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Representative/Recent Case Results

Representative Trial, Arbitration, and Related Experience

DuPage County, February 2018. Secured complete defense verdict for client, general dentist. A 19-year-old plaintiff sustained permanent bilateral lingual nerve injury after extraction of wisdom teeth. Asked for \$900,000 at close of jury trial. Verdict for defendant.

Cook County, January 2018. Secured complete defense victory for client, a periodontist. Plaintiff alleged dental implant was placed too close to inferior alveolar nerve in lower right jaw and caused permanent pain and numbness to lip and chin. Plaintiff asked for \$2.3 million in damages. Verdict for Defendant.

Cook County, June 2017. Dental malpractice case alleging failure to properly prepare cosmetic restorations. (Concomitant collection action by dentist against patient for unpaid fees.) Plaintiff asked jury for \$130,000. Verdict for Plaintiff \$9,725 on malpractice action. Verdict in favor of patient on collection action.

Cook County, May-June 2017. Medical malpractice case alleging failure to diagnose and refer resulting in death from pulmonary embolism of a 54-year-old man. Plaintiff asked jury for \$17 million. Verdict for Defendants.

Cook County, May 2017. Dental malpractice case alleging failure to properly perform and follow up after third molar extractions. Following procedure, diabetic Plaintiff developed necrotizing fasciitis (flesh-eating disease) in neck and chest. Plaintiff asked jury for \$2.7 million. Verdict for Defendants.

Cook County, November 2015. Dental malpractice case alleging failure to obtain informed consent prior to placing full-mouth restoration implants and a removable prosthesis. Verdict for Plaintiff \$150,000.

Will County, April 2014. Legal malpractice case alleging improper preparation of will and trust. Verdict in favor of the Plaintiff for \$200,000. Policy limits offered in 2013, rejected. Later bench trial of Co-defendant in bifurcated case satisfied judgment against lawyer-defendant.

Cook County, September 2013. Dental malpractice alleging improper removal of impacted wisdom teeth. Verdict for Defendant.

Cook County, October, 2012. Dental malpractice case alleging implants placed by defendant were unrestorable and there was a duty to immediately notify the Plaintiff on the day of the surgery of the suboptimal placement. Verdict for Defendant.

Cook County, October 2011. Dental malpractice alleging failed implants due to negligence. Case dismissed by Plaintiff on day four of trial.

Cook County, March, 2008 (2nd Trial). Judgment for Defendant on Motion in Limine barring Plaintiff's sole expert after same previous ruling by court followed by grant of new trial on Plaintiff's Motion to Reconsider. Dental malpractice case involving alleged failure to properly extract tooth, prepare teeth for bridgework, and take films.

Cook County, March, 2005. Legal malpractice case settled during pretrial motion phase. Allegations against lawyer who voluntarily relinquished license asserting conflicts of interest in business loan transaction.

Representative/Recent Case Results (Continued)

Cook County, April, 2003. Wrongful Death, Survival Claims. Verdict for Defendants St. Joseph Hospital, resident and Co-defendant attending. Verdict for Plaintiff of \$2.5 million as to Co-defendant home health nurse and home health agency. Global Demand of \$7 million; \$14 million asked of jury.

Cook County, February 2003. Case settled on day nine of trial. Medical malpractice with alleged failure to diagnose myocardial infarction. Global demand \$14 million; Settlement for our Defendant: \$375,000.

Cook County, October, 2002. Case settled on day two of trial after opening statements. Medical malpractice alleging failure to follow hospital policy on restraining a patient. Demand \$4.5 million; Settlement \$900,000.

Cook County. Arbitration Award for Defendant-Lawyers. Legal malpractice alleged failure to properly represent Plaintiff in real estate closing.

Cook County. Arbitration Award for Defendants. Medical malpractice alleged inappropriately performed CT scan.

DuPage County. Arbitration Award for Defendants. Legal malpractice alleged negligence in underlying non-wage garnishment.

Cook County. Verdict for Plaintiff; \$242,000 (against all Defendants). Nerve injury medical malpractice case following anesthesia against anesthesiologist, hospital, and orthopedic surgeon. All direct agents of hospital successfully dismissed during trial.

Winnebago County. Verdict for Defendant. Oral surgery malpractice case in which Plaintiff alleged faulty repair of facial fractures. Plaintiff asked jury to award \$500,000.

