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Attorney embarked on a mission to be a protector of people

A widowed, single mother makes a decision that sets her life's path.

By Stephen Ellison

It didn't take long for Mary Alexander's law career to arrive at a crossroads.

Fresh out of Santa Clara University law school and a new member of the California State Bar, Alexander found herself across from an interviewer at one of San Francisco's largest and most prestigious firms, and an on-the-spot job offer staring her in the face. It was the stuff of Grisham fable, no doubt a scenario replayed many times in the daydreams of aspiring attorneys.

A widow and a single mother of an eight-year-old daughter, Alexander could hardly believe her fortune.

Then, without hesitation, she turned it down.

"They liked my background in environmental science. They were so impressed with my credentials, they asked if I could start that afternoon," Alexander recalls.

The firm wanted Alexander to help defend an oil company being sued by the widow of an employee who died of leukemia. The widow's wrongful death suit claimed her husband had contracted the disease as a result of long-term exposure to the chemical benzene, which was used to test asphalt road samples.

"I was stunned," Alexander says. "When they told me about the case they wanted me for, I couldn't believe what I was hearing."


Alexander

Having been that widow less than two years earlier – Alexander's first husband died of leukemia after extensive use of benzene in laboratory studies as a civil engineering student – she had little choice but to walk away.

"It's a day I will never forget," Alexander says. "I realized then that I wanted to represent that widow and others like her. The corporations weren't being held accountable for protecting their workers. So, I took a job as a plaintiffs' attorney for less money."

Scientist turned decorated lawyer

Science was Alexander's initial calling, and it led her to a career as a medical toxicology researcher and the director of environmental health at the Stanford Research Institute. But her deep desire to protect the environment and the people who were most vulnerable to its hazards could not be fulfilled doing lab work. That realization inspired her to consider a law career. Her life experience provided the extra incentive to embark on a mission, which she continues to strive toward to this day.

"Over the past 20 years, I have had the privilege of making a difference for individual people, representing orphans, widows, injured workers, consumers hurt by dangerous products, and the elderly defrauded of their life savings," Alexander wrote in an essay on trial lawyers. "That is what inspired me then to become a trial lawyer and what inspires me now – everyday."

Alexander's achievements include serving as president of the Association of Trial Lawyers of America (ATLA), president of Roscoe Pound Institute and president of the Consumer Attorneys of California. She also served as Chair of ATLA State Delegates and of ATLA Council of State Presidents.

Alexander's proudest moment, however, may have come in 2001, when she helped launch Trial Lawyers Care, one of the largest pro bono legal services programs ever undertaken. The New York-based entity, formed just days following the terrorist attacks of September 11, 2001, matched victims' families with volunteer attorneys, who helped the families file claims under the federal government's Victim Compensation Fund.

That year, Alexander was named Trial Lawyer of the Year by Themis Capital Corporation, and in the three consecutive years to follow, she made the California Daily Journal's list of Top 50 Women Litigators.

Jennifer Fiore, who was hired as an associate at Alexander's San Francisco firm in 2006, considers Alexander a role model.

"She has a great ability to affect change and make things fair," Fiore says.

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"Mary has an amazing work ethic and drive to assist clients. Her commitment and determination are inspiring."

Alexander is no slouch in the courtroom, either. In what she deems her most memorable case, *Hall v. Yosemite National Park and Curry Company*, she helped win a $13.3 million verdict for a client who was permanently paralyzed from the neck down after crashing into a tree on a rented bicycle with faulty brakes.

She also secured separate $4 million settlements in *Landsverk v. CCSF*, which involved a San Francisco Municipal Railway accident, and *Ruszak v. State Farm*, which involved a pedestrian accident.

Defending civil justice

Despite all that she has achieved, Alexander remains wary of the unfinished business plaintiffs' lawyers face today and in the future. Her campaign against tort reform has been well-documented, and includes a notable dissertation on the fight against a proposed national medical malpractice bill that would put a monetary cap on individuals' pain and suffering:

"That limit would apply to people like Linda McDougall, who had a double mastectomy when it turned out she did not have cancer. The doctors got her chart mixed up with someone else's chart. The limit would apply to the family of Jessica Santian, a teenager who died of a botched heart/lung transplant. The doctors did not do the simple blood test to determine her blood type, and her body rejected the heart and lung. The limit would apply to the young father of three who lost all four limbs because an infection after simple surgery was not diagnosed."

The bill stems from a California law that has been in place since 1975, which at the time set the cap at $250,000. That would be a little less than $1 million today, Alexander says.

Additionally, her fight for consumers' rights has been a constant, as it is for many plaintiffs' lawyers. Alexander takes particular exception to the powers that be on Capitol Hill, saying, "Class actions are a means by which consumers, cheated and defrauded by corporations who put profit before people, can come together and fight back. They can bring suits which alone they could not pursue. Yet Congress has sought to limit class actions and put them all in federal court, taking away the states' rights to govern such actions."

She is woman

While gender inequity in the legal industry – as in many professions – is one of those hot-button issues that seems to resurface every so often, Alexander says she's been fortunate to have worked for firms that were supportive of their female associates. And since founding her own practice in 2001, she has accepted her role-model status.

"I think women constantly have to prove themselves on every level – in law school, in public positions, during cases in the courtroom," she says. "We have to be as good as, and sometimes better than, our (male) colleagues to succeed. But I think juries have been a big equalizer."

Alexander has reached a comfortable – although not complacent – point in her career where she is able to enjoy time with her family, as she did during a recent "stay vacation" at her Bay Area home.

For others aiming for similar career comfort, she has this advice: "Pursue what it is you want to do. Follow your passion. Those who care about their work and are passionate about it eventually do well."


Ellison

Stephen Ellison is a freelance writer based in San Jose, Calif. He is a regular contributor to the Silicon Valley/San Jose Business Journal and occasionally writes for a Gilroy, Calif., community magazine. He can be reached at ssjellison@aol.com.

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