

# Orlando chooses to side with fishermen

By SEAN MURPHY

Times staff

At one end of the waterfront, Tom Linsky & crew seem always to be doing something interesting: whether hauling a 13-ton boiler by hoist or putting the world's largest aluminum catamaran up on the rails, there's an abundance of the intriguing, curious and/or amusing.

Happy in his work, at the other end of the waterfront, is a 30-year-old lawyer named Joseph Orlando. Motoring about the waterfront, the old-timer, giving half a chance to ponder at the intersection of six streets, sometimes called Tally's Corner, will notice a vastly improved Addison Gilbert Home for the Elderly.

No unreasonable stretch of the imagination is required to put Tom Linsky and the crew as children — large children, heavy equipment operator Billy Hale of Rockport is towering — playing in a sandbox, or with an erector set.

They appear to be happy in their work, these men paid to haul boats out of the harbor, only to reassemble or otherwise improve them.

Sometimes they share the fun, as happen last week when Ken Taliadoros of Great Eastern Marine Service accepted an invitation and showed up at the Linsky yard with a great crane and crew of men in overalls and toothy grins.

Heck, why not? It's honest, outdoor work.

Orlando and his partner, Edward White, have hung their proverbial shingle outside the old Addison Gilbert. And what a shingle it is.

"We do personal injury litigation," says Orlando. Then, putting it differently, he says, "We handle people who get hurt."

Those people get hurt principally on boats. Orlando and White are doing very well, thank you.

Marine Office of American Corp. (MOAC) hold most of the insurance policies on boats. MOAC is the opposition for Orlando and his partner. Earlier this year, Orlando won an \$800,000 settlement from MOAC for a man who lose use of his arm. The settlement also won Orlando an invitation from MOAC. Lunch and a chat in New York

"They made me a fabulous offer to take over their marine defense offer," says Orlando, sitting in the corner office with a view of Harbor Cove.

"I told them I'd never represent an insurance company."

Indeed, as a voting member of the American Trial Lawyers Association, he has pledged not to represent insurance companies.

Less polish, less aggressiveness is evident when Orlando begins, "My grandfather Orlando, Guisippe, I'll always remember him as working really hard, fishing out of Gloucester all his life, and getting hurt when he was 55 so he couldn't work, and getting nothing."

Then there are Orlando's two uncle, one paternal, one maternal, who died at sea.

"There's wasn't enough to bury him," Orlando says of his father's half-brother, Calogero Damino.

Orlando's father, Michael, a former fisherman and now vice president of the Seafarers International Union local, watched Calogero die. Later, Michael Orlando was out of work for a year after a mast snapped and crushed his leg.

"I was 3 years old then," says Orlando. "The family survived — it was a big, Italian family and everyone pitched in for us, but we got practically nothing."

"You make choices in life, and I choose to represent fishermen," he says.

Orlando and his partner, Ed White, who grew up in Somerville, the son of a Charlestown Navy Yard worker himself injured and settled for \$2,000, operate another office in New Bedford.

They take case on a contingency basis, meaning fishermen pay nothing unless the case is won, whereupon they see a third of the settle go to the lawyers.

"A nice thing happened to me," says Orlando. "A fisherman came in and says he can't afford me, but asks can he talk to me so he'll know what to say to the insurance company people. He speaks Italian (as does Orlando). So I explained it doesn't cost anything to talk, that I take cases with fees payable upon settlement."

"He smiles and says, 'You mean like we're partners? We're working together?'"

"As a lawyer, you're an advocate and it helps you know where you stand," he says. "My identification is with the people injured. That's what I do."

Orlando ticks off the 10 federal court judges. There are "visiting judges" when the docket is heavy. He says he knows them all. That's to his advantage.

Often a federal court judge will ask Orlando and his adversary, the insurance company lawyer, to approach the bench. At such conference, Orlando says the judge has allowed "that Mr. Orlando here is a very dangerous lawyer. He can win a lot of money. Why don't you two step into the corridor for a chat."

In the corridor, the insurance company lawyer and Orlando attempt a settlement before jury trial.

"Sometimes he says, 'We'll never pay that amount,'" says Orlando.

"I say, 'Oh, you'll pay that amount. It's only a question if you'll pay before or after a jury trial,'" says Orlando.

Orlando graduated from St. John's Prep, after three years at St. Peter's High School, and earned degrees from Boston College and New England School of Law. He worked at the Boston firm of Kaplan, Latti and Flannery, where he met White, before returning to Gloucester to open an office with White at the Blackburn Tavern.

"I've always wanted to be here," he says.

