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## SERVICES

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- Litigation & Appeals
- Accidents & Injuries
- Construction Accident
- Insurance Defense
- Bad Faith/Insurance Law
- Personal Injury & Wrongful Death
- Dangerous Products
- Consumer Rights
- Directors & Officers' Liability
- Municipal Liability Defense
- Uninsured/Underinsured Motorist
- Medical Malpractice
- Professional & Legal Malpractice
- Products Liability
- Nursing Home Liability
- Premises Liability
- Dramshop Liability

# Jorge Franco, Jr.

Jorge Franco represents both plaintiffs and defendants in complex civil litigation cases ranging from insurance bad faith to professional malpractice, nursing home negligence, catastrophic injury/wrongful death, AZ Department of Child Safety ("DCS") Negligence [formerly known as Child Protective Services ("CPS")], as well as motorcycle, trucking and construction related injury cases. He has extensive experience representing businesses, insurance companies, individuals insured by insurance companies, self-insured companies, traffic control companies and municipalities as well as individual victims of torts in general including children and vulnerable adults.

Jorge joined the firm in 1996 and became a partner in 1998. Prior to joining the firm, he was a trial attorney for State Farm Insurance Co., with its in-house law firm, where he obtained extensive litigation and trial experience. Jorge holds certifications from the National Institute of Trial Advocacy (1995) and from the Arizona State Bar College of Trial Advocacy (1994).

In March 2007, Jorge was appointed as adjunct faculty to the Phoenix School of Law to teach general litigation and trial practice skills to third year law students. He also serves as adjunct faculty to the Sandra Day O'Connor Law School at Arizona State University where he teaches legal ethics and trial practice.

Since July 2013 Jorge has served as faculty and as a Board Member of the Arizona State Bar College of Trial Advocacy where he instructs lawyers on the topic of trial practice. He also serves as an instructor of the Arizona State Bar Course on Professionalism which is required of newly licensed lawyers and is offered 3 times per year.

Jorge has also been appointed as a Judge Pro Tem for the Superior Court in Maricopa County, Arizona.

Jorge has earned the AV Rating with Martindale Hubbell®. He is a Sustaining Member of Arizona's Finest Lawyers and is recognized among America's Top 100 High Stakes Litigators® for Arizona and America's Top 100 Civil Defense Litigators® for Arizona. He is also listed among Best Lawyers in America® by US News and World Report in the areas of insurance, litigation and personal injury and is recognized among Arizona's top 100 trial lawyers by National Trial Lawyers®.

