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**PLAYING  
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Ervin Gonzalez can't  
resist a sob story



# PLAYING

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by

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# Heart

by KATHIE KLARREICH  
photography by LARRY MARCUS

**E**rvin A. Gonzalez's heart still races every time he hears that knock on the jury room door signaling a verdict.

Never mind that he's averaged about one million-dollar-plus win a year—including the largest personal injury award ever in a federal court (a \$4.1 million jury award against a hospital accused of defrauding his client)—since his first one in 1988. Though Gonzalez had only been seeking \$750,000, the hefty verdict didn't surprise him.

That's mainly because he was only three years out of law school.

"I didn't know enough to know that that was a big deal," confesses Gonzalez, 47. "I was just doing a job. If you get good facts, present a good case, you get good damages. That's what lawyers do."

Now a partner at Colson Hicks Eidson in Miami, Gonzalez's résumé could fill a tome. But his beginnings were humble. His parents emigrated from Cuba in 1960, shortly before Gonzalez was born, determined to raise their child in a free country. To make ends meet, his dad worked as a bellhop at the Jefferson Hotel on Miami Beach; his mom in Kensington Park Elementary School's cafeteria. At home, the Gonzalez family incorporated the cultures, speaking both English and Spanish. When he wasn't studying, Gonzalez played infielder for a local Latin-American baseball league.

It was his father's preoccupation with what was happening in Cuba that shaped Ervin's fierce dedication to the rule of law.

"When Cuba was taken over by tyranny and oppression, nothing could be done to stop it," says Gonzalez, seated at a large wooden desk on the second floor of his boutique law firm in Coral Gables. Framed diplomas, certificates and accolades fill an entire wall; a photo of his wife, Janice, and their dog, Foxy, are tucked into his blotter.

Focused but friendly, Gonzalez has a compact athletic build and short-cropped hair. He is the kind of guy you would expect to remember names, dates and places. When he speaks about clients who have been wronged—or about his country—his jaw sets with conviction.

"In the U.S., people respect the law," Gonzalez says. "I love this country for its constitutional rights and due process. It's meaningful to Americans, and I always knew, from the time I was really little, that I wanted to be a part of this legal system."

So much so that he has never traveled to his parents' native homeland: "Never, as long as [either] Castro is in power. I am not going to give him my hard-earned American cash so he can use it for his Communist ways."

Gonzalez started making that hard-earned cash at a young age, working his way through La Salle, a private Catholic high school, as a bag boy at a local Winn-Dixie grocery store. He juggled several jobs—disc jockey, department store sales clerk and helper for mentally challenged children and young adults—while attending Biscayne College. Gonzalez earned a degree in political science and graduated in 1985 from the University of Miami School of Law *cum laude*. He worked for a local firm, Fine Jacobson Schwartz Nash Block & England, for three years before starting his own firm with attorney Karen Gievers. When she moved to Tallahassee, Gonzalez joined Colson Hicks Eidson.

The 15-lawyer firm handles only high-stakes, complex plaintiff-side lawsuits. Gonzalez chooses his clients carefully. His criteria? "The case has to pass the 'wow' test. If someone comes in here and explains something to me and I think, 'That's wrong, that's not supposed to happen,' then it's a case I want to work on. For me, losing is not an alternative," he says.

This philosophy underscores how Gonzalez approaches life: head-on. It also explains his passion for his job, as

well as all his other activities. "If I fail, it's not for lack of trying," he says with a laugh. Every morning, Gonzalez gets up early to train in a triathlete discipline—running, biking or swimming—before heading off to work, but he doesn't participate in triathlons. Such competition would consume him, he says, and he would rather expend his energy on his cases, and his involvement in the legal community. He is a member of the board of governors of The Florida Bar, the National Institute of Trial Lawyers and the American Board of Trial Lawyers; past president of the Dade County Bar Association and the Dade Country Trial Lawyers Association, and former director of the Academy of Trial Lawyers.

