



RESULTS - *Criminal*

Verdict - Not Guilty – Organized Crime/RICO Case
*United States v. *name deleted* and others*

The government of the United States accused Mr. Tormey's Client, a union official with the International Longshoremen's Association (ILA) of being a member of organized crime and participating in a criminal conspiracy in the ports of New York, New Jersey and Miami. According to the indictment, Mr. Tormey's client and the others were allegedly defrauding members of the ILA by charging the union members with inappropriate fees for services allegedly provided by health care services that were controlled by the Mafia.

Mr. Tormey demonstrated to the jury by cross-examining the government witnesses that the members of the ILA received fair services. He showed that the union was still using the very same health care providers years after his client had been arrested and that these very same health care providers were ranked among the best in the country. Mr. Tormey also showed that the government charged only the members of the Labor side of this industry despite the fact that the Management side likewise evaluated the providers and agreed that the providers would provide just, fair and proper service to the members of the union.

After a 6 week trial in Brooklyn Federal Court, Mr. Tormey's client was found innocent by a jury and set free.



RESULTS - *Criminal*

Dismissal - Arson Case Dismissed *People v. *name deleted**

On July 7, 2009, at approximately 2:46 A.M., a fire engulfed two automobiles on the 200 block of Jewett Avenue. According to a story reported in the Staten Island Advance, the police alleged that Mr. Tormey's client and one other male set two cars on fire. The prosecutor alleged that the men torched the cars because they were allegedly sending a message to the owner of the cars that he better make good on an outstanding debt. According to police, the two men were caught on video tape as they set the cars ablaze.

After closely examining the tape Tormey argued that since the tape was shot at night and was of very poor quality video, it was impossible for the alleged victim to really identify anyone. In addition, Tormey argued that even though one of the grainy, shadowy figures on the tape was identified by the victim as his client, this shadowy figure was nowhere to be seen when the car caught fire more than 40 minutes later. In papers filed before the court, Tormey stated there was no evidence that his client was at the scene when the arson occurred or that he did anything wrong. Mr. Tormey asked the court to dismiss the charges against his client.

After reviewing the tape and after reading the minutes of the testimony presented to the grand jury, the court agreed with Mr. Tormey and dismissed the indictment. The court stated in a short opinion that the evidence presented to the grand jury was legally insufficient to support any charges against Mr. Tormey despite the vigorous protests of the prosecution.



RESULTS - *Criminal*

Charges Reduced - DWI
People v. *name deleted*

Mr. Tormey's client, a young college graduate in her early twenties, was arrested and charged with DWI for having driven her car into two parked cars and subsequently refusing to take a breathalyzer test. The police alleged that Mr. Tormey's client smelled strongly of alcohol, had blood shot and watery eyes, had slurred speech and was unsteady on her feet. The District Attorney's office refused to offer a plea to anything less than a crime. Mr. Tormey advised his client not to plead guilty to a crime because such a plea would give her a criminal record that would remain on her record for the rest of her life. Instead, Mr. Tormey insisted that they proceed to hearings.

At the hearings, Mr. Tormey cross-examined the arresting officer and demonstrated that he gave inconsistent testimony about the case on two different occasions and failed to follow standard police protocols regarding DWI cases. After hearing the testimony, the District Attorney determined that there were too many inconsistencies with the officer's testimony and thereafter agreed to reduce the charges. Mr. Tormey's client was thereafter offered a plea to a traffic infraction which she readily accepted and ended this unfortunate period of her life with no criminal record.



RESULTS - *Civil*

Verdict – Million Dollar - \$1,033,852.00, Personal Injury
**name deleted* v. New York City Transit Authority*

Mr. Tormey's client, who was 70 years old at the time of this accident, was a woman who has been wheelchair-bound due to polio, which she contracted when she was 22 years old. Despite being handicapped, plaintiff led an active and independent life, including commuting from Staten Island to Manhattan, where she worked for the Exxon Corp. for 39 years.

As Mr. Tormey's client was being off-loaded in her wheelchair on a lift from NYCTA #78 bus at the intersection of Hylan Blvd. and Retford Ave. in Staten Island, she claimed that the lift began to shake, causing her to lose her balance and fall out of her chair onto the sidewalk below. Plaintiff's expert engineer testified that the shaking was caused by an improper joggling of the switch by the bus driver. The driver denied that he joggled the switch. Defendant's expert mechanical engineer, who took a video of a test he performed on the lift years after the accident, testified that joggling the switch did not cause the lift to shake excessively.

Mr. Tormey, through his questioning, showed that the Transit Authority's expert did not test the lift with a wheelchair onboard, and, although he claimed that he tested it while he was on the lift, he did not videotape that portion of the test. Mr. Tormey's client suffered two fractured legs as a result of the accident. The Transit Authority lawyer argued that Tormey's client's damages were limited because she was unable to walk before the accident and, in addition, that any other claims of pain and sufferings were caused by post-polio syndrome. After several weeks of trial the jury found in favor of Mr. Tormey's client and found that she deserved more than a million dollars to compensate her for her pain and suffering.



RESULTS - *Civil*

Verdict - \$ 165,000.00, Personal Injury / Trip and Fall
****name deleted* v. American Golf Association***

Mr. Tormey's client, a regular golfer at the Silver Lake Golf Course in Staten Island, tripped and fell over an unsafe drain cover in the men's locker room. Mr. Tormey's client suffered a torn rotator cuff, a bruised forehead and a dislocated shoulder. American Golf Association argued that Mr. Tormey's client was not to be believed and that his injuries were not as severe as Mr. Tormey suggested.

American Golf Association made no offer of settlement until the jury was out and then the offer was minimal. Mr. Tormey and his client refused what they considered an unreasonable offer and waited for the jury to reach a verdict. The jury returned of verdict of \$165,000.00.



RESULTS - *Civil*

Settlement - \$ 400,000.00, Automobile Accident
name deleted* v. *names deleted

Mr. Tormey's client was driving along Snake Hill in Staten Island when his vehicle was struck head on by another car coming from the opposite direction that had spun out of control and completely crossed over into his lane. The other driver claimed that while there was black-ice on the road, he only lost slight control of his vehicle and that his vehicle never spun out and only crossed over the double yellow line by only a few inches. The defense presented the findings of an expert to support their claim.

In response, Mr. Tormey hired an expert who was able to contradict each and every point raised by the defense with specific facts that he obtained from the scene of the accident and from the information provided by the defendant driver at his deposition. After receipt of Mr. Tormey's expert's report the case settled for \$400,000.00. Mr. Tormey's client suffered a fractured right leg.