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## NEVADAN AT WORK:

### Enough said: Call Ed Bernstein a pioneer of legal advertising

By JENNIFER ROBISON

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(page 1 of the Business Section)

#### VITAL STATISTICS

**Name:** EDWARD BERNSTEIN.

**Position:** Owner, Edward M. Bernstein & Associates

**Family:** FIANCÉE, CLAUDIA NORIEGA; DAUGHTERS DANA, EDEN AND ELANA; STEPDAUGHTERS THALIA, ISABELLA AND SOPHIA.

**Education:** BACHELOR OF ARTS FROM LONG ISLAND UNIVERSITY; JURIS DOCTORATE FROM WIDENER LAW SCHOOL IN DELAWARE.

**Work history:** CLARK COUNTY PUBLIC DEFENDER; OWNER, EDWARD M. BERNSTEIN & ASSOCIATES.

**Hobbies:** YOGA, WORKING OUT, HORSEBACK RIDING.

**Favorite book:** "The Power of Now: A Guide to Spiritual Enlightenment," by Eckhart Tolle.

**Hometown:** PHILADELPHIA.

**In Las Vegas since:** 1977.

The law offices of Edward M. Bernstein & Associates are at 500 S. Fourth St. in Las Vegas and 711 Mall Ring Circle, Suite 101, in Henderson and can be reached at 384-4000.



Lawyer Ed Bernstein has worked some of Las Vegas' biggest cases, representing victims of casino fires and health clinic malpractice. Photo by Craig L. Moran

Lawyer Ed Bernstein is a fixture on local television, with his ubiquitous commercials and his weekly talk show. But though you see him every day, there's a lot about Bernstein you probably don't know. For one thing, he's a single dad raising three daughters. He sneaks away from the office midday a few times a week for yoga classes. And he owns a slew of professional firsts: The first lawyer to advertise legal services in the local market. The first businessman to run Spanish-language advertisements on local television-network affiliates (and the first businessman to field hate mail for running Spanish-language advertisements on local television-network affiliates). The first attorney to advertise on area billboards.

Bernstein has also worked some of the city's biggest cases. He's involved in a massive tort concerning hygiene at a local endoscopy clinic, and he represented plaintiffs injured in the MGM Grand and Las Vegas Hilton fires in the early 1980s and the 1988 Pacific Engineering & Production Company of Nevada plant explosion in Henderson. He also hosts a weekly TV talk show for which he interviewed President Clinton and Vice President Al Gore.

**Question:** How did you get into trial law?

**Answer:** When I first started practicing law here in Las Vegas in 1977, I put a shingle out and took any kind of case that walked in the door -- divorce, real estate, personal injury, criminal. I found that I really enjoyed the personal injury cases. I liked representing the underdog against big insurance companies and drug companies. Around 1983, I started advertising for those cases and began handling them exclusively.

**Question:** What cases consume most of your time right now?

**Answer:** The hepatitis C case (involving the Endoscopy Center of Nevada) is my No. 1 priority. We have approximately 20 trials scheduled to start in October. We have about six lawyers working on the case full time.

**Question:** You were a pioneer of local legal advertising. What are your thoughts on the state bar's clamping down a few years ago on over-the-top legal ads?

**Answer:** Advertising should be dignified, but I also believe you have a First Amendment right to express truthfully what it is you want to express about your products. You can't legislate taste. There are some attorneys' ads I might find distasteful, but I certainly think they're entitled to run those ads.

**Question:** How did you come up with the ad slogan, "Enough said, call Ed?"

**Answer:** I came up with it when I was in grammar school. I ran for office in my school, and my slogan was, "Use your head, vote for Ed." It was a variation on that.

**Question:** Was that grade-school motto similar to your slogan when you ran for the U.S. Senate in 2000?

**Answer:** No, my slogan then was, "A new voice, a new choice." I had not been in politics before, and I wanted to communicate that I was from outside the political scene. My grammar-school slogan might have worked better.

**Question:** What's the biggest misconception about you?

**Answer:** People are surprised at how mellow I am in real life, and they're surprised at how much younger I look in real life than I look on TV. People are also surprised that my primary function has been raising my daughters, and that I like to be very balanced. I do yoga every other day, but

I also box. I have the yin and yang going all the time. I'm very much a Type A personality at work, and very mellow at home. As an attorney, it's an advantage to have a Type A personality, but at home, it's better to be calm and have greater patience.

**Question:** Trial lawyers are way down there with car salesman and reporters in popularity ratings among the general public. Why?

**Answer:** I give the same answer I give about congressmen. Everybody dislikes congressmen except their own. It's the same thing with attorneys. When you go see an attorney, it's not usually because some unknown relative left you a million dollars. It's because there's a divorce, or a criminal case against you, or you were injured, and now you have to spend money to right a wrong.

If you have an entanglement with the legal system, you're often being sued by someone else's attorney. There's a natural disgust and a dislike of the fact that somebody is suing you. But when you need an attorney, you have a natural affection for someone who is protecting you. And in every case, there's a winner and a loser, so half of people are upset with lawyers to begin with.

**Question:** When you're out and about, how often do people recognize you?

**Answer:** Everywhere, every day, every time I'm in the supermarket.

**Question:** What do they say?

**Answer:** Some people just want to shake my hand and say, "Hello." Others saw my TV show and want to talk to me about a particular guest. A lot of others will say, "Enough said, call Ed" when I walk by. Everybody is very friendly. I meet a lot of people every day through people recognizing me. I'm highly recognizable, unlike other people on TV, because I'm bald. I lost my hair when I was in my 20s, and at one time I was upset about that, but it's become an advantage for me. It's very beneficial trying to get a table at a restaurant.

**Question:** What's the funniest lawyer joke you've ever heard?

**Answer:** I try to forget lawyer jokes! I'm bad at remembering jokes.

**Question:** Why did you run for the U.S. Senate?

**Answer:** My oldest daughter has a medical condition she's had her entire life, so we have been to children's hospitals around the country and have dealt daily with insurance companies. In 1999, I was very frustrated with some of the medical care that I observed, particularly with insurance companies' second-guessing doctors. It was always a battle. Because I'm an attorney, I was able to get a lot of procedures done for her, but there were so many people without the abilities and resources I had who were suffering. I just got very committed to fighting for a patients' bill of rights, and I got involved with the cost of prescription drugs. I decided to run for the Senate to do something about the cost of prescription drugs and health care. I lost the race, but I think we

helped highlight the prescription drug issue nationally. We got press in The New York Times, USA Today and The Wall Street Journal on a trip to Mexico to look at prescription-drug costs.

**Question:** Would you consider another run for office in the future?

**Answer:** I love fighting for causes I believe in that have value, but my primary job right now is raising my children. When they're a little older, I would absolutely consider running for something. I would love to have been a senator. I think I could have made a difference.

**Question:** What's the future of your practice?

**Answer:** I am happy where we are. We're large enough to go toe to toe with big drug companies, but small enough that we still offer personal service. Accessibility and service are very important to us. We were creating customer service campaigns in the early '80s, before businesses in general had done that. We always try to be innovative.

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