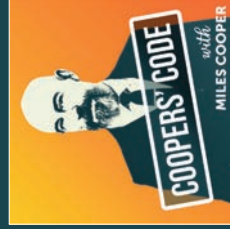


This is a newsletter prepared by lawyers to apprise folks about the law, cases, safety, and significant events. Coopers LLP has lawyers licensed in California, Oregon, and Washington state, and accepts referrals and co-counsel opportunities to better serve the plaintiff community.

Free YouTube Studio Course: Lifecycle of a Case



This course breaks down the real process of civil litigation from the inside, showing how real-world cases evolve step by step. Great for law students, new lawyers, and anyone curious about the subject.



Scan the QR code to go to
our YouTube playlist.



COOPERS LLP
TRIAL LAWYERS

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San Francisco, CA 94114

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COOPERS' COUNSEL

Stories, case studies, and practice pointers
from personal injury law experts

ISSUE #8 | WINTER 2026



COOPERS LLP
TRIAL LAWYERS

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Coopers LLP helps seriously injured people and accepts referrals and co-counsel opportunities from lawyers. We excel in strategizing. Have a matter you'd like to brainstorm? **Call or text us at 866-912-2789.**

Coopers LLP has lawyers licensed in California, Oregon, and Washington state, and can affiliate with local counsel on matters where Coopers can make the difference.

Visit us at coopers.law.

A LETTER FROM THE COOPERS



A successful legal practice is built on the unwavering belief in the righteousness of our clients' causes. This issue of *Coopers' Counsel* explores the core elements required to transform that conviction into tangible victory – from deep investigation to steadfast faith in the face of long odds.

We lead with our latest Case Spotlight, detailing how methodical investigation and expert testimony overcame a powerful causation defense in a public property case, securing an \$890,000 settlement. Our Practice Pointer for this issue, "You Gotta Have Faith," dives into the necessity of developing an unshakeable belief in your case as the ultimate deterrent against pig-headed opposition. We also take a deep dive into the digital courtroom in our *Coopers' Code* feature, where we explore the landmark \$329 million Tesla Autopilot verdict and the battle to uncover crucial data. Finally, we celebrate Partner Kimberly Wong's reappointment to the CAOC Board of Directors through 2026 and reflect on our community's generous spirit through the Supermarket Street Sweep.

We hope this issue provides valuable insights and sparks new ideas for your own practice. At Coopers LLP, we're passionate about helping the seriously injured, and we are always open to collaborating through referrals and co-counsel opportunities. If you have a matter you'd like to brainstorm, please call or text us.

*Happy hunting,
M&M*

Miles B. Cooper, Maryanne B. Cooper, and everyone at Coopers LLP

CASE SPOTLIGHT

FALLING TREE SHATTERS FAMILY OUTING

Overcoming defense tactics to hold a municipality accountable

Coopers LLP recently secured an \$890,000 settlement on behalf of a mother and her two young daughters after a dangerous public property condition left the mother with life-altering spinal injuries. Our team's thorough investigation and expert medical causation testimony were able to overcome a powerful defense that focused on the client's medical history and treatment gaps.



Our investigation revealed that the tree was not native and was prone to breaking.

A day at the park turns to tragedy

The incident occurred in June 2021 when our client, whom we will refer to as Jane Doe, was enjoying a Sunday afternoon with her daughters, aged 5 and 10, at a neighborhood park owned by a local Municipality.

While the children played, Jane sat at a picnic table beneath a large, end-heavy Chinese elm tree. Suddenly, without warning, a massive tree branch snapped and plummeted downward, striking Jane's spine. The impact fractured four of her vertebrae (L1-L4 transverse processes) and knocked her to the ground. Her daughters, though not directly hit, witnessed their mother immediately screaming in pain and terror.

Jane was rushed to the hospital with 10/10 pain and spent a week admitted, unable to walk or lie flat. She required a back brace, a walker upon discharge, and months of intensive care from her husband to manage her basic needs. In the years that followed, she suffered from debilitating, constant back pain and crippling anxiety she had never experienced before.

