



Connectivity

Attorney sports a belief in total team approach

By Tom Kirvan

With the majesty of Mt. Rainier looming in the background, a six-person team of outrigger canoe paddlers that includes attorney Matt Menzer rips through the waters of Lake Washington on a sun-splashed day. *Photo by Matthew Taufa'asau*

W

hether in his law practice or out on the open

water in an outrigger canoe, Seattle attorney Matt Menzer preaches the value of teamwork and the kind of synergy it invariably creates.

“There is nothing quite like the feeling of being part of a team where everyone is invested in its success and takes pride in the work they produce,” said Menzer, who founded the Menzer Law Firm in Seattle 20 years ago to represent those who have suffered serious personal injury, medical malpractice, or the death of a loved one. “There is a special sense of satisfaction to see the kind of results that can be achieved through teamwork.”

Patty Ackley, who became a client of the Menzer Law Firm in 2016 after her husband Kirk was diagnosed with lung cancer, has felt part of her attorney’s team since she first spoke with Menzer six years ago.

“We immediately meshed,” said Ackley, a resident of the small town of Ephrata in Eastern Washington. “He’s been like a brother to me. He is a most amazing man – and attorney.”

Their legal relationship – and now enduring friendship – arose from tragic circumstances, a misdiagnosis of a lung nodule discovered during a physical exam at a local medical center in 2010. Six years later after her husband’s medical condition had sharply worsened, a biopsy indicated that the cause of his health

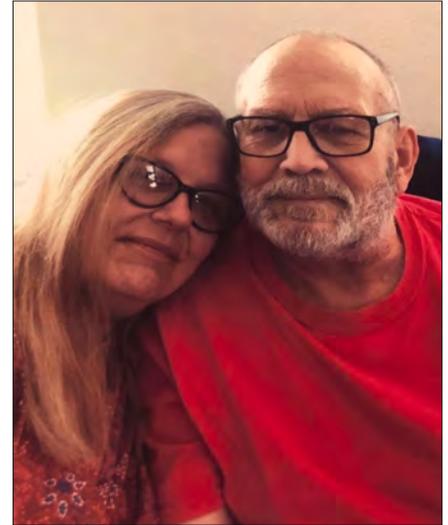
troubles was Stage 4 lung cancer that had already spread to his brain.

“By that time, the clock was already ticking on my husband’s life,” Ackley said while fighting back tears.

Ackley’s daughter, Erika, then swung into action, contacting Menzer’s office after reading about his reputation for care, compassion, and for delivering legal results.

“She told me, ‘Mom, this is the attorney for us. I can’t say enough good things about him,’” Ackley related. “She was absolutely right about that. He was so cool and calm during the deposition process, and offered the kind of guidance we needed when times were really tough and Kirk’s situation was deteriorating.”

The case settled in 2017, shortly before the trial was to begin. The settlement amount, according to Menzer, is confidential but in addition to a fair dollar amount that allows the Ackleys to live comfortably, the defendant medical group



The photo of Patty and Kirk Ackley was the last one taken of them before he died two weeks later in 2020. By the time the photo was snapped, “He had lost the ability to say the words he was thinking and had written a note to say ‘I love you,’” Patty said of her beloved husband.

agreed to provide all necessary cancer care and related therapies and home care for the remainder of Kirk’s life.



Matt Menzer’s legal team at Menzer Law includes JohnDavid Toren (right) and Brady Douglas (left), both 2014 alums of the University of Washington School of Law. The firm has been part of the Primerus alliance since 2016.

“With Patty’s tremendous love and care, and the support of the extended family (which includes four devoted adult daughters and six grandchildren), Kirk – by sheer grit and determination – beat the odds multiple times and lived another 3 years. He passed away in September of 2020 at the age of 66,” Menzer wrote in an e-mail.

For Ackley, her relationship with Menzer will always be of the bittersweet variety.

“My husband should be here with me now and I should have never met Matt Menzer,” Ackley said. “However, that is not our story and because of Matt, I can live my life and not be a burden to our kids.”

Menzer, who grew up in the San Fernando Valley of Southern California, is the youngest of four children. His parents, Alene and Cal, migrated to the West Coast from a small town in Iowa where his grandfather owned a women’s clothing store. Upon the family’s move to California, Menzer’s father started his own women’s apparel shop, while his mother worked for the state in its unemployment insurance agency after the couple divorced.

The family situation, according to Menzer, was complicated by his older brother Mark’s health condition.

“He suffered from a little-known disease called Prader-Willi syndrome, a genetic disorder that can cause intellectual impairment and various behavioral problems, including an almost insatiable appetite,” said Menzer of his brother, who died of the disease in his late 20s. “His situation was a difficult part of our family’s history. My father became instrumental in efforts to heighten awareness of the disorder and to help

secure funding for group homes. My father was a man with strong Midwestern values who thought of others first.”

