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Profile: Jennifer Fiore

Collaboration is key for PI lawyer handling cases from maritime to wildfires

By **STEPHEN ELLISON**

For each step in her legal career, Jennifer Fiore seems able to recall pivotal moments that helped drive her success and propel her to the next stage, which today finds her as co-owner of a successful personal injury firm, Fiore Achermann.

And while those steps may have started in high school with her aspirations toward becoming a judge, there's no question her path has been an atypical one, and now a position on the bench couldn't be further from her mind.

Fiore recalls learning about the law while volunteering for Rep. Jackie Speier's office. That planted the seed, she said. Then she ended up at University of San Francisco law school, which in a way was the first indication she would be making her name on the plaintiffs' side of the bar.

"I've always been people minded, and I purposefully decided to go to the USF night program," Fiore said. "My initial plan was to go to law school on the East Coast. I had several East Coast options. But I was working for a nonprofit called Family House in San Francisco that housed people with children who had life-threatening illnesses, and I became the resident manager. So, I decided to stay in San Francisco and go to law school at night; that way I could work my way through law school, since I was funding it myself.

"After a year in law school, I decided I wanted to graduate in three years, not four, so I ended up switching to the day program," she continued. "I've always been more oriented to helping people and working with people, so it's a natural progression that I made my way to the plaintiffs' side."

That choice led to Fiore becoming the editor-in-chief of the Maritime Law Journal at USF. Through those duties, she



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became acquainted with the board members and earned a clerkship for a plaintiffs' maritime personal-injury firm, where she later got hired and worked as an attorney under Eugene

Brodsky, whom she considers her first mentor.

"He was a very dedicated and authentic maritime personal-injury lawyer, and he would be called a true believer by his adversaries in a complimentary way," Fiore said. "Having worked with someone who had that persona and dedication to the practice has stuck with me. So, I think that's how I've always been in terms of being a true believer. It makes perfect sense that this is where I am (the plaintiff's side) even though I didn't necessarily set out that way. I cannot imagine not doing plaintiff's law."

Working with Brodsky gave Fiore the opportunity to take on complicated and interesting cases, she said, including what she referred to as one of her favorite inspections of all time: going on a gantry crane at the Port of Oakland that had malfunctioned. She was able to inspect the crane while it was being operated.

She also went out on merchant marine vessels to conduct inspections of engine rooms and decks where people had been injured.

"It was exciting; there were a lot of fun aspects" to maritime law, Fiore said. "That's carried over through the years, being

exposed to so many industries, all the different mechanisms to an injury. You're always learning as a plaintiff's lawyer, unless you're practicing one discrete area of law. So, that's what I love about what we do, having to learn science and engineering and medicine. It keeps it exciting."

A fateful leap

From there, Fiore landed a position with Mary Alexander's firm, where she really cut her teeth in the personal-injury arena and had another significant mentor in Alexander. She spent 12 years there honing her skills as a plaintiffs' trial lawyer, including assisting on the infamous Ghost Ship fire case.

That experience was the catalyst for her and Sophia Achermann to team up and launch their own firm. At first, it was a scary concept, Fiore said, but they threw themselves into both the business and practice sides of the firm and got a pleasant surprise when the greater law community was so willing to cooperate and help.

"We looked at it like jumping out of a plane without knowing if the parachute would open," she said. "Here we were starting our own practice with a limited number of cases, and we just didn't know how it was going to go. But it has been so great. The collaboration with other firms, we have relationships we have grown that have turned into opportunities to represent people in other areas of law. We've broadened our areas of representation, and the legal community has been amazing. We wouldn't be doing as well as we are doing without the support of so many in the law community.

"I will say, I gained a lot of experience working with Mary (Alexander) in managing cases and assisting with running the business to a certain extent,"



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Fiore continued. “But, of course, once you do it on your own it’s completely different in terms of having 100 percent responsibility and ownership, making sure things progress. And the learning curve in terms of operating a business, I mean, it’s still growing, and I’m still learning. The whole business side of it has been fascinating. I’ve always been interested in the nuts and bolts of how things operate, so it’s been exhilarating to take that all on in terms of running a practice.”

Walking the walk

A San Francisco Bay Area native, Fiore was raised to value education. Her father worked as an aviation mechanic for United Airlines and her mother worked in various fields until she attended college when Fiore was in college. Fiore graduated from UC Santa Barbara with multiple bachelor’s degrees before attending USF law school and becoming the first in her family to get a graduate degree.

