

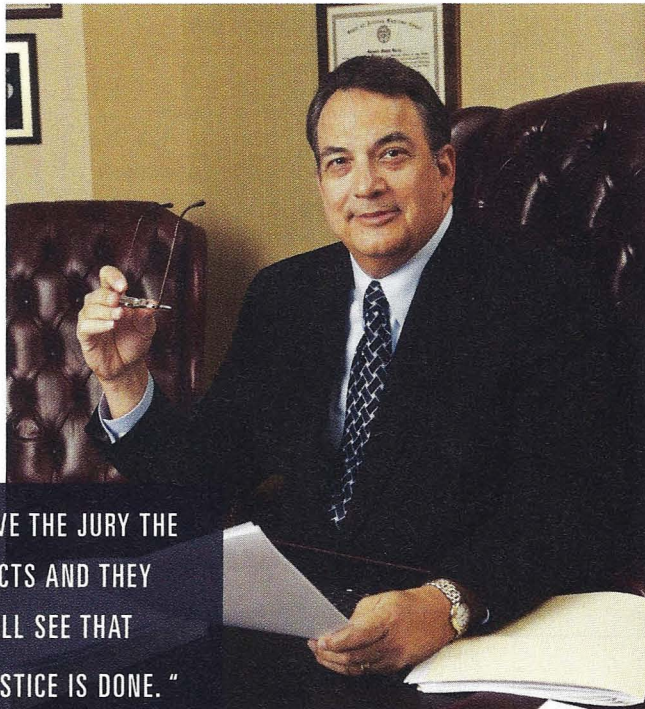
# RICHARD M. GERRY'S LONG CAREER IS ENOUGH TO WRITE A BOOK ABOUT

**W**hen you talk to Richard M. Gerry about his successful legal career, you can feel the raw passion in his voice. His wife tells him that he should write a book about the people and families that he's met along the way. Everyone has a story, and all of Gerry's cases involve someone who has been wronged—horribly injured or even worse, killed. There's the police officer who was killed on a busy state road where there was no median barrier installed. Or the young girl who was strangled by her 14-year-old brother as she slept after the young man had been ordered to come back to court. There's the mother who was killed by a drunken teenage girl who drove across the center line after buying alcohol from a liquor store that didn't card her. The stories would fill pages and pages, and the one thing they all have in common is that they should have never happened in the first place.

Gerry has triumphed throughout his almost 30-year career, securing multi-million-dollar verdicts to compensate for catastrophic injuries and wrongful deaths. He says that it's his passion that fuels him to fight furiously for results. When Gerry talks about the injuries and deaths sustained by his clients, he gets mad. If you really want to get him angry, ask him about *Graham v. ValueOptions, et al.*

It was summer 2005, and 34-year-old Patrick Graham, a veteran, was working at an Arizona Wal-Mart. He was gathering shopping carts in the parking lot, when Edward Liu drove into the lot and started to shoot. When the shots paused, Graham was on the ground, along with 18-year-old Anthony Spangler. Liu started shooting the men again. Then he took off, and was later arrested at his home. More than 20 years before the shooting, Liu was diagnosed a paranoid schizophrenic. ValueOptions, a private, for-profit company contracted by the state, was hired to provide psychiatric supervision of Liu.

Liu had not received medication for eight months, even though a nurse practitioner charged with his care had warned ValueOptions that Liu could be a danger to himself and others due to his deteriorating condition, according to court testimony. One of the company's psychiatric evaluators warned the staff that Mr. Liu was deteriorating and she wanted to increase his medication. She wanted someone to visit Liu at his home on a monthly basis, according to court documents.



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At one point, Liu himself left an angry phone message for the staff, stating that he needed to get back on his medication, according to court documents. After eight months without the necessary medication required to treat his illness, Liu purchased a gun and killed two men.

ValueOptions argued that they “had no duty to protect Plaintiffs or other members of the public who were strangers to Liu,” according to court briefs.

After a two-day deliberation, the Maricopa County Superior Court jury awarded a \$36 million verdict for the wrongful death of Graham for Graham's widow, two children and parents consisting of \$11 million in compensatory damages and \$25 million in punitive damages. Liu was not a party to this action and had settled prior to trial. The jury found Liu 10% at fault; ValueOptions, Inc. 45% at fault; and VO of Arizona, Inc. (a related entity to ValueOptions) 45% at fault. The award represented Arizona's fifth-largest in 2008 and ranked 58th in the nation. The case is currently in appeal.

“This was a tragic case on many levels because Mr. Liu was a mentally ill man who had remained as a stable member of the community for over 20 years; provided that he got the proper monitoring, in other words seeing a psychiatrist and taking medication,” Gerry says. “In a sense, Mr. Liu lost his life by becoming imprisoned in a mental facility, and imprisoned in his own delusions, since even after five years of medication, the damage from going eight months without treatment permanently impaired his ability to comprehend the world around him, according to court ruling.”

Gerry also strongly believes in the jury's judgment.

“I give the jury the facts and they will see that justice is done. For example, I don't suggest a number to the jury as to what their verdict should be,” he says. “I don't believe that a lawyer is more competent at figuring out what justice demands than the good sense of the people who are on the jury.”

—Ashley Cisneros