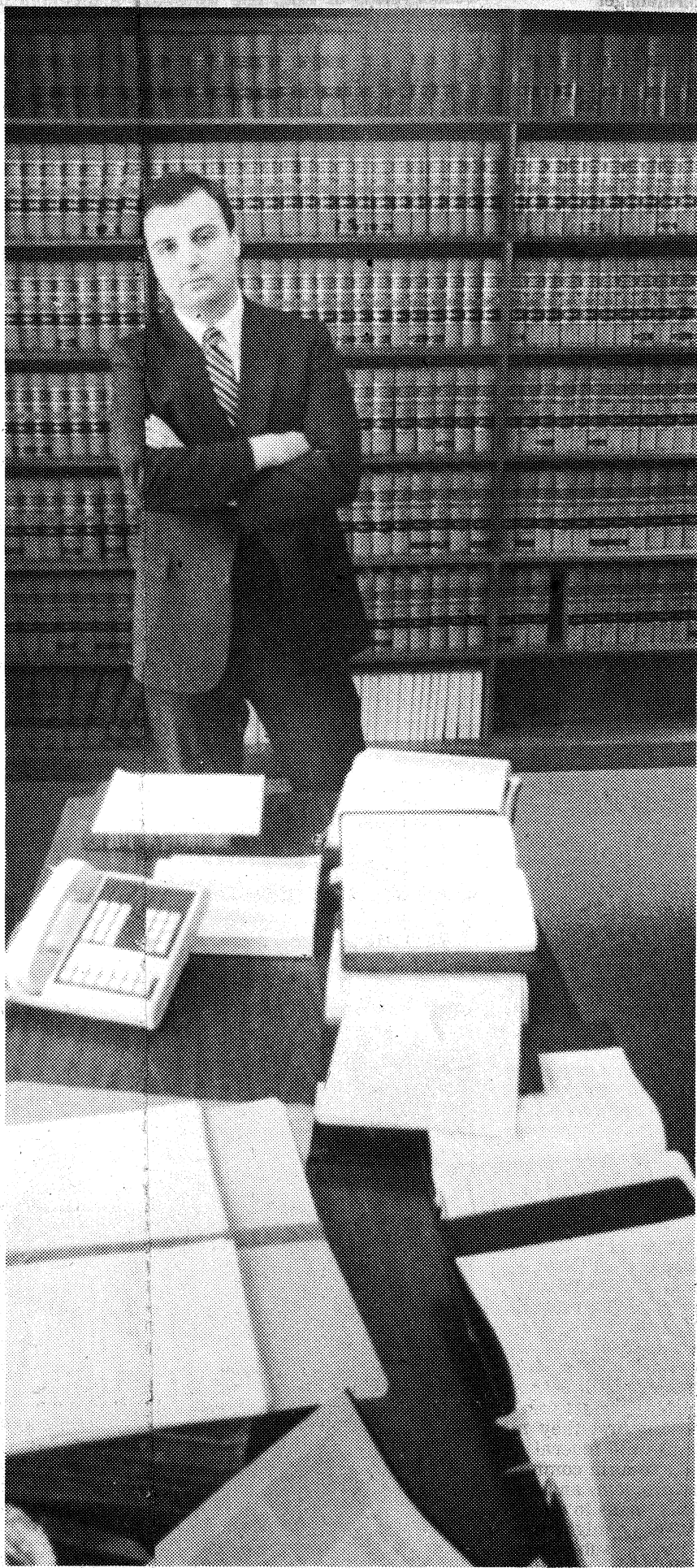
Married to the former Connie Russo and the father of two daughters, Amanda, 4, and Lisa, 2, Orlando says he's staying in the community "where my people are."

Sometimes it's reassuring to dig out the will left by Gloucester merchant and benefactor Addison Gilbert, who asked that the home at 1 Western Avenue be used to benefit the "fishermen and stonecutters of Cape Ann."

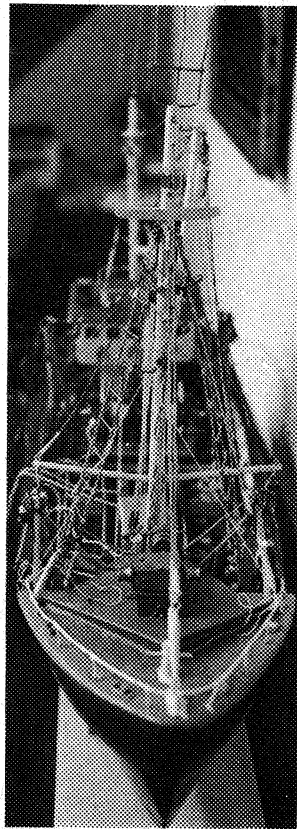
"He (Addison Gilbert) wanted to give them something," he says. "I think we do that."

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# COMMUNITY NEWS



Kenn Shrader photo



Lawyer Joseph Orlando, right, standing behind a desk in his law library; at left, model of eastern-rigged dragger, complete with battery-operated winches, used in court to help prove Orlando's cases.