

Jury Awards \$1.7 Million in Malpractice Case

By Gabe Friedman
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LOS ANGELES — A Los Angeles County Superior Court jury has awarded \$1.7 million to a woman who sued her medical malpractice lawyers for legal malpractice.

Last week's verdict brings closure to a case that featured "holistic" dentists, a lawyer impersonator and a settlement offer of lottery tickets.

Paul Stabile and Michael Mastrovito, the two defendants, were held liable for constructive fraud after an eight-day trial in Pasadena, in which they represented themselves.

The case dates back five years to when Mastrovito met with Peggy Rinella in his office about handling her medical malpractice claim. Two "holistic" dentists had removed part of Rinella's jaw and 12 of her teeth, leaving her disfigured. She claimed a blood disease that affects her mental

cognition made her more vulnerable to being taken advantage of by the dentists.

Mastrovito and Stabile settled the case for \$300,000, from which they took their attorney fees. But Rinella sued them because, among other reasons, Mastrovito had only been a lawyer in Arizona and was disbarred two decades ago.

Stabile also was held liable for breach of fiduciary duty, legal malpractice and negligence; and Mastrovito was held liable for intentional misrepresentation with malice, according to **Thomas Bienert**, of **Bienert, Miller, Weitzel & Katzman**, who represented Rinella.

"The jury's verdict shows that the system does work when people are taken advantage of," said



Weitzel

Bienert, who tried the case along with the newest name partner at his firm, **Harry Weitzel**.

Stabile, a Pasadena attorney, said Friday he was conferring with a lawyer and could not produce a statement in time for publication. Mastrovito did not return a call seeking comment.

In a March 16, 2007, Daily Journal article, Stabile defended his work, saying, "She had 12 teeth pulled to cure cancer. She came to me after the statute of limitations [had expired] and I got her \$300,000, and I reduced my fees. She has caused me an unbelievable amount of grief and all I did for her was a really good job."

During the course of the case, Stabile and Mastrovito also offered to settle by purchasing \$5,000 in lottery tickets and — if they hit a jackpot — splitting part of the winnings with Rinella, according to Bienert.

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