



DAVID COLWELL

# The underdog

A child of the civil rights movement, attorney Daniel Goldstein just can't stop taking on the system. By Elizabeth A. Evitts

**D**aniel Goldstein loves a good fight. The 52-year-old attorney seems amiable enough, slightly rumpled, with a boisterous laugh, and a repertoire of great anecdotes. Get him in the courtroom, though, and this good-natured man turns into a killer.

The metamorphosis is understandable. Daniel Goldstein is defending something quite primal, in his opinion: human rights. The resident of Baltimore, a partner at Brown, Goldstein & Levy,

takes on the kind of cases that make John Grisham novels bestsellers. And, like the heroes in Grisham's tales, Goldstein usually wins.

Goldstein is so confident in his abilities—and steadfast in his beliefs—that he is willing to tackle cases most attorneys would run to avoid. For example, in November of 1999, he took on a certain Internet company. Maybe you've heard of them? America Online.

After learning that AOL's software

was incompatible with the standard screen-reading program for the blind, Goldstein—who is also lead counsel for the locally based National Federation of the Blind—filed suit, charging that the company violated the Americans with Disabilities Act (ADA). This was the first time the ADA had been applied to the nebulous world of online technology. It worked. On the 10th anniversary of the ADA this summer, AOL agreed to redesign the next version

**And justice for all: Attorney Daniel Goldstein believes in the rights of the little guy.**

of its software to accommodate the needs of the blind.

Down goes Goliath. Score one, David.

GOLDSTEIN WAS A CHILD OF THE CIVIL rights movement where he learned to fight the good fight from his father, Ernie Goldstein, who juggled prominent law and teaching careers in Austin, Texas, with high-powered political work, including a stint as a special assistant to President Lyndon Johnson. Goldstein watched his father advocate for equality during the first turbulent years of desegregation. Ernie organized rallies and speeches at the University of Texas, where he taught, and introduced his 13-year-old son to a young civil-rights leader named Martin Luther King Jr.

"[My father] allowed me to sit in on the strategy meeting after [King's] speech on the condition that I didn't open my mouth," Goldstein laughs.

The battle for civil rights became a family affair. Both Dan and his older sister, Susan, inherited their father's passion for social justice. In 1960 and early 1961, Dan tagged after his sister when she protested the segregated movie theaters and lunch counters in their neighborhood in Austin. But it was the courtrooms of the civil-rights age that left a lasting impression on young Goldstein. He watched as the Supreme Court safeguarded liberties with the historic 1954 *Brown v. Board of Education* decision ending school segregation. He watched as Judges Frank Johnson and John Brown of the 5th Circuit Court of Montgomery, Alabama repeatedly ruled in favor of civil rights in the face of severe bigotry. The judicial triumphs of the 1950s and '60s taught Goldstein that the law could be a powerful instrument of social change. He was determined to continue in that path.

Goldstein earned his law degree from the University of Texas in 1973 and moved to Baltimore to clerk for a federal judge. That same year, Spiro Agnew pleaded *nolo contendere* to charges of tax evasion while Baltimore County Executive Dale Anderson stood trial for political corruption. The high-profile cases intrigued him.

"I thought it was exciting that a prosecutor who had no political clout could have that kind of impact simply by uncovering the truth," Goldstein remembers. He was hooked. In 1976 he became a federal prosecutor for the United States. He spent the next six years litigating political corruption and espionage cases, including one cloak-and-dagger case involving a spy who leaked national secrets to the Soviets. In 1982, Goldstein left the power and prestige of the U.S. Attorney's office to pursue private practice.

IT WAS GOLDSTEIN'S WINNING REPUTATION that brought Joyce Wilson to his office in 1986. Wilson had recently lost her husband, Eric, to liver disease. A game of financial chicken between the hospital and

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his insurance companies delayed the necessary transplant surgery, and two healthy, matching livers went to other patients while Eric Wilson lay dying in his hospital bed. Joyce fought in vain to save his life.

"I begged and pleaded with the hospital," Wilson says. "Too many people ignored us, too many people did not do the humane thing."

She took legal action to draw attention to the devastating treatment of her husband at the hands of a money-driven system. At first, she was not sure her case could succeed, but watching Dan Goldstein operate in the courtroom changed her outlook.

"There was one witness on the stand who kept evading Dan's questions," Wilson recalls. "Dan went at him for what seemed like hours until he got what he needed. Even I was ready for him to stop!"

That tenacity won the case. The court awarded Joyce Wilson \$3 million for the loss of her husband. The ruling buttressed patient rights, establishing that insurance decisions cannot drive treat-

SITTING IN HIS OFFICE ON W. FAYETTE Street, Goldstein takes his time recounting the story of Eric and Joyce Wilson. He leans back in his chair, tapping a turquoise-and-silver ring—an engagement gift from his wife, Laura—on the arm of his chair.

"Joyce was such a strong and dignified woman," Goldstein remembers. "In the years that we worked on this case, she never cried, but when the verdict came back she wept for an hour. She believed she had done the right thing for her husband."

He pauses frequently when mulling over the story, but in the courtroom, that hesitation fades. He is a formidable orator, ferocious at times, according to colleagues. He is completely engrossed, highly tuned in to the details of his case.

U.S. District Judge Catherine Blake calls Goldstein a "vigorous advocate in the courtroom. He works very hard for his clients and for a cause that he thinks is right."

Judge Andre M. Davis of the U.S. District Court of Maryland first met Dan Goldstein more than 20 years ago when they clerked for the same judge. Later, they both litigated cases for the U.S. Attorney's office. He explains that Goldstein's sincerity wins over courtrooms.

"He's good in front of judges and juries because he exudes trustworthiness," Davis says. "This is true of Dan in general; he looks you in the eye and he gives it to you straight."

Goldstein doesn't do much trial work these days. Most cases, like AOL's, settle out of court. Just as well—the courtroom really takes a lot out of him.

"It calls on every talent of your being to try a case," Goldstein says. "Your imagination, your logic, your empathy, your understanding of the law. You have to use all of you."

At the end of a trial, Goldstein is used up. He crashes, spending several days sleeping and nursing the inevitable cold that follows a tough fight. He recuperates with his family—he loves to eat Laura's famous paella and practice his fluent French and travel—and he tries to make up for the time lost during the trial.

Still, despite the toll it takes, if Goldstein had his way, he would always be in the courtroom.

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*Contributing writer Elizabeth Evitts wrote about pools in October.*