That sense of compassion undoubtedly was a character trait inherited by Menzer, who excelled academically in high school and was encouraged by an English teacher there to consider pursuing an Ivy League education.

“He helped me understand that there were scholarships available at all the Ivy League schools and that I likely would be able to obtain them,” Menzer related.

He did at Brown University, long regarded as one of the premier liberal arts and research institutions in the country.

“I thought I had a shot at continuing to play football at Brown,” said Menzer, who was an award-winning offensive lineman and linebacker in high school despite his slight size and build. “I quickly realized at Brown that playing college football was beyond my skillset, so I opted to play rugby instead.”

He was a four-year member for Brown’s rugby squad, serving as co-captain his senior season.

“It was a great experience, as we had the opportunity to travel all around New England and to compete against some of the best teams on the East Coast,” said Menzer, who discovered a passion for the bruising sport despite suffering a broken nose in one of the conference clashes. “Even though you don’t play with pads, rugby is actually a safer sport than football because of the way helmets are used as weapons.”

As part of his scholarship grant, Menzer was required to participate in a work-study program at Brown, which began somewhat innocently enough in the dorm kitchen where he was assigned clean-up

duty, scrubbing the huge pots used to make oatmeal and spaghetti.

“I eventually gave up my scrub brush for the opportunity to work at an environmental law group (the Conservation Law Foundation of New England), where I experienced the power of a small group of people working hard for a common cause,” Menzer said. “It really whet my appetite for that kind of work, where you felt like you were making a difference in people’s lives.”

Following college, Menzer moved to the San Francisco Bay Area, working as a paralegal for a personal injury firm where one of the partners encouraged him to attend law school, which he did at the University of California–Berkeley. It would be a decision that proved rich with real-world experiences for Menzer (see related story). It also would lead to clerkships for federal judges in New York and Hawaii, where he would meet his legal mentor, Phil Lowenthal, with whom he worked on civil and criminal litigation matters for two years before returning to the mainland.

“Phil is an outstanding trial attorney who has taught me much over the course of my career,” said Menzer. “We have collaborated on many cases here and in Hawaii over the years, and that relationship now includes working with his son (Jacob).”

Upon moving to Seattle in 1992, Menzer worked for four years as an associate with one of the city’s largest litigation firms before becoming a partner at another area firm from 1996 to 2002. It was then, one year after the nation was rocked by the tragic events of 9/11, that Menzer took the

proverbial leap of faith to open his own firm specializing in personal injury and medical malpractice cases.

“It was just me and my legal assistant in sub-leased office space those first few years,” Menzer recalled of the early days. “It took until 2005 before I brought on an associate, and JohnDavid Toren now has been with me for the past seven years, while Brady Douglas, a classmate of JohnDavid’s at the University of Washington School of Law, joined the firm two years ago. When I opened the firm, I wanted to be selective in the cases



Jessica Pearson and her husband Michael. The couple now lives in Alabama, where the warm climate is more conducive to Jessica’s medical condition.

I handled and to have the opportunity to help clients who need a strong advocate on their behalf”

One such medical malpractice case was filed in May 2021 and involved Jessica Pearson, a resident of Yakima County in Eastern Washington.

In 2018, at the age of 36, Pearson was diagnosed in the emergency room with pneumonia, spent the night at the hospital, and then was discharged with a prescription for antibiotics. Over the next two weeks, “I kept getting sicker and sicker,” Pearson said during a recent phone interview.

“Eventually, I was admitted to a hospital in Seattle with a serious lung infection,” she said. “They had to insert a chest tube and remove a rib in order to deal with the infection. It was a horrible experience.”

It also left her in a permanently disabled state, unable to work and to enjoy the many leisure time activities – hiking, biking, hunting, and fishing – that “had been such a big part of our lives,” said Pearson, who now resides in her native Alabama with her husband Michael.

“This is not the life I expected to have,” said Pearson. “It’s difficult to get around. It’s sometimes very hard to breathe.”

And yet, Pearson admitted that “my situation would have been far worse if I hadn’t met Matt,” who was able to settle the malpractice case in January 2022, ensuring her future financial security.

“Matt is an incredible attorney and an even better person,” Pearson said. “He is someone I could trust, and I have had trust issues in the past. He did everything he promised he would do and more. He and his staff have just been wonderful to us. He has a terrific team.”

In recent years, Menzer also has been part of another team in Seattle, revolving around the sport of outrigger canoe paddling, which traces its roots to Tahiti and Hawaii.

“I first tried it on a January day in Seattle and just loved it,” said Menzer. “It’s a demanding sport that is easy to pick up but very difficult to master. It is all about teamwork, and is a sport where someone of my age (63) can compete with younger guys as well as those in my age bracket.”