Identifying the dangerous condition

The Coopers team immediately recognized the legal claim: the local Municipality was liable for maintaining a dangerous condition of public property. Our investigation revealed that the Chinese elm tree was not native to the area and was prone to breaking. Repeated, inadequate top and side trimming by utility workers had created unstable, end-heavy branches, and the City's tree inspection system was reactive rather than preventive. The danger was foreseeable, and the City failed to act.

Fighting the causation defense

The defense was prepared to fight the claim aggressively, using two main hurdles to argue that the Municipality's negligence was not the cause of Jane Doe's current suffering:

- 1. Pre-existing condition:** The defense pointed to Jane's medical history, which included intermittent low back pain and an MRI showing a minor disc bulge years before the incident. The defense argued that her current severe pain and disability were simply a continuation of her pre-existing condition.
- 2. Gap in treatment:** The defense further argued that Jane had a substantial gap in seeking specific pain management treatment after the initial physical therapy. This allowed them to assert that any pain she felt now was related to her pre-existing issues or her lack of consistent, immediate care, rather than the original trauma.

The winning strategy

To overcome these arguments, the Coopers team relied on comprehensive medical and lay witness testimony:

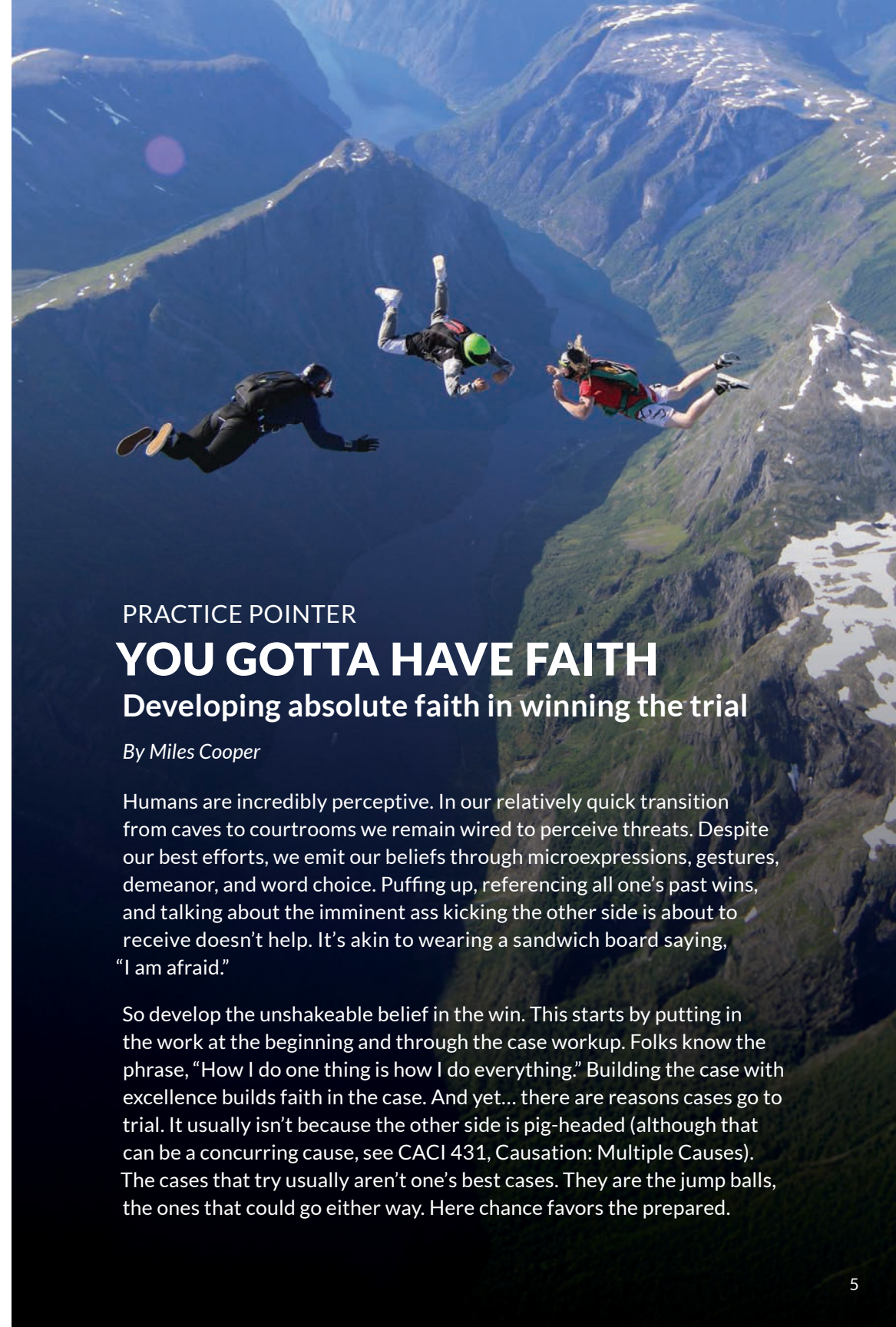
- **Establishing a new baseline:** We used extensive photo and video evidence to show Jane Doe was an active, healthy woman before the incident – jogging, hiking, and lifting her children – despite her intermittent back pain. Her post-incident life, requiring a spinal cord stimulator and constant medication, was a complete break from her prior physical activity, proving that the falling branch created a new, constant, and permanent injury.
- **Connecting pain to trauma:** We connected Jane’s continuing pain to the L1–L4 fractures caused by the impact. Furthermore, we argued that the anxiety and emotional distress suffered by Jane and her daughters stemmed directly from the traumatic, life-altering experience of the injury and witnessing her immediate suffering.

