He's got his hands full ... with all these collateral issues."