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TOP BOUTIQUES IN CALIFORNIA 2024

CELEBRATING CALIFORNIA'S SMALL BUT MIGHTY SPECIALIZED LAW FIRMS

Yukevich |
Cavanaugh
LOS ANGELES
LITIGATION DEFENSE



From left Cristina M. Ciminelli, Jeffrey W. Caligiuri, Todd A. Cavanaugh, James J. Yukevich and Thomas Borncamp

Corporations and individuals targeted by plaintiffs turn to defense lawyers known for innovative and aggressive case management, plus battle-tested trial skills. James J. Yukevich, who founded Yukevich | Cavanaugh in 1995, intends that his firm's uncompromising reputation will serve as a deterrent.

"This is an adversarial profession, and you need the strength and skills to answer any complaint," he said, adding that some firms prepare cases for trial, explain their weaknesses to clients and suggest settlement. Others, like his, follow through with trials, where they display strong courtroom skills.

"We're the stoppers," he said. "We are ready to go in and fight."

Yukevich, joined in 1997 by Todd A. Cavanaugh, said the firm has maintained that attitude from the start. "Passivity is out. There are a lot of non-aggressive defense lawyers out there, and that's not us."

Cavanaugh said their approach extends throughout the firm's roster of 38 lawyers, who staff offices in Los Angeles, San Diego, Irvine and Walnut Creek. "We strive to hire people who look on this work as a career, not a job," he said. "Then we lead by example."

The firm's other partners are: Steven D. Smelser, Thomas Borncamp, Cristina M. Ciminelli, Delmar S. Thomas, Raymond H. Hua, David A. Turner, Jeffrey W. Caligiuri, Justin M. Marvisi, David V. Moore and Hassan Elrakabawy.

The Daily Journal in 2024 named Yukevich as one of its Top 100 Lawyers and Marvisi as one of its Top 40 Under 40.

"We earned our reputation as a trial-ready firm 20 years ago, and we've kept it," Cavanaugh said.

In March 2024, with Yukevich as lead and Ciminelli as second chair, the firm successfully defended a major auto manufacturer in a precedent-setting personal injury case with claims totaling \$32.5 million. The plaintiff claimed that there was an auto seat defect causing a customer to be paralyzed in a rear-end collision. Throughout the month-long trial, Yukevich effectively demonstrated to jurors that the auto's design aligned with consumer expectations. *Gardner v. American Honda Motor Co. Inc.*, 30-2020-01172206 (O.C. Super. Ct., filed Nov. 30, 2020).

The outcome was significant because it explored the limits of a consumer expectations test established a decade ago by a state appellate opinion, *Romine v. Johnson Controls Inc.* (2014), 224 Cal.App. 4th 990.

The court restricted the use of expert testimony in cases where a product's safety could be judged by lay jurors. The test hindered manufacturers in defending against claims that products did not perform as ordinary consumers would suppose.

"Nobody thought we could win. Over the last 10 years or so, no one has tried a case like this, because it seemed impossible for manufacturers to win them," Yukevich said. The plaintiff's lawyers contended that the Honda CRV driven by their client, James Robert Gardner Jr., was defectively designed so that the driver's seat made Gardner's injuries worse.

But Yukevich pointed out that the crash was especially severe because of the high speed of the car that struck Gardner's. Also an issue: Gardner is an especially large man. "In a world of political correctness, it was a little difficult to say the weight of the driver, over 300 pounds, was a factor," he said. "But the seat did very well. There was only about a 13% additional bending of the seat from where it was at the time of the crash."

It took jurors only 2 1/2 hours to return a complete defense verdict. "Consumers expect Honda quality, and that's what they got," Yukevich said.

— John Roemer