

**SAN DIEGO**

**JOURNALS**

# Attorney

Volume 190, 2019  
\$6.95

**What Does it Mean to Develop  
Your Personal Brand?**  
Lindsay Griffiths

**23 Secrets that  
Build Client Loyalty**  
Trey Ryder

**Why the Legal Industry Can  
Handle the Next Recession**  
Michelle L. Fivel  
and Robert Graff

**5 Keys to Effective  
Law Firm Divorce**  
Andrew Jillson

**How and Why Employers  
Use Recruiters**  
Joanna Herman

**Going In-House:  
What Law Firm Partners  
Need to Understand**  
Deborah Ben-Canaan  
and Lauren Drake

**Is the Sky Falling Yet?  
2019 Law Firms in  
Transition Survey**  
Merry Neitlich

**Attorney of the Month**

**Jeremiah Lowe,** Gomez Trial Attorneys

**Taking a Therapeutic Approach to Trial Law**



# TAKING A THERAPEUTIC APPROACH TO TRIAL LAW

## Concerns Over Unethical Business Practices Leads to a Career Providing a Voice for the Voiceless

**“Being able to stand up for those who cannot stand up for themselves is the greatest privilege in the world. While it often feels like a David vs. Goliath fight in the personal injury practice, especially with the continuous onslaught of tort reform, the feeling of triumph against all odds continues to inspire me,” says Jeremiah Lowe, Partner in Gomez Trial Attorneys.**

Lowe comes by those strong feelings naturally. His mother is a practicing therapist and his father is a trial lawyer. He vividly remembers seeing how they helped clients through traumatic life circumstances in completely different professions. “Seeing how they passionately fought for those who were in need of a voice, inspired me to do the same. Each of us focuses on our client’s true needs and on how we can best help them. It’s a very therapeutic approach to the law,” he says.

This therapeutic approach has led to Lowe having remarkable success in the courtroom. His most recent three trials over the last year have each resulted in seven figure verdicts, totaling approximately \$12,000,000. The most recent verdict was in April 2019, when he obtained a significant verdict in a lumbar spinal fusion case in excess of \$2,700,000. Lowe attributes his success in the courtroom to spending quality time with his clients outside of an office setting and getting to know their story on a deep level.

### ***PATH TO A CALLING***

The drive to speak for those who cannot speak for themselves through the law came while Lowe was working as a sales agent for a firm marketing debt consolidation packages to individual people and families struggling with dire financial stress. The firm sold goods and services based on a script rather than discovery of the clients’ real needs. He noticed that many dissatisfied customers were calling back three and four months after purchasing the product. Realizing the







existence of a serious problem, he quit and reported the firm to the Better Business Bureau.

“I immediately decided to go to law school. I knew my calling was to help victims of wrongdoing. I began law school with the thought that I want to be the voice for these people who are being taken advantage of—a voice for the voiceless.

During law school, Lowe worked for Craig McClellan and John Gomez as a second year law clerk. After graduating law school, Lowe continued working for McClellan but had a rude awakening as a first year attorney when suddenly faced with the responsibilities and stress of being an attorney with the lives of others in his hands. At times he felt overwhelmed and inadequate he says. “I knew that if I wanted to excel, I would have to work harder than anyone in the room and hone my litigation skills. It was that experience of failure and awesome sense of responsibility that ultimately led to tremendous growth and ultimately the success I have had in this practice.”

Lowe went on to work with Walters & Caietti where he learned the defense side of litigation. While the experience at Walters & Caietti was a positive one, he understood that representing insurance companies was not the career he wanted to pursue. He wanted to be on the side of the people. John Gomez called in 2009 to offer a position in his expanding plaintiff’s personal injury practice. “That decision was a ‘no brainer’ for me Lowe says. ‘I knew I could learn so much from John. It has been a true privilege working for John over the last ten years with an amazing group of lawyers. It is a total team environment.’”

Over the years Lowe’s practice areas have evolved. For the past several years he has specialized in spinal and orthopedic injury cases, as well as other catastrophic injury cases. He has also developed a niche practice area pursuing wrongful death cases against for-profit residential drug and alcohol treatment providers. A key motivation to pursue that niche was a 2018 case involving a man who sought help from a residential drug and alcohol treatment provider. The decedent, Shaun Reyna, died within 24 hours of entering the defendants’ program. The jury ultimately held the treatment company responsible and returned a verdict awarding the family \$7 million dollars.

Lowe says that this \$35 billion dollar a year industry is tainted by fraud and neglect, with companies preying on some of the most vulnerable and desperate people in society. Such companies make a lot of money warehousing extremely vulnerable people who need specialized medical attention and care. He believes the families of these people are victims, too. They trust these companies to take care of their loved ones. It is the ultimate betrayal. “It boils down to companies promising specialized medical care to these individuals and ultimately not having the resources, doctors, and sometimes not even the proper license to provide that level of care. And people are needlessly dying as a result. I’m very passionate about helping victims of corporate greed in the drug addiction/treatment industry, because what you have in this industry is for-profit businesses coming in and taking advantage of people who are most vulnerable and in need of help,” Lowe says.

## **A \$4 MILLION FRENCH FRY**

A formative case with a dramatic impact on the direction of Lowe’s career occurred during his first year with Gomez Trial Attorneys. The firm represented a catastrophically brain injured girl, Ashley, who had been involved in a head on crash with another vehicle that had been rear ended, tossing the vehicle into their client’s lane of travel. The challenge was trying the case against the driver who had been hit from behind. Through forensic evidence they were able to prove that the defendant had actually engaged in hard braking, which was the catalyst for the rear end impact.