## Representative Engagements

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- \$2,550,000 settlement (2019) against a medical transport company for the wrongful death of a vulnerable elderly patient whom they transported to the incorrect location and left outside exposed to the elements when no one answered the door to receive him.
- \$950,000 settlement (2018) against a nursing home for the wrongful death of an elderly patient/resident whom they lost after sending him to an off-site dialysis treatment.
- \$250,000 settlement (2016) against State of Arizona - Department of Child Safety (DCS f/k/a CPS) on behalf of a sexually abused minor whom DCS/CPS failed to protect.
- \$1,700,000 damages verdict (2016) in a case against the State of Arizona - Department of Public Safety (DPS) arising from DPS' negligent response to a collision, causing a severe secondary freeway accident.
- \$350,000 Medical malpractice settlement (2014) on behalf of a surgical patient who was permanently injured and scarred in a failed laparoscopic bilateral ovarian cystectomy.
- Defense Verdict (2012) on behalf of Maricopa County in a \$1,750,000 wrongful death case brought by the parents of a deceased teenage boy in a case alleging the negligent design of a county roadway.
- Defense Verdict (2010) on behalf of Maricopa County in a \$2,000,000 property damage lawsuit brought by the homeowners of a flooded property.
- \$5,000,000 medical malpractice wrongful death settlement (2010) on behalf of a deceased patient's wife and son resulting from the negligent administration of Fentanyl.
- \$875,000 Jury verdict (2009) against State of Arizona – Child Protective Services (CPS) on behalf of a father for the wrongful death of his daughter, which resulted from the neglect by her drug and alcohol dependent mother. This case resulted in the enactment of legislation known as Haley's Law.
- \$250,000 settlement (2009) against State of Arizona – Child Protective Services (CPS) on behalf of a mother for the wrongful death of her 5-year-old son who was given a lethal dose of prescription SOMA while in the custody of his disturbed father in an attempted murder/suicide.
- Directed verdict obtained (2008) on behalf of the Maricopa County Department of Transportation and Flood Control District in a \$1.5 million lawsuit brought by homeowners alleging property damage resulting from County roadway maintenance coupled with flood control issues.
- \$1,000,000 settlement (2008) against State of Arizona – Child Protective Services (CPS) on behalf of a young mother for the wrongful death of her two children killed by their father.
- \$752,500 settlement (2007) obtained against a Louisiana commercial motor carrier on behalf of a client who sustained catastrophic injuries in a freeway trucking accident where, after extensive lien negotiations, the settlement yielded a net equivalency of \$1 million for the client
- \$1,000,000 settlement (2006) against a Utah construction company, reached on behalf of a job foreman who sustained permanent and disfiguring leg burns and crush injuries when he was struck and pinned by an out-of-control piece of construction equipment.
- \$7,500,000 wrongful death verdict (2004) against State of Arizona – Child Protective Services (CPS) following the death and severe beating of two sisters ages 3 and 20 months. The largest Arizona tort trial verdict in 2004.

## **Representative Engagements (Cont.)**

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- Mr. Franco has also had vast experience representing traffic control companies and the traffic control industry in all aspects of their business and industry, from drafting or reviewing Non-Compete Agreements, to revising company policies and procedures, defending job site injury cases, representing them in contract disputes and administrative hearings, and offering general advice and guidance on everyday business, liability and risk management matters.
- Mr. Franco represents various restaurants and businesses in defending claims of negligence, sexual assault, dram shop liability, wrongful death and premises liability.
- Mr. Franco has also successfully defended and prosecuted numerous insurance bad faith claims, declaratory judgment actions and 1st and 3rd party vehicular accident cases.
- Mr. Franco also represents numerous public entities and municipalities in matters of general liability. Engagements include representation of flood control districts, irrigation districts, health care districts and departments, correctional health, Board of Supervisors and Department of Transportation.

## **Bar Admissions**

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- Arizona
- U.S. District Court District of Arizona
- U.S. Court of Appeals, Ninth Circuit
- U.S. Supreme Court

## **Education**

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- National Institute for Trial Advocacy, Cert. (1995)
- Arizona College of Trial Advocacy, Cert. (1994)
- Thomas M. Cooley Law School, J.D. (1991)
- Shippensburg University of Pennsylvania, B.A. (1985)

## **Honors and Awards**

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- AV Rating by Martindale Hubbell®
- Sustaining Member of Arizona's Finest Lawyers
- America's Top 100 High Stakes Litigators® for Arizona
- America's Top 100 Civil Defense Litigators® for Arizona
- Best Lawyers in America® by US News and World Report
- Arizona's top 100 Trial Lawyers by the National Trial Lawyers®
- Largest Arizona Tort Jury Verdict (2004)
- Top 10 Arizona Tort Jury Verdict (2016)

## **Professional Associations and Memberships**

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- State Bar of Arizona, Member
  - Trial Practice Section
  - Tort & Insurance Practice Section
- Maricopa County Bar Association, Member
- American Trial Lawyers Association, Member
- Defense Research Institute, Member
- Arizona Association of Defense Counsel, Member

## **Community Involvement**

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Jorge has been an avid and competitive tennis player for nearly 50 years. He is a life-long member of the United States Tennis Association (USTA) and serves on the organizational Board of the Arizona Tennis Classic, an annual ATP professional challenger level men's tennis tournament that takes place in Phoenix in March.

## **Languages**

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- Spanish