



The Law Firm of

## Kitrick, Lewis & Harris

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### About the Enclosed

Thank you for taking time to review information about my legal career as well as my law firm, Kitrick, Lewis & Harris Co., L.P.A. The referral of a potential client is a great honor. I hope the enclosed information provides you with important insight, comfort and trust.

1

#### **ABOUT MARK KITRICK AND THE FIRM**

Mark Kitrick has led an interesting life in addition to an amazing law career.

[CLICK HERE TO READ HIS CURRICULUM VITAE.](#)

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2

### Courtroom Victories

#### **A CROSS-EXAMINATION IN THE CASE, C&R, INC. VS. LIBERTY MUTUAL INSURANCE CO.**

Read Kitrick's cross-examination of the main defendant-agent. Attorney Doug Roberts requested Kitrick as co-counsel to try the bad faith claim against his client's insurance agent and the agent's employer, Liberty Mutual. Upon cross-examination, he was able to get the agent to admit to making a false statement. The case settled as Kitrick began his closing argument. At stake was a \$1 million UM/UDM policy.

[CLICK HERE TO READ MORE.](#)

#### **THE CLOSING ARGUMENT IN NEMETH VS. CONTE.**

Kitrick recants this as a highly difficult soft tissue case with all preexisting issues. The Fairfield County (Ohio) jury awarded close to \$90,000, most of it for pain and suffering. At that time, it was the highest soft tissue verdict in the county.

[CLICK HERE TO READ MORE.](#)

#### **A CROSS-EXAMINATION IN THE CASE, CRAIG SALONSKY VS. RICHARD BIDWELL.**

Enjoy Kitrick's cross of the defendant's accident reconstruction expert which led to the expert's admission that if the defendant had not been speeding, the Plaintiff never would have been hit. This admission allowed the jury to find in favor of the Plaintiff who the defendant had in fact countersued.

[CLICK HERE TO READ MORE.](#)

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3

### Scholarly Articles

**COLUMBUS BAR ASSOCIATION BRIEFS:** This is a compilation of Kitrick's legal history articles for the Columbus Bar Association.

[CLICK HERE TO READ MORE.](#)

**BOOK EXCERPT:** Kitrick's contribution to the book, *Bouncebacks! Medical and Legal*. Written by ER doctors. [CLICK HERE TO READ MORE.](#)

**TRIAL MAGAZINE:** One of Kitrick's most recently published articles appears in the March 2015 issue of *Trial*: "Looking Inside Your Own Mind." [CLICK HERE TO READ MORE.](#)

**JOURNAL ARTICLE:** Kitrick coauthored a medical records journal report, "Inaccurate Medical Records: Ramifications and Remedies," (*Ohio Trial*, Spring 2012). [CLICK HERE TO READ MORE.](#)

**OHIO ASSOCIATION FOR JUSTICE ARTICLES:** A compilation of Kitrick's articles as OAJ president. [CLICK HERE TO READ MORE.](#)

**THE EMERGENCE OF RESORT TORTS: A BASIC PRIMER:** This is one of Kitrick's national lectures on the dangers of resorts and the emerging lawsuits surrounding various activities that resorts support. [CLICK HERE TO READ MORE.](#)

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4

### Safety Publications

**ARTICLE IN THE SAFETY REPORT:** "Sulfites – Are You Allergic to this Common Preservative?" This article delves into the unknown but dangerous allergen, sulfite. [CLICK HERE TO READ MORE.](#)

**KITRICK, LEWIS & HARRIS' LIVING SAFER MAGAZINE:** Each quarter, the firm publishes a full color, 64-page magazine – dedicated to all things safety. [CLICK HERE TO READ MORE.](#)

**ARTICLE IN LIVING SAFER:** "Developing Your Situational Awareness and Basic Survival Action." In this article, Kitrick discusses the meaning of 'Situational Awareness', how to develop SA and provides basic survival skills to help you stay safe. [CLICK HERE TO READ MORE.](#)

**ARTICLE IN COLUMBUS BAR LAWYERS QUARTERLY:** "Sports and Concussions: Protecting Our Brains." Kitrick is a huge advocate for brain injury safety. In the summer of 2017, he was published in the *Columbus Bar Lawyers Quarterly* where he provides expert information about concussions and the connection with sports. He also provides safety information on how to prevent brain injuries. [CLICK HERE TO READ MORE.](#)