By demonstrating that the injury was the sole proximate cause of Jane’s current constant pain, and by preparing for trial with robust medical testimony, Coopers LLP forced the Municipality to recognize their exposure.

After hard-fought negotiations, our team secured a settlement of \$890,000 to cover Jane’s past and future medical expenses and to compensate the family for their pain and suffering.

Prosecuting attorneys: Kimberly Wong, Maryanne Cooper, and Miles Cooper of Coopers LLP.

Have you been injured due to someone else’s negligence? If you or a loved one has been involved in an accident resulting in serious injury or wrongful death, Coopers LLP is here to help. Contact our experienced personal injury attorneys today for a free consultation.
coopers.law | 866-912-2789 | hello@coopers.law



PRACTICE POINTER

YOU GOTTA HAVE FAITH

Developing absolute faith in winning the trial

By Miles Cooper

Humans are incredibly perceptive. In our relatively quick transition from caves to courtrooms we remain wired to perceive threats. Despite our best efforts, we emit our beliefs through microexpressions, gestures, demeanor, and word choice. Puffing up, referencing all one’s past wins, and talking about the imminent ass kicking the other side is about to receive doesn’t help. It’s akin to wearing a sandwich board saying, “I am afraid.”

So develop the unshakeable belief in the win. This starts by putting in the work at the beginning and through the case workup. Folks know the phrase, “How I do one thing is how I do everything.” Building the case with excellence builds faith in the case. And yet... there are reasons cases go to trial. It usually isn’t because the other side is pig-headed (although that can be a concurring cause, see CACI 431, Causation: Multiple Causes). The cases that try usually aren’t one’s best cases. They are the jump balls, the ones that could go either way. Here chance favors the prepared.

Zealots

One needs to believe with religious fervor in the win, while methodically cataloging (and determining how to overcome) every reason the defense thinks one will lose. With each bad fact determine if it can be turned to one's advantage, kept out of trial on an evidentiary basis, or embraced to help build one's own credibility. It's easy to bat down facts one disagrees with. But getting genuinely curious about exactly why the defense thinks these facts matter can help one build the necessary arguments to overcome these facts.

One tool that can be helpful in overcoming nagging doubts is running through a fear-setting exercise. Various folks have their spin on how to do this. Of the many, Tim Ferriss has an easy module to follow (see: tim.blog/2017/05/15/fear-setting). The exercise helps one confront one's fears and work through them.