Cook County. Hung Jury. Dental malpractice case involving alleged negligent consent for and placement of implants resulting in permanent nerve injury. Plaintiff asked jury to award \$661,000.

Cook County. Verdict for Plaintiff: \$300,000. Legal malpractice case with underlying claims of defamation, malicious prosecution, intentional infliction of emotional distress, and request for punitive damages. Plaintiff asked jury to award \$4.6 million; JNOV granted. Appellate Court ruled in Defendants' favor (see Representative Appeals Section).

Lake County. Verdict for Plaintiff: \$420,000, reduced to \$327,600 for contributory negligence. Dental malpractice case alleged inappropriate treatment of periodontal disease and claimed loss of teeth and bone and future hip graft surgery.

Cook County. Verdict for Plaintiff: \$75,000; Asked of Jury: \$425,000. Dental malpractice case in which Plaintiff alleged failure to properly perform oral surgery and treat later sinus infection, with resulting nerve damage. Plaintiff asked jury for \$425,000.

Cook County. Verdict for Defendant. Medical malpractice case in which Plaintiff alleged fracture as a result of placement on examination table.

Cook County (Bench Trial). Judgment for Plaintiff: \$6,370. Legal malpractice case with underlying auto accident. Plaintiff alleged lost career as a ballet dancer due to fractured ankle.

Cook County. Case settled after jury impaneled. Medical malpractice wrongful death case involving CABG surgery.

Cook County. Case settled on day three of trial. Dental malpractice case alleged improper bridgework.

Cook County (Mandatory Arbitration). Award for Defendant. Legal malpractice case involving arbitration of auto accident case.

Cook County (Mandatory Arbitration). Award for Plaintiff: \$7,000. Legal malpractice case alleged negligence in handling underlying bus accident case.

Representative/Recent Case Results (Continued)

Representative Appeals

Non-published Rule 23 Opinion (Ill. App. First District, 2010). Dental malpractice case appealed by Plaintiff on Judgment granted at trial for Defendant following successful bar of Plaintiff expert at trial. Judgment for Defendant dentist affirmed.

2007 Ill. App. LEXIS 258 (Ill. App. Ct. 2007). Court affirmed dismissal of legal malpractice case in underlying divorce case on collateral estoppel grounds due to Plaintiff's conflicting sworn testimony in underlying and current cases.

Non-published, Rule 23 opinion (Ill. App. First Dist., 1997). Appeal on issue of whether summary judgment granted for Defendant hospital and Defendant hospital volunteer was appropriate in case where Plaintiff hospital volunteer claimed she was injured by Defendant, causing subsequent hip fracture, heart attacks, and congestive heart failure. Grant of summary judgment for both Defendants was affirmed in a Rule 23 opinion, and Plaintiff's Petition for Leave to Appeal to the Illinois Supreme Court was denied.

1997 WL 527938 (Ill. App. First Dist. August 27, 1997). Appeal and cross-appeal in legal malpractice case on issue of whether trial court properly entered JNOV on punitive damages and intentional infliction of emotional distress, and allowed new trial on remaining underlying claims of defamation and malicious prosecution. Court ruled in Defendants' favor on both appeal and cross-appeal.

167 Ill.2d 449, 657 N.E.2d 997, 212 Ill. Dec. 652 (1995). Appeal filed as Amicus counsel in Illinois Supreme Court, on behalf of Illinois Association for Defense Trial Counsel. Issue on appeal of medical malpractice case was whether heirs of Decedent could pursue a wrongful death claim when Decedent and his wife had obtained a jury verdict while Decedent was alive, based on same facts, and against same Defendant. Court's opinion consistent with arguments raised in Amicus brief.

222 Ill. App. 3d 268, 583 N.E.2d 1139, 164 Ill. Dec. 817 (1991). Appeal on issue of whether a legal malpractice complaint must set forth the identity of the underlying manufacturer of the allegedly defective drug to support "but for" element. Court found identification in Complaint was not required.

186 Ill.App.3d 648, 542 N.E.2d 799, 134 Ill. Dec. 455 (1989), rev'd and remanded, 143 Ill.2d 28, 570 N.E.2d 309, 155 Ill. Dec. 796 (1991). Appeal on the issue of whether a refiled medical malpractice case could be asserted based on new issues.