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Quadriplegic Lawyer Builds Thriving Practice

By JOHN O. CUNNINGHAM

There's a strip mall near the harbor in Lynn with a Dunkin' Donuts, a tanning salon, a bartending school, a disco and the law office of Michael F. Mahoney — who "loves bringing giant insurance companies to their knees."

Mahoney's office is just 2,000 square feet, but last year it generated seven six-figure verdicts and settlements, and it delivered more than \$3 million to the dozens of tort victims that Mahoney served.

Mahoney says his business "has been more than doubling every year" since he graduated from law school five years ago and hung out his shingle.

He is particularly proud of a \$1.9 million structured settlement he recently obtained for a pedestrian who was struck in a crosswalk in Revere, but he feels a special empathy for all his injured clients.

That's because "giant-slayer" Michael Francis Mahoney broke his neck in a diving accident when he was 21. He says he understands severely injured clients both medically and emotionally.

"Technically, I am a quadriplegic because I have limited use of my hands," says Mahoney, who wheels around his office energetically while joking with his staff.

Mahoney started out on his own, but now employs one attorney and three assistants. Moving around the office, Mahoney demonstrates how his staff takes care of the organization and technology that has supported the growth of his business.

He points to portable scanners and printers that can blow up photos in the courtroom, and laptop projectors that can break down videos into single frames.

Mahoney demonstrates color enhanced X-rays and anatomical blow-ups with the enthusiasm of a kid in a candy store.

He shows off a poster board of an "anterior cervical discectomy" that layered an actual photo of his client on top of a cut-open depiction of her internal injuries, and he points to rows of medical treatises on his bookshelves.

"I've just got to pinch myself because I'm so lucky," exclaims Mahoney, who started law school at the age of 35. "I'm so proud of my office, and it is so much fun to come to work here. I finally found a career where I can just keep on growing."



Photo by David Spink

'I'm the kind of guy you meet in the diner,' attorney Michael F. Mahoney says.

The Road To Success

Though Mahoney's practice now flourishes thanks to his reputation, it was not always so.

"I started out doing criminal law in Salem just to get into court, and

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I could count my cases in my head," he says. "Then I added personal injury and had 20 or 30 cases. Now, I'm busy with personal injury, premises liability and medical malpractice. I have to keep it all on my computer."

Mahoney notes that "the law is difficult, but the important thing is to show up every day and go to work."

The North Shore lawyer says he usually works 10 to 12 hours a day, adding that he also works "Saturdays until two, and on Sundays I usually see clients at local diners — like the Horseshoe Cafe. I've represented half the people in the cafe," he quips.

Mahoney maintains that hard work builds invaluable experience. "For instance, you have to learn which insurance companies will settle, and which ones delay. Some require suit right away to get them to act," says Mahoney.

Experience has also taught Mahoney where to sniff out information. He has used the media to find information hidden from discovery on more than one occasion.

For example, he points to a family that was hit by a truck on their way to Riverside Park.

"We requested that the defendant preserve the truck and any photos. A vice president said she took photos but did not know where they were, and said the company had lost the truck," says Mahoney.

"But we found a news station with footage of the accident, and we were able to subpoena their video," he says, adding that his clients ultimately got a large settlement.

Mahoney also suggests that young lawyers join an organization like the American Trial Lawyers Association, and find a good mentor who will share in both successes and failures.

"You have to get the right people in your life," he says, praising attorneys Alan L. Cantor of Boston and Paul Nathan of Salem. "They have been there for me on a daily basis, even on Sundays."

Mahoney also thinks he is a better lawyer because of his own injuries and medical history.

"I know about bladder functions. I understand accessibility issues. I know that something like a sink with the right cabinets can be a big deal if you're in a chair," he remarks.

Mahoney sounds like an enthusiastic student when he adds: "I picked up my first head injury case and learned every part of the brain and its functions. By the time of mediation, I knew my brains."

But no matter how much success he's had, Mahoney notes that he's still "a nervous wreck before trial. Maybe that's why I do a good job — because I'm so nervous about everything being proper and working right."

Mahoney welcomes the fear, as he welcomes adversaries, because "having a great adversary just brings out the best in you."

Even when an adversary defeats him, he finds success.

"I lost a trial in Salem, and it was big," he recalls.

"The other side had offered over \$50,000, and I figured it was worth \$250,000. It came back zero," he says shaking his head.

"But you know the best part?" he snaps back. "I have gotten six referrals as a direct result, two from court officers who watched the trial."