Menzer has been an enthusiastic member of the Seattle Outrigger Canoe Club, which recently celebrated his 25th anniversary, numbers 70 members, and regularly practices on Lake Washington, a 22-mile-long body of water on the edge of Seattle.

“We practice year-round in six-person outrigger canoes, constantly pushing ourselves to do better and to go faster,” said Menzer, who has served as vice president of the club for several years. “I’ve made a lot of wonderful friends through the club and have enjoyed the chance to compete in a number of races, including one along the magnificent Napali Coast in Kauai. There is nothing quite like it, particularly how important it is to match strokes as a team. It’s a sport where you don’t necessarily have to be the biggest or the strongest, but if you operate as a team, you have a great chance to succeed. I love that aspect of it.” 

Case involving an ill-fated prison escape left mark on law student

By Tom Kirvan



A California native, Matt Menzer has strong personal and professional ties to both Washington and Hawaii, opening an office in Seattle in 2002 and on the island of Maui in 2019. Menzer has two daughters, 32-year-old Leah and 27-year-old Olivia.

A

s a law student at the University of California-Berkeley, Matt

Menzer played a key research role in one of the most riveting and lengthy criminal cases in the history of the state, a legal drama that began to unfold on August 21, 1971 when Black Panther leader George Jackson and five others – including three prison guards – were killed at San Quentin State Prison during an aborted breakout attempt.

Menzer's involvement in the case began in the summer of 1984, some 13 years after the failed prison escape that left six people dead. As a second-year student at what is now known as Berkeley Law, Menzer was recruited to assist the defense team for Jackson's lawyer, Stephen Bingham, who had been a fugitive for more than a decade after being charged with multiple murder counts for allegedly supplying a gun to Jackson during a prison visit that fateful day in 1971.

"Bingham had been on the run for years after being charged with murder in the case," Menzer indicated. "His reason for fleeing was his belief that he was being framed and that he wouldn't be able to receive a fair trial given the political climate at the time. He always proclaimed his innocence and maintained that he had no role in smuggling the gun to Jackson."

Bingham was accused of hiding a 9-millimeter pistol in a tape recorder and smuggling it to Jackson, who was awaiting trial in the killing of a prison guard in 1970.

According to published reports, Bingham was a "self-described political radical" who was at the prison that day to discuss a civil lawsuit Jackson had filed against the California Department of Corrections. While he was on the run in Europe, Bingham reportedly got married and worked as

a house painter before surrendering to authorities in July 1984.

Bingham was a Yale University grad who, like Menzer, attended law school at Berkeley. His grandfather, Hiram Bingham was an archeologist who helped discover the Inca ruins of Machu Picchu in Peru and later served as the governor of Connecticut.

"He had a very interesting background and was being helped by (former U.S. Attorney General) Ramsey Clark," Menzer said of Bingham. "I initially was a volunteer on his case, providing legal research assistance and doing various go-fer duties to help out. Gradually my role increased as I spent the better part of two years working with his defense team, including a year off from law school."

Officials at the law school initially were reluctant to give Menzer time away from his studies, but softened their stance after his presence on the Bingham defense team grew in scope.

"All in all, it was an incredible experience to be involved in a case of that magnitude and to work alongside some very talented attorneys, including Leonard Weinglass, who was one of the lead lawyers in the Chicago Seven trial," said Menzer, who noted that the defense team at trial was led by prominent Bay Area lawyer Gerry Schwartzbach.

Weinglass, whose long list of legal credits included involvement in the Pentagon Papers and Patty Hearst cases, eventually had to bow out of the Bingham case due to the press of other trial responsibilities, leaving Menzer with added work of his own.

"When he left the defense team, I ended up with all the case files in my studio apartment in Berkeley," Menzer said somewhat incredulously. "By that time, I probably knew what was in the case files better than anyone. The preliminary hearing in the case took four months and was the longest in California history at the time."



In a cutout photo from a fund-raising brochure, a young law student named Matt Menzer (seated at far right) was pictured with attorney Stephen Bingham (front row center) and other members of his legal team. Menzer's first name may have contained a typo in the brochure, but that did not lessen his importance to the eventual success of the team.

Bingham eventually was acquitted of all charges in June 1986, including of conspiring with Jackson and other inmates in the escape plan, according to Menzer. The jury took six days to reach the verdict following a 10-week trial.

"It was a case that contained strong evidence of misconduct by the prison administration and law enforcement authorities who were allegedly trying to control a growing movement to protect the rights of black inmates in the California prison system."

One thing that seemed certain after the case concluded, however, was that Menzer's legal star was rising, even if he thought differently at the time.

Said Menzer: "I liked to joke back then that my legal career had already peaked, but today I know better. The Bingham case was just the beginning of a really rewarding practice – one filled with more great colleagues and exceptional clients that I've had the privilege of representing." 