Ground control to Major Tom

Sometimes that's not enough. Time for a vision quest. There are long ways and short ways to do this. The long way is to take the case file and get off grid — preferably somewhere one cannot be reached easily that's in nature. Some examples? The West Point Inn on the side of Mount Tamalpais. Somewhere in West Marin. A cabin in the Eastern Sierra. Not quite full Unabomber but close. Wallow in the case like a pig wallows in mud — everything is the case. At some point in this process go for a walk. It's time to ask the question: do I believe? The shorter version is to clear one's mind and take that same walk, again in nature (even if that's simply the biggest nearby park available). "Do I believe? Down to my bones?" The answer, after the work, will be yes.

In rare circumstances, one can search one's soul and find that the answer is no. That's a problem. Consult with one of the many trial greats who are willing to step into a case to see if someone can take over. Re-evaluate settlement options, if good ones exist. It is wise to do this vision quest well before the trial date to allow for time to pivot. The last thing one should do is head into trial sweating out doubt. If one cannot co-counsel or settle, one has no choice but to build that belief from scratch. Watch *300* and *The Verdict*, blast walk-on music, and accept the honor. Of the tens of thousands of lawyers, your client chose you. Your knowledge, skill, and talent brought you to where you are now — a trial lawyer. Step into that arena, get bloodied, and win the damn case.



Sometimes fear-setting isn't enough. Time for a vision quest.

Team player

These days most trials are more than a lone gunslinger carrying a banker's box into a courtroom. They require a team. Anyone presenting before the jury requires the same winning conviction. If it's not there, the team member also needs a vision quest. And here it's the trial lawyer's obligation to shout call. "If there is any doubt, there is no doubt," is an oft-cited quote from Robert De Niro's character in *Ronin*. A doubting team member should be substituted off the team. Recognize that there remains a place for theory-testing, pushing back, and preparing to counter defense arguments. There's a difference between being a yes person and a doubter, however. You and your team must be committed to helping the jury make the right decision in the case.

A version of this article originally appeared in Plaintiff magazine, where Miles has written his monthly Back Story column for almost 15 years. Interested in Plaintiff and its coverage? Read more at plaintiffmagazine.com.

COOPERS' CODE

\$329 MILLION VICTORY AGAINST TESLA

A missing computer, a Russian hacker,
and the truth about Tesla Autopilot



*Trial attorney Brett Schreiber
of Singleton Schreiber LLP*

The civil justice system is constantly adapting to the digital age, and few cases illustrate this challenge better than the first jury verdict holding Tesla liable for an Autopilot defect.

In the latest, must-listen two-part series on our Coopers' Code podcast, Miles Cooper sits down for an after-action review with trial master Brett Schreiber, Partner at Singleton Schreiber, who broke down this landmark case. The result: a unanimous Florida federal jury judgment totaling a staggering \$329 million. This isn't just a verdict; it's a masterclass in modern product liability.

The first episode takes you behind the scenes of the crash investigation and the discovery fight that built the foundation for the historic win. Listeners will hear about the technical misdirection the defense used, including Tesla's insistence that Autopilot was not involved in the crash.

The real story, however, hinges on detective work:

- **The missing data:** Learn how the crucial Autopilot computer went missing.
- **The unconventional expert:** Discover how Coopers' Code guest Brett Schreiber had to employ a Russian hacker to recover the flight data Tesla claimed never existed.
- **The modern battleground:** Brett explains why understanding algorithmic decision making is now central to modern product liability cases.

This part is a blueprint for trial lawyers on how persistence and strategic choices can cut through technical denial and expose the truth.

In Part 2, the action moves inside the courtroom, detailing the strategic choices that drove this massive result.

Brett walks us through the intense pressure of a rapid-fire jury selection and the strategy used to simplify complex engineering evidence for the jury. He reveals the moments when Tesla's own decisions opened the door to devastating testimony and evidence, including:

- **"Elon's greatest hits":** Find out how the company founder's own public statements became powerful trial exhibits in the courtroom.
- **Framing punishment:** Learn how Brett framed the punitive damages request to the jury, asking them to send a message by docking the company the equivalent of "one week of earnings."
- **The power of narrative:** The episode closes with Brett's hard-won lessons on crafting a winning narrative, the nature of proof, and the critical lesson that in the digital world, nothing is ever truly deleted.