Fun And Funny

Mahoney is hardly all work and no play. In fact, he says, the law does not seem like work at all, a feeling he demonstrates with his office decor.

Mahoney's office features heavyweight boxing memorabilia, along with autographed movie posters from "Goodfellas" and "My Cousin Vinny," all of which he obtained from trips to Las Vegas.

"I have been to Vegas five times in the last year," he says. "I also have season tickets to [Boston College] football with a half-dozen court officers. We all load up in my van and have a great time."

Mahoney jokes that one of the officers handcuffed him to his wheelchair during a court recess. "I was making fun of him for letting a prisoner get out of a window in Salem, so he stuck me in my chair," he says.

"I just think I'm so accepted that they can goof on me, and I like to goof on them too. That's just my personality," he notes.

Mahoney says there are "no negatives" to practicing law in a wheelchair — except, perhaps, for the time he tried a case in Salem and got stuck between the witness stand and the jury box during his opening.

"I was trying to get unwedged and still trying to be cool, looking like

I was under control," he says with a grin.

Mahoney observes that he and his friends "are just regular guys. I'm the kind of guy you meet in the diner."

He says he likes "an old-style sense of humor," pointing to an autographed photo of Don Knotts. "My son and I love old television. We're obsessed with the Andy Griffith Show," he says.

Mahoney's 8-year-old son, Paul, is part of his "good luck ritual" before each trial.

"I'll do my opening and closing for him the night before trial. It started when he was a little kid," says the trial veteran.

"I used to ask 'guilty or innocent?' and he would say 'Innocent, Dad!' Now I say 'What do you think?' and he replies 'That person deserves to win,'" Mahoney says smiling.

'Yankee Doodle Dandy'

"My father was a linotype operator working for The [Boston] Globe and the Record American," Mahoney recalls. "He carried a little news clip about Michael Francis Mahoney, a Yankee Doodle Dandy, born on the fourth of July, 1958," he adds.

Mahoney says he grew up "mostly in Medford, Somerville and Reading" in a "colorful family that was half-Italian and half-Irish."

He fondly remembers "macaroni Sundays at his grandmother's" and "learning at 8 years old how to play liar's poker at a bar called Trickers in Malden."

But his dad died when he was only 15, and six years later he broke his neck diving at Red Rock in Lynn.

"I spent a tough year in the hospital," he says. "I had to strive for independence, but I learned a lot about adversity and character. My neck was broken but not my spirit," he says.

Mahoney learned "there is nothing I can't handle today. If you keep it in a day, it is so much easier to survive."

He bought a modified van and "put a killer microphone and stereo in it — the loudest and best on the Lynnway."

Then he was introduced to Fran Chan, the bass player for "Boston," who suggested running parties out of the van. That got Mahoney started doing weddings, night club gigs and "making more money than my professors in school."

While he was an entertainer, Mahoney met his wife, Ellen, and she brought into the world a "Yankee Doodle son of a Yankee Doodle Dandy."

Ellen threw Mike a surprise party on July 3, 1992, and went into labor after the party. "That night Paul was born five weeks early on my birthday," Mahoney says proudly.

A nurse by training, Ellen "is the one who will really tell me if there is something wrong with one of my cases," he says.

But it was his father's call that led him to Boston College Law School.

"All he wanted me to do was attend BC, and I did not realize until I got there, at 35, that I never had a passion for anything like the law," he remembers.

"Those were three of the best years of my life, and the greatest six years came after that in practice. It just keeps getting better. I love being a lawyer like I love to breathe," he exclaims.

Mahoney says that he even goes to bed with a tape recorder so that he can make notes about a case when he wakes up in the middle of the night.

Now he wants to pay tribute to all the people who brought him to his destiny.

"We have a big wall in the office, and on that wall will be painted a jury box in Salem Superior Court. The jury will have 12 people, my friends, my dad and some others who are gone now," Mahoney muses.

"There's going to be a lot of people in this room rooting for me, and it's the best way I can think of to honor their memory," Mahoney says smiling.

Mahoney is particularly wistful about his father.

"He just wanted me to have an education, but I was known more for scholastic indifference in my youth. The lessons he tried to teach me as a kid only made sense as an adult," he says.

Mahoney speaks slower and softer as he adds, "When I graduated from law school, I took a diploma to my father's grave and put it there with my son. It was sort of like making amends. I knew that somewhere he was very proud of me."

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