#### COMPASSION COUNTS

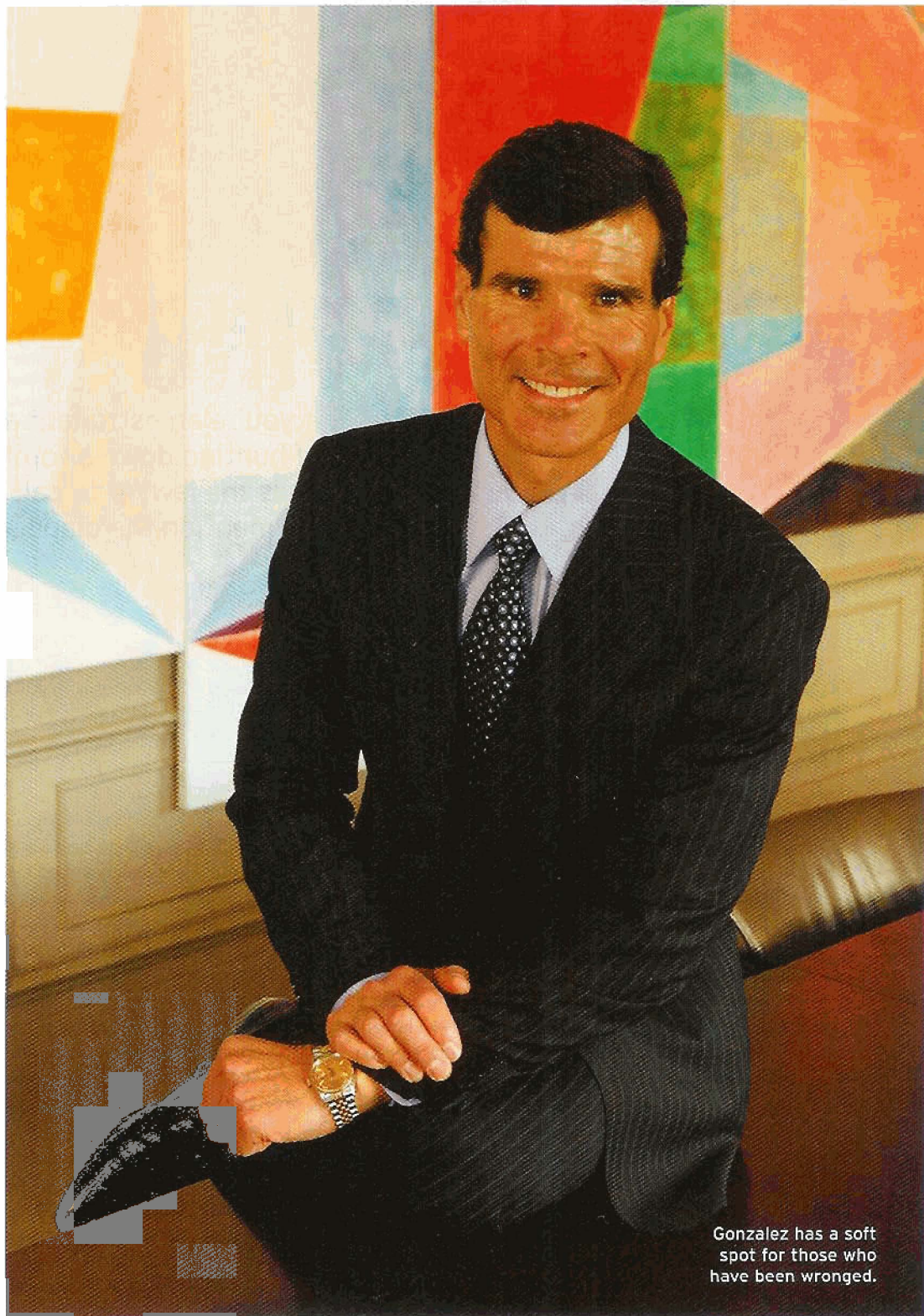
When Gonzalez takes on a case, he tries to see things from the client's perspective. Gonzalez knows what it is like to experience trauma: His wife is a six-year breast cancer survivor. "If I represent someone, I have to understand their loss. I **have** to feel how they feel about it. I'm their champion. That's the only way I can know in my heart what the real value is for that case."

One such case involved the 2005 medical malpractice suit against Mayport Naval Station. The hospital was found guilty of medical negligence in the childbirth of Kevin Bravo Rodriguez, who was born with severe brain damage. The parents were awarded \$60.9 million. Although that was later reduced to about \$41 million, it was still a record for a case tried under the federal Tort Claims Act, which deems that all cases against the U.S. government must be decided by judges, who typically award smaller amounts than juries.

Gonzalez—along with Coral Gables lawyer Deborah J. Gander—argued that the hospital staff was grossly negligent, ignoring evidence of fetal distress during the childbirth. Kevin was finally delivered in an emergency Caesarean section. He requires

around-the-clock care and cannot speak, hear, see, swallow or move, although he can feel pain.

Earlier that same year, Gonzalez won a \$65 million verdict (including \$61 million in punitive damages) for the family of a 12-year-old boy who was electrocuted after taking refuge in a lighted Miami bus stop during a late-hurricane [ continued on page 13 ]



Gonzalez has a soft spot for those who have been wronged.