**LEGAL CONNECTIONS BY THE COLUMBUS BAR ASSOCIATION:** "Cycle Safety Around the City." Kitrick discusses bicycle safety in and around the city. In the Q&A, Kitrick provides tips on bicycle safety and lists some of the most dangerous places to ride. [CLICK HERE TO READ MORE.](#)

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5

### Extracurriculars

**EXPOSE IN ENTERTAINMENT COLUMBUS.** Kitrick is a composer/musician/producer, releasing two albums: *Blue Shift* (2001) and *Sidebar* (2008). He also is a featured musician in various bands, playing jazz, rock, guitar and piano. [CLICK HERE TO READ MORE.](#)

**A MASTER IN MARTIAL ARTS.** Kitrick is a long-term master instructor in Tomiki Aikido; seventh-degree black belt; weapons instructor - Jodo, third-degree black belt; and instructor of Okinawan Karate, Shorin Ryu, black belt.

### CROSS FIT TRAINING

### ROCK CLIMBING

### ISRAELI COUNTER TERRORIST TRAINING – PISTOL/RIFLE/KRAV MAGA]

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## Curriculum Vitae

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- Listed in *The Best Lawyers in America* since 2001
- **2014 Lawyer of the Year Award**-Personal Injury Litigation-Plaintiffs
- AV Rated *Martindale-Hubbell "25th Anniversary"*
- **Business First** - The Verdict - Top Attorney in Litigation and Personal Injury
- Listed in *2019 Top 100 Ohio Super Lawyers*
- Listed in *2019 Top 50 Columbus Super Lawyers*
- **Tier 1 Best Law Firm** by US News & World Report
- [Business First - 20 Lawyers to Know](#)

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Mark Kitrick lectures on numerous topics including serious injury and wrongful death, intentional torts, selecting juries, damages, subrogation, class actions, medical malpractice, depositions, emergency room errors, aviation crashes, neuroscience and human biases, resort torts and distracted driving.

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### Education

- 1973 - *First Honors* College Prep, St. Xavier High School, Cincinnati, Ohio
- 1977 - B.A. Psychology, *Cum Laude*, University of Cincinnati, Cincinnati, Ohio
- 1981 - J.D. Degree, University of Dayton, Dayton, Ohio

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### Licenses

- State of **Ohio** (11/1981) - License #0000021
- State of **New York** (9/1995) - License #2703031
- State of **Washington** (5/2004) - License #34717
- Admitted to Southern (1/1987) and Northern District Courts of Ohio (3/1995)
- Admitted to practice in the **United States Supreme Court** (2/1998)
- State of **Texas** (7/2010) - License #24072625

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### Associations, Trusteeships, Volunteer Work

- **American Association for Justice** member of the Board of Governors (2008-2019) representing Ohio; Budget Committee Chair - elected three terms (2011-2016), member of the Budget Committee (2010-2020), Evergreen Advisory Board (2016-2019), Sexual Assault Litigation Group, Class Action Litigation Group, National Finance Committee, Committee for a Better Future; Press Advisory Committee, AAJ PAC Committee, Public Affairs Committee, and Subcommittee regarding ERISA and Medicare, Retirement Committee, Executive Committee (7 years in a row), Audit Committee, and Organizational Review Committee (2011-2014)



### MARK KITRICK

President/Founder

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## Curriculum Vitae *continued*