This is a two-part educational opportunity for anyone interested in consumer safety, corporate accountability, and the future of complex litigation.



Don't miss this landmark after-action review.
Scan the QR code to go to Part 1.

TEAM STORY

KIMBERLY WONG NAMED TO CAOC BOARD OF DIRECTORS

Continuing to protect consumer rights

We're proud to announce that Coopers LLP Partner and Litigation Manager, Kimberly Wong, will continue her dedicated service on the Consumer Attorneys of California (CAOC) Board of Directors throughout 2026.

This appointment extends Kimberly's noteworthy tenure of leadership within the organization, which represents the interests of Californians seeking accountability from wrongdoers.

A storied history of advocacy

For those unfamiliar with her work, Kimberly is a cornerstone of our firm and a highly respected plaintiff's attorney in the Bay Area, where she was born and raised. For 18 years, she has dedicated her practice to representing individuals and families in life-altering personal injury and wrongful death cases, including those involving workplace and construction site injuries, defective products, and dangerous roadways.

Known for her strategic, pragmatic, and creative ability to achieve successful outcomes, Kimberly takes a deeply client-centered approach to litigation. Her clients consistently describe her as a tireless, honest, and compassionate advocate who ensures they receive quality legal representation and just compensation.

Leadership and achievements

Kimberly's expertise has been recognized nationally and locally through numerous accolades and leadership positions. To name but a few:

- Presidential Award of Merit (issued by CAOC in 2018 and 2024)
- Unity Award (issued by the Minority Bar Coalition in 2019)

A history of service to CAOC

Kimberly's selection for the 2026 Board of Directors is a continuation of her extensive leadership service to the Consumer Attorneys of California and the wider legal community. Her previous roles have been instrumental in shaping the organization's efforts and include:

- CAOC Executive Committee (2018 & 2024)
- Diversity Committee Board (2016–2019, Chair in 2018)
- Women's Caucus Board (2019–2024, Chair in 2023)

Congratulations, Kimberly, on continuing the important work of protecting consumer rights and advancing justice across the state of California.



Coopers LLP Partner and Litigation Manager Kimberly Wong.

COMMUNITY

STEPPING UP AT THE SUPER-MARKET STREET SWEEP

The Coopers team comes together for a cause

Driven by our deep organizational commitment to fighting hunger in our own backyard, Coopers LLP (through our Bicycle Law brand) was incredibly proud to spearhead the 18th edition of the Supermarket Street Sweep: a grocery scavenger hunt on two wheels benefiting the SF-Marin Food Bank. The event saw the biggest turnout and donations since its pre-pandemic heyday, a true testament to the dedication of our team and the generosity of our many supporters.

Coopers LLP firmly believes that a thriving community starts with ensuring people are fed, especially at a time when SNAP cuts threatened to starve our at-risk neighbors. This year's success was powered by the essential contributions of our own Coopers team members, who organized, promoted, and staffed the Sweep with their trademark dedication.

A heartfelt thank you also goes out to everyone from the community who donated, fundraised, raced, and volunteered. You all stepped up to make a difference when our neighbors needed it most.

The SF-Marin Food Bank does great work all year. Visit their website (sfmfoodbank.org) if you ever want to donate or volunteer.

Missed out? Join us next year! Watch supermarketstreetsweep.com or our Instagram ([@bicycle.law](https://www.instagram.com/bicycle.law)) for updates.



It takes a village to make this party happen. Photo: Erik Mathy / @erikhmathy



Top: Pre-race announcements. Bottom: Miles getting in on the fun. Photos: Erik Mathy / @erikhmathy

RESULTS



4,800

lbs of food brought in



\$11,290

raised through online campaigns and ticket sales



141

racers



29

volunteers