Aside from liability, a key dispute in the case was the girl’s life expectancy. The defense did not dispute that she needed full time assisted care, but took the position that because she could not feed herself, her life expectancy was substantially less than a life expectancy of someone who could feed herself. The difference in life expectancy translated to a difference of approximately \$4 million in the competing life care plans.

The defense expert testified about Ashley’s reduced life expectancy based on her inability to feed herself. When the session broke for lunch, Lowe observed Ashley struggling to put a French fry into her mouth. Having spent so much time with her, he knew she could do it. He immediately pulled out his phone and started recording. “I watched as Ashley struggled to slowly pick up a French fry and ultimately put it in her mouth. While it was obviously difficult for her to do, she was heroic.”

Following the lunch break, Lowe was put on the stand where he testified about the foundation for the video. When the defense expert resumed the stand and was presented with the video, he changed his opinion and extended her life expectancy, adding \$4 million back into the life care plan. Lowe says, “We talked about that moment as the “\$4 million French fry.”

## **360 DEGREE CLIENT SERVICE**

Lowe credits much of his success and that of Gomez Trial Attorneys to two key factors: credibility in the courtroom and an exceptional attention to client service.

He says, “I do think there is an importance to credibility in the courtroom. If someone is looking for a lawyer, they should ask the lawyer if they go to trial. Do they try cases? If you never try cases, why would an insurance company pay you, the full amount of justice, when they know you’re not going to take them to the mat? The insurance adjusters I deal with know I’ll take the case to trial. That knowledge leads to better recoveries. If an attorney never goes to trial, the adjusters know that.”

He firmly believes that client service goes beyond representation in court or negotiations or in giving legal advice. “It is not just about what I’m going to do to get you the biggest recovery. It’s about how I am navigating your needs throughout the process—making sure you’re getting to the right doctors, getting the right care, being protected in your job. It’s all about knowing the client and addressing their needs. I look to provide 360 degree client service, not just “here’s what we’re doing on the case.”







Lowe emphasizes that an attorney must be present in the moment and mindful about what is going on in trial, but equally important is a clear insight into the true needs of the client. He focuses his time and energy in getting to know clients and their stories on a deep level by spending time with them and their families outside of the office. By forming a relationship with them, he believes he is much better at telling their story. “At the end of the day the case isn’t about us, it’s about our clients. If you don’t take the time to get to know your client, you cannot provide them with the best representation. This is a client-oriented business and the client is everything.

Clients and other attorneys agree on Lowe’s abilities. Norman Pokorny, Esq. wrote a tribute stating, “I recently had the pleasure of trying a very difficult case with Jeremiah. He is a true professional and a seasoned trial attorney. His courtroom skills in combination with his work ethic make him unstoppable. We were successful on behalf of our client and the jury awarded more than twice the defendants’ top offer. Jeremiah always has the client’s interest at heart and fights to ensure that justice is done. He is the type of trial attorney you always want on your side.”

### **LIVING IN AND GIVING BACK TO SAN DIEGO**

Lowe has been a San Diego resident since 2002. He and his wife, Sarah, were married in 2012. They have a 5 year old daughter, Natalie, and a six month old daughter, Emily.

For the last three years he has served as a co-chair for Consumer Attorney of San Diego’s outreach committee. He, and other members of the firm, are involved in non-profit organizations throughout San Diego including the San Diego Brain Injury Foundation and the Orthopedic Spine Injury Association. The firm is active in reading to kids in school, community clean ups, supporting charity walks and runs, speaking and teaching at law schools, providing free legal education to young lawyers in San Diego and other worthy causes.

His greatest interest outside of work is spending time with family—daddy/daughter dates, going to the beach as a family, doing gymnastics, walking in the dog parks, or just running errands together makes for a good day. “As long as I’m with my family, my day is a good one.” he says. His outside interests include snowboarding and wakeboarding.

His commitment to staying active in his career, community, and family is something he credits to his parents. “My parents have always been integral to my success. They taught me at an early age the importance of being passionate about life, including what I want to do for a living. If you don’t love what you do, do something else. Life is too short to settle on anything in life,” he says. ■

#### **Contact**

Jeremiah Lowe  
Gomez Trial Attorneys  
655 West Broadway, Suite 1700  
San Diego, CA 92101  
619-237-3490  
www.TheGomezFirm.com

## **EXPERIENCE**



© Bauman Photographers

### » **EDUCATION**

- J.D. – California Western School of Law (2005)
- CWSL Trial Team
- BA, Communications, Arizona State University, Cum Laude (2001)

### » **HONORS AND AWARDS**

- 2019 – National Trial Lawyers - Top 100 Lawyers
- 2018 – One of the Top 50 verdicts in CA - VerdictSearch
- 2018 – Two Cover Story Feature Verdicts - VerdictSearch
- 2017 – CASD Outstanding Trial Lawyer Award (OTLA)
- 2016-2019 – Selected by *Super Lawyers* as a “Super Lawyer”
- 2015 – Selected by *Super Lawyers* as a “Rising Star”
- 2012-2013 – Selected by the *Daily Transcript* as a “Top Attorney”
- 2010 – Manuel Wiley Award for Pro Bono Services

### » **PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS**

- 2013-Present – CASD Board of Directors
- Consumer Attorneys of California
- American Association for Justice (AAJ)
- San Diego Brain Injury Foundation
- Automotive Information Exchange Group (AIEG)
- US District Court Southern District of California
- California Lawyers Association
- The State Bar of California
- San Diego Bar Association

### » **GIVING BACK**

- 2016-2019 – Co-Chair of CASD Outreach
- Orthopedic Spine Injury Association – Board of Directors