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TOP PLAINTIFF LAWYERS IN CALIFORNIA FOR 2017

Matthew S.
McNicholas

McNicholas &
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Los Angeles

Practice: Catastrophic injury, police
discrimination



With more than 40 cases pending against the Los Angeles police and fire departments, McNicholas dedicates his practice to holding departments accountable for misconduct against employees.

McNicholas, a partner at McNicholas & McNicholas, recently obtained a \$12.3 million verdict on behalf of five Los Angeles Police Department Academy recruitment officers injured during training and then fired. At trial, McNicholas showed that the department failed to properly accommodate the injured employees as is required by city statute. He showed that city had more than 410 funded and open positions at the time the employees were fired.

The ruling, the largest employment verdict to date against the LAPD, was affirmed by the 2nd District Court of Appeal in February. *Atkins v. City of Los Angeles*, BC449616 (L.A. Super. Ct., Feb. 14, 2017).

He won another victory against the LAPD in April 2016, securing a \$2.1 million verdict

on behalf of a former LAPD detective who claimed the department retaliated against her after she took a medically ordered and approved disability leave.

The detective, Maria Elena Montoya, claimed that upon returning to work, the department stripped her of several assigned duties and transferred her out of her coveted detective assignment. *Montoya v. City of Los Angeles*, BC501572 (L.A. Super. Ct., Apr. 5, 2016).

In 2015, he scored a \$1.5 million settlement for a 15-year LAPD veteran who injured his knee at a training division while serving as a firearm's instructor. *Shoemaker v. City of Los Angeles et al.*, BC516728 (L.A. Super. Ct., Oct. 30, 2015).

The plaintiff claimed he was forced back to work prematurely and made to work through the injury under threat of demotion or discharge.

A native of Los Angeles now with three

children, McNicholas said the fight for accountability is close to his heart.

"From my 20 years of experience, I can tell you that the LAPD lives in a world all its own, and that's why I have to keep doing these cases," McNicholas said.

It's especially troubling, McNicholas said, when the shortcuts and shady behavior of the departments cost the city good officers.

"It's a huge assault on the resources that we have. We only have 9,800 sworn officers to cover around 4 million people — you can't afford to lose the really good ones," McNicholas said.

The rest of McNicholas' practice is dedicated to traditional catastrophic injury and product liability cases, though the police and fire department cases tend to be more prominent and, in most cases, more interesting.

"It's often like the Wizard of Oz. You're pulling back that curtain to see the man pulling the levers," McNicholas said.

— Steven Crighton