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- **Ohio Association for Justice (OAJ)** and **Ohio Association for Justice Educational Foundation**, (formerly the Ohio Academy of Trial Lawyers - OATL), Advocate (2011), Board of Governors to AAJ (2009-2016), President (2007-2008); President-Elect (2006-2007); Vice President (2005-2006); Officer-Secretary (2004-2005), Officer-Treasurer (2003-2004), Fundraising Chair (2003-2004), Amicus Chair (2002-2004). Past Chair of Negligence Law, Chair of the Coalition Committee, and Chair of the Trustee-at-Large from 1996 to the present; Nominating Committee (2013)
- **Ohio State Bar Foundation (OSBF)** - President-Elect (2019), elected to Board of Trustees, two terms (2015-2021); Development Committee Chair (2015-2018); Audit & Finance Committee (2018); Executive Committee (2016-2019); Membership Committee (2016-2017); Grants Committee (2011-2012 & 2013-2016); Awards Committee (2015-2016); Sponsorship Ad Hoc Committee Chair (2015)
- **American Board of Trial Advocates** - President-Elect (2019), Ohio Chapter (ABOTA) - past Officer-Secretary (2018); elected to Board of Trustees (2015-present); elected Treasurer (2017-2018)
- **MADD** - Victim Services (2013) & Amicus Committee (2014-2016)
- **Plaintiff's Member of the Working Committee for the Court of Claims**, State of Ohio (2012 to present)
- **Ohio Dominican University** - Guest Professor-Ethics, Law & Policy-Civil Justice Overview
- **Distracted Driving** - Volunteer Lecturer-Variou High Schools "60 for Safety" (2012 to present)
- **Puffin Foundation West** - Treasurer (2011-present)
- **Franklin County Trial Lawyers Association (FCTLA)** - **Now Central Ohio Association for Justice**, President - (past positions include President and Vice President, Treasurer, Secretary, and then trustee for several years); Chair and Co-Chair, Membership Committee (2003-2004)
- **Columbus Bar Association** - Elected twice to the Board of Governors; member of the Law 2010 Committee and Columbus Bar Foundation Audit Committee, as well as liaison to Environmental Law, ADR, Real Property and Small Firm Committees (2004-2007-two terms)
- **Ohio State Bar Association** - Public Outreach Committee Member (2008-2009)
- **Art Acquisition Committee** for Franklin County Courthouse (2008-2009)
- **Minor Settlements and Wrongful Death Claims Committee** - Franklin County, Ohio (2009)
- **Ohio State Bar Association Foundation's 2006 Fellows Class**, Keys to the Courtroom, a project for the working poor
- **126<sup>th</sup> General Assembly** - Member of the Ohio Subrogation Rights Commission (2005)
- Trustee, **Short North Neighborhood Foundation** (2000-2002)

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## Curriculum Vitae *continued*

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- Trustee, **Dominican Home Health Agency** (1996-1999)
- Volunteer Judge, **Jessup International Law Competition**, Ohio State University Law School (1993-1999)
- Co-Chairperson for Committee for **Children Conflict Resolution through Mediation termed "Schoolutions."** Created by Mark and Java Kitrick. This Committee was supported by the Office of the Governor with the goal of integrating in schools the process whereby children learn how to resolve their own problems through mediation (1990-1993 pro bono)
- Volunteer legal instructor at **Westminster Retirement Community**. Lecturer on wills, trusts, estates and guardianships and various topics regarding seniors. (1984-1992 pro bono)
- Volunteer Mediator for the **Peace Exhibition, Ohio State Fair** (August 1989 pro bono)
- Volunteer Mediator for Settlement Week for **Franklin County Court of Common Pleas** and **Franklin County Municipal Court** (1987-1995)
- Moot Court Judge/Advisor for the **National Moot Court Team, Capital University Law School** (1981-1982, Spring 1988 and Fall 1989). Court-appointed Chief Arbitrator for Rule 65 Arbitrations in **Franklin County Court of Common Pleas** (1984-1985)

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### Legal Memberships

- Ohio State Bar Foundation (OSBF - President-Elect (2019), elected to the Board of Governors); Executive Committee (2017-2019)
- Ohio Association for Justice (Past President, 2006; current member of the Board and Ohio Board of Governor to the American Association for Justice)
- American Association for Justice (formerly ATLA) (serving on 8 committees); Executive Committee (7 years in a row)
- American Association for Justice - Leaders Forum
- American Board of Trial Advocates (ABOTA - President-Elect (2019), elected to the Board of Trustees); Officer currently; Secretary (2018); Treasurer (2017)
- Central Ohio Association for Justice (formerly FCTLA-Past President)
- National Crime Victims Bar Association
- National Order of the Barristers - Lifetime Advocacy Accomplishments
- The Melvin M. Belli Society
- Ohio State Bar Association
- Columbus Bar Association (elected to the CBA Board of Governors 2 times)
- National Association of Consumer Advocates
- National Crime Victims Bar Association
- Injury Board (and Distracted Driving Lecturer)
- Columbus Bar Foundation *Fellow*
- American Bar Association
- Western Trial Lawyers Association

