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### **San Diego Attorney Awarded Top Honors for Groundbreaking Work in Civil Rights Case Against Orange County Social Services Agency**

*On November 2, 2007, the Orange County Trial Lawyers Association awarded a San Diego attorney top honors in electing him as the "Top Gun - Trial Attorney of The Year" in the area of civil rights. The award was based on the 4.9 million dollar jury verdict obtained by Deanna Fogarty-Hardwick, against Orange County, its Social Services Agency, and two of its social workers Marcia Vreeken and Helen Dwojak earlier this year in a lawsuit alleging violations of her Constitutional right to familial association.*

San Diego, CA --November 2, 2007--

RE: Fogarty-Hardwick v. County of Orange, et al.  
Superior Court of California, County of Orange  
Case No. 01CC02379 (Trial before Hon. Ronald L. Bauer, Dept. CX103)

On November 2, 2007, the Orange County Trial Lawyers Association awarded a San Diego attorney top honors in electing him as the "Top Gun - Trial Attorney of The Year" in the area of civil rights. The award was based on the 4.9 million dollar jury verdict obtained by Deanna Fogarty-Hardwick, against Orange County, its Social Services Agency, and two of its social workers Marcia Vreeken and Helen Dwojak earlier this year in a lawsuit alleging violations of her Constitutional right to familial association.

This case was brought by Deanna Fogarty against the County of Orange, Marcia Vreeken, Elaine Wilkins, and their supervisor Helen Dwojak to recover damages arising from Defendants alleged falsification of evidence, perjury, and suppression of exculpatory evidence during a juvenile dependency action back in February of 2000. On March 23, 2007 after over six years of litigation and a seven week trial, an Orange County Jury found against Orange County, social worker Marcia Vreeken, and social worker supervisor Helen Dwojak and awarded monetary damages of \$4.9 million. A third social worker, Elaine Wilkins was found not liable.

In addition to seeking damages, Ms. Fogarty also sought to enjoin the Orange County Social Services Agency from continuing its allegedly unlawful practice of making allegations of wrong doing against parents in dependency proceedings without supporting evidence. On May 14, 2007 Orange County Superior Court Judge, Ronald Bauer (Dept. CX-103) issued an injunction against the Orange County Social Services Agency requiring the agency to obtain "reasonable and articulable evidence" prior to initiating dependency proceedings alleging abuse, neglect, or abandonment of a child.

In accepting the "Top Gun" award Shawn A. McMillan said: "Ms. Fogarty should not have had to step outside her community to find an attorney to represent her. Trial attorneys are a pretty elite group, and as officers of the court we have taken an oath, and it is our duty, to protect and defend the Constitution, and the rights arising therefrom. These cases are important cases and should be brought and tried. We've proven that they can be won, now its your job to carry the ball the rest of the way, to accept these types of cases, and force a change in the system."

For additional information, contact:

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