“I came from relatively humble beginnings, but it’s not like I didn’t have opportunities,” she said. “I’ve carried it into law and what I do. I think part of the reason Sophia and I have been successful is because we really do dig in; we talk the talk and we walk the walk. And we get the work done that’s needed to represent our clients competently and to achieve good results for them.”

Part of the plan with the new firm was to try more cases, she said. And about a year after starting, Fiore indeed was going to trial. That was earlier this year – March 3, to be exact. Less than two weeks later, everything was put on pause by the coronavirus pandemic. Fiore had been in trial for a couple of weeks on a dog-bite case when public health officials declared a lockdown on March 16. Later in the month, the judge declared a mistrial.

“We were excited to be a year out of starting our own firm, and we were going to trial,” Fiore said. “Trials are happening less, but that doesn’t mean trials should be happening less. Trials are meant to

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keep justice going in the right direction for consumers and plaintiffs.”

Fiore said her approach may sound simple and familiar probably because it’s practical for plaintiff personal injury attorneys: It’s about preparation, knowing your case inside and out, knowing all the evidentiary issues, having a theme based on the core facts and having that theme on recall for the duration of the trial.

Preparation starts early on, and the target always is a trial, Fiore said.

“We’ve always litigated our cases with the end goal of trial in mind,” she said. “We are not litigating to settle.”

High-profile cases

Fiore’s passion for representing individuals is clear. And she has the results to back it up, having represented victims of California wildfires, including the deadly and destructive 2018 Camp Fire in Butte County that killed at least 86 people and leveled the town of Paradise, as well as the 2017 North Bay fires that left dozens dead and destroyed communities in Napa and Sonoma counties.

She’s also still on top of maritime cases, somewhat of a specialty for her. Fiore’s firm currently is representing multiple surviving families from the tragic September 2019 Conception dive boat fire that killed dozens of passengers off the coast of the Channel Islands near Santa Barbara. Fiore Achermann is suing the vessel owner, Truth Aquatics, alleging the boat lacked adequate life-saving and fire-safety equipment, as well as a safe means for abandoning the vessel in an emergency.

Preliminary investigation shows the fire was caused by lithium-ion batteries

that were being used to charge electronic devices and equipment onboard. And Fiore told the Maritime Executive: “Nearly a year before the Conception’s deadly voyage, Truth Aquatics had a fire onboard their sister ship, the Vision, which was reportedly ignited by a lithium battery. The vessel owners had a responsibility to know about the potential dangers of lithium-ion batteries being charged onboard before encouraging passengers to charge their equipment.”

In maritime personal injury, Fiore also represents workers on container ships, commercial fishing vessels, yachts, Bay Area ferries and recreational vessels across California.

Despite her breadth of experience, Fiore, as any professional would, has the ability to self-critique, and in that realm, she wouldn’t mind being a little more sharp-witted.

“I would like to be able to respond faster. I would like to be quicker on my feet, almost have some canned responses ready to go when caught off guard,” she explained. “Not just with trial but also with other aspects of law. I think it’s because I’m pretty trusting, but sometimes people will say things, and I don’t know how to respond because I’m caught off guard.”

Time away, away time

Away from the office, Fiore loves to travel – not the easiest thing to do when you’re running a law practice, and even less so when you’re doing it during a pandemic.

“We took a family trip to Utah in July to go to the National Parks, and it was very COVID friendly, and we were very cautious,” she said. “I love to explore the world. I do feel that being a lawyer sometimes gets in the way of that, but I wouldn’t have it any other way. I just need to get out there more. I enjoy nature, from hiking in the woods to walking along the beach.”

On the subject of advice, Fiore played the collaboration card, as in getting



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involved with legal organizations and doing so in a meaningful way.

“Don’t just join,” she said. “Join a committee. Start building relationships with others who have been right where you are before. With the plaintiffs’ side it’s extremely important because of the

opportunity to learn from and work with lawyers who are successful. Not just monetarily successful, but successful in terms of achieving justice for their clients. And there’s something about the camaraderie. We come from smaller firms, so it’s empowering to be part of a larger

community that has the same goal in mind. And you get inspired by what others are doing.”

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