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## Curriculum Vitae *continued*

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### Sample of Publications

- Co-Author of "Should You Argue or Tell a Story?" (*Columbus Bar Lawyers Quarterly*, Summer 2019)
- Co-Author of "Theme: The Heart of Your Legal Writing" (*Columbus Bar Lawyers Quarterly*, Winter 2019)
- Co-Author of "Your Mind is a Storyteller" (*Columbus Bar Lawyers Quarterly*, Spring 2019)
- Co-Author of "Danger at the Amusement Park" (AAJ's National Publication, *TRIAL Magazine*, January 2019)
- Co-Author of "Writing Better Beginnings" (*Columbus Bar Lawyers Quarterly*, Fall 2018)
- Co-Author of "Legal Storytelling: Character, Conflict and Arc" (*Columbus Bar Lawyers Quarterly*, 2018-2019)
- Author/Lecturer of "Discovery Requests and Using Electronic Evidence Pre-Trial" (*National Business Institute*, Summer 2018)
- Author of "Crisis Management Solution Protocol" (*CBA Legal Connections*, 2018)
- Author of "Situational Awareness and Surviving an Attack" (*Ohio Lawyer*, March/April 2018)
- Author of "Developing Your Situational Awareness and Basic Survival Actions" (*Living Safer*, January 2018)
- Author of "Four Advanced Trial Techniques" (University of Dayton Law, November 2017)
- Author of "Sports & Concussions" (*CBA Lawyer's Quarterly*, Summer Edition 2017)
- Author of "Legal Connections-Bicycle laws" (*CBA-Business First*, May 2017)
- Author of "The Emergence of Resort Torts: A Basic Primer" (AAJ, 2016)
- Co-Author of "Terrorism & Commercial Insurance Coverage" (*CBA Lawyer's Quarterly*-Winter Edition, 2016)
- Author of "How to Get Over the Fear of Flying" (*Living Safer*, Fall 2015)
- Co-Author of "The Physician Payment Sunshine Act" (*Ohio Lawyer*, July-August 2015)
- Co-Author of "Ohio's Move Over Law" (*Ohio Lawyer*, July-August 2015)
- Co-Author of "Looking Inside Your Own Mind" (AAJ's National Publication, *TRIAL Magazine*, 2015)
- Co-Author of "Uninsured/Underinsured Motorist Coverage is Critical Protection" (*Ohio Lawyer*, Jan-Feb 2015)
- Co-Author of "Hazing: Ohio's Wide Liability Net" (*Ohio Lawyer*, Nov-Dec 2014)

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- Co-Author of "Ohio's New Child Car Seat Standard" (*Ohio Lawyer*, Sept-Oct 2014)
- Co-Author of "More Likely Than Not "Preponderance" is Misunderstood: Arguing for a Clearer Ohio Jury Instruction on The Burden of Proof" (*Ohio Trial*, Spring 2014)
- Author of "Easy Food Swaps for Healthier Living" (*Living Safer*, Spring 2014)
- Author of "Sulfite: Are You Allergic to This Common Preservative?" (*The Safety Report*, Spring 2013)
- Co-Author of "Inaccurate Medical Records: Ramifications and Remedies" (*Ohio Trial*, Spring 2012)
- Contributor to book *Bouncebacks: Medical and Legal*, by Michael Weinstock, MD, Anadem Publishing, Inc. (2011) - Also frequently lectures on topic.
- Co-Author/Editor of OAJ's *The Big Book of Motions* Supplement (2009-2010)
- Co-Author of "Exploring Noneconomic Damages: Mining for Meaning" (*Ohio Trial*, Summer 2007)
- Creator and Editor-in-Chief of compilation book for Columbus Bar Association, *Reflections on Life and the Law-Wit and Wisdom from Columbus Bar Association Attorneys* (June 2006)
- Author of manual *How to Successfully File Documents with the Clerk of Courts, Civil Division; Answers to Common Questions* (1995-pro bono with all proceeds donated to the Homeless Foundation through the Columbus Bar Association)
- Co-author article, "Direct Examination", (*Ohio Trial*, Summer 1998)
- Co-author article, "Law on the Internet: Mapping the Electronic Wilderness for Trial Lawyers", (*Ohio Trial*, Spring 1988)
- Co-author - "Are you Certain It is Probable or Is It Probably Certain? Admission of a Medical Expert's Opinion Regarding Future Damages", (*Ohio Trial*)
- Co-author - "Gaining a New Perspective: Extending the Loss of Chance Doctrine Beyond Medical Malpractice", (*Ohio Trial*, 2000)
- Amicus Brief - *Texler v. D.O. Summers Cleaners & Shirt Laundry Company*, (1998) 81 Ohio St. 3d 677
- Amicus Brief - *Armstrong v. Best Buy, Inc.*, (2002) Supreme Court Case No. 02-0367
- Co-author Law Review Article - *University of Toledo Law Review* - "Kumho Tire Co. v. Carmichael: Blowout from the Overinflation of Daubert v. Merrell Dow Pharmaceuticals"
- Legal History Columnist for the *Columbus Bar Association's Bar Briefs* (1999-2005)
- Co-editor of OATL's *The Big Book of Complaints* (2003)

