



FOR COMPLEX MATTERS.
WHEN IT MATTERS.

2010 Newsletter



November 2010

ATTORNEY SPOTLIGHT



We are pleased to announce the addition of attorney Yvonne Ballesteros to our team of lawyers. Ms. Ballesteros joins the firm with extensive litigation experience as a former federal law clerk and associate at Lim, Ruger & Kim, LLP in Los Angeles, California.

Ms. Ballesteros graduated from the UCLA School of Law in May of 2006 where she served as the Co-Editor-in-

Chief/Managing Editor of the Chicano Law Review, the Vice Chair of the national Latino Students Association, and the Co-Chair of the La Raza Student Association. She has been an active member of the California State Bar for three years and joined the Indiana State Bar in May of 2010. She is fluent in Spanish which expands the firm's capability to serve Spanish speaking plaintiffs.

[Meet Our Attorneys](#)

FIRM NEWS

- Attorneys **[Henry Price](#)** and **[Ron Waicukauski](#)** Selected For Inclusion in *Best Lawyers in America, 2011*. **[Read more.](#)**
- Price Waicukauski & Riley announces the launch of our new law firm web site - featuring videos about our firm history and practice areas, podcasts from recent Indianapolis Law Club Presentations and the ability to easily join a current case or refer a case to our firm. See the new site online at **www.price-law.com**.
- Price Waicukauski & Riley Selected as a Member of the **[International Society of Primerus Law Firms](#)**. **[Read more.](#)**

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INDIANA LAW UPDATE - THE BLOG

We are also happy to share the launch of [IndianaLawUpdate.com](http://www.IndianaLawUpdate.com), a new online resource for Indiana Lawyers to stay updated on developments in Indiana law. The blog focuses on recent decisions from Indiana Courts and the Seventh Circuit and provides a unique "lessons" feature which highlights key takeaways for practicing attorneys. Read the latest blog and subscribe to our news feed at www.IndianaLawUpdate.com.

- [7th Circuit Holds that Plaintiff May Present Facts Outside Complaint in Opposition to 12\(b\)\(6\) Motion](#)
- [A Courthouse is Where the Judge Sits](#)
- [Indiana Supreme Court Holds that Evidence Was Sufficient to Sustain Verdict Against Ford in Rollover Case](#)

RECENT VERDICTS & SETTLEMENTS

November 9, 2010: Digital Evidence Appeal Granted

The Indiana Court of Appeals overturned a jury verdict because the trial court did not provide the jury the ability to review digital evidence on a CD-ROM during its deliberations. Price Waicukauski & Riley represented the Plaintiff in the appeal ([*Arlton v. Schraut*](#)). The court's ruling is likely to be an important decision governing how cases are tried and digital evidence is presented to a jury in the future.

Sept 17, 2010: Reneging on Purchase Agreement Results in \$511,841 Judgment and Piercing of Corporate Veil

On September 17, 2010, Judge Gerald Zore of the Marion Superior Court entered judgment in favor of our client, Todd Gates, for \$511,841 plus attorney's fees and costs against Defendants CBR Event Decorators, Inc. (CBR), Gregory Rankin, John Bales, and Robert Cochrane. [Read more.](#)

Fall, 2009: \$89 Million Settlement

In the fall of 2009, William Riley was appointed settlement counsel for all consumer claims in the *In re Bextra & Celebrix Mktg. Sales Practices & Prod. Liab. Litig.*, MDL No. 1699 (ND Cal.), which resulted in an \$89 million settlement.

October 16, 2009: Structured Payout Worth More Than \$1,000,000

On October 16, 2009, Henry Price entered into a confidential settlement agreement with a structured payout worth more than \$1,000,000. Settlement was reached pre-suit with an unnamed organization for damages on account of a personal injury claim for sexual harassment and negligence of corporate officers.

CLASS ACTION CASE - YAZ, YASMIN, & OCELLA

What are Yaz, Yasmin and Ocella?

Yaz, Yasmin and Ocella are oral contraceptive combination drugs, containing a combination of the hormones estrogen (ethinyl estradiol) and progestin (drospirenone). The drugs have three FDA-approved uses: Pregnancy prevention, alleviation of premenstrual dysphoric disorder, and treatment of moderate acne in women who would want to use an oral contraceptive for birth control. Yaz and Yasmin are manufactured by Bayer HealthCare Pharmaceuticals, Inc. The generic equivalent of Yasmin is Ocella manufactured by Barr Laboratories.

What are the Medical and Legal Issues with Yaz and Yasmin?

On April 14 2010, Bayer agreed to change its warning labels on their oral contraceptive drugs Yaz and Yasmin to alert women to the risk of developing blood clots while using the medication. The serious reported adverse effects of Yaz include blood clots, deep vein thrombosis, strokes, heart attacks, gall bladder damage, kidney problems and death.

Lawsuits filed against Bayer charge that the company failed to adequately warn patients and physicians of the increased risk of serious adverse effects from Yasmin and Yaz. Meanwhile, Bayer touted the birth control advantages of the drugs in television advertisements. [See Recent News Coverage Regarding the Case.](#)

Contact Us for a Free Consultation

If you or a loved one have used Yaz, Yasmin or Ocella and have suffered a heart attack, blood clot, stroke, death, or other serious disorder listed above, please [contact](#) one of our lawyers today, to assess any potential claim and possible lawsuit.

ATTORNEY REFERRALS WELCOME

A significant amount of our practice consists of representing clients referred by other lawyers in Indiana and other states throughout the country. Most attorneys choose to refer a case to us because:

- They feel confident that their client will be well taken care of - both in the quality of work and the customer service we provide,
- Their firm does not focus on the same practice areas that we do,
- They understand that we respect their client relationship and will not attempt to replace the firm in any fashion.

Our practice focuses on representing plaintiffs in complex cases including class actions, business disputes, pharmaceutical litigation, professional malpractice, and property rights litigation.

We look forward to discussing your specific needs and helping you with your case. For attorney referrals, please contact **Ronald Waicukauski** at (800) 905-2856 or please **CLICK HERE** to complete an online form.

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