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## Curriculum Vitae *continued*

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### Sample of Recent Awards

- 2017 - **Above & Beyond Award** - American Association for Justice (National)
- 2016 - **Distinguished Life Fellow Associate** - Ohio State Bar Foundation
- 2016 - **Distinguished Service Award** - American Association for Justice (National)
- 2016-present - **Evergreen Fund Leadership Award** - American Association for Justice (National)
- 2016 - **Past President's Award** - Central Ohio Association for Justice
- 2015 - 2015 **Respected Advocate Award** - Ohio Association of Civil Trial Attorneys (OACTA - the defense bar - Statewide Honor)
- 2015 - **Above & Beyond Award** - American Association for Justice (National)
- 2014 - **Community Justice Award** - Mothers Against Drunk Driving
- 2014 - **Distinguished Service Award** - Ohio Association for Justice
- 2014 - **Distinguished Service Award** - American Association for Justice (National)
- 2013 - **Distinguished Service Award** - American Association for Justice (National)
- 2009 - **Award for Outstanding Leadership for AAJ PAC work** - AAJ Annual Convention (National)
- 2008 - **Past President's Award** - Ohio Association for Justice
- 2008 - **Wiedemann & Wysocki National Finance Award** - AAJ Washington DC (National)
- 2004-2007 - **Outstanding Service and Leadership** - Columbus Bar Association
- 2005 - **President's Award** - Ohio Academy of Trial Lawyers
- 2003-2004 - **President's Award** - Franklin County Trial Lawyers Association
- 2000 - **President's Award** - Franklin County Trial Lawyers Association

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## Curriculum Vitae *continued*

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### Non-Legal Activities

- Martial Arts Instructor in Tomiki Aikido (1983 to present). Seventh degree Red Belt-Master Level; Weapons Instructor - Jodo, Third Degree Black Belt
- Instructor of Okinawan Karate, Shorin-Ryu, Black Belt
- Composer/Musician/Producer - Release of three CDs
  - *Blue Shift* (2001)
  - *Sidebar* (2013)
  - *It's About Time* (2017) - Featuring "Pulse"; an orchestral composition written and performed as a direct response to the Pulse Nightclub massacre in Orlando, Florida. Dedicated to the LGBTQ community and telling the story of that evening. [CLICK HERE TO LISTEN](#)
- Musician in various bands - Playing jazz, rock, guitar and piano
- Chairman and Co-Founder of the International Aikido Alliance, LLC (1998-2000; ex-officio - 2001-2002)
- Writing - "Where's the Windex?" Short story published online at [sfpw.org](http://sfpw.org)  
[CLICK HERE TO READ ARTICLE](#)
- Cross fit training (Modified)
- Rock Climbing
- Traveling
- Reading
- Israeli Instinctive Combat Shooting - Pistol & Rifle - Urban Warfare, Anti Terrorist Training, Instructor Garret Machine (Advanced)
- Parkour ("Free Running")

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