



LINDA J. HAY

Partner

30 N. LaSalle Street, Suite 2900

Chicago, IL 60602

312-205-7752

lhay@heplerbroom.com

AREAS OF PRACTICE

- Medical & Dental Malpractice
- Nursing Home Litigation
- Professional Liability

EDUCATION

- The John Marshall Law School, n/k/a UIC John Marshall Law School, J.D., 1986
- University of Illinois-Urbana-Champaign, B.A. in Economics, 1982

ADMISSIONS

- Illinois
- Illinois Supreme Court
- U.S. Court of Appeals for the 7th Circuit
- U.S. District Courts for the Federal Trial Bar for the
 - Northern District of Illinois
 - Central District of Illinois

PRACTICE DESCRIPTION

Linda J. Hay focuses her practice on the defense of all types of professionals, including individual healthcare practitioners such as physicians, dentists, and nurses, as well as lawyers. Ms. Hay also defends institutions such as hospitals, healthcare systems and facilities, and clinics and group practices when they are charged with negligence and related claims. She has tried numerous cases to successful verdict and handled many cases through successful appeal.

Before joining HeplerBroom, Ms. Hay was an equity partner in the Chicago firm of Hay & Oldenburg LLC (formerly known as Alholm, Monahan, Klauke, Hay & Oldenburg, LLC). Previously, she was Assistant Attorney General for the State of Illinois Civil Appeals Division and handled appeals involving state agencies. She also served as a judicial clerk for the Honorable William R. Quinlan of the First District of the Appellate Court of Illinois and for the Honorable Thomas E. Hoffman of the Circuit Court of Cook County, Law Division, Motion Call.

BAR/PROFESSIONAL ASSOCIATIONS

- Association of Defense Trial Attorneys
 - Chair, Webinar Committee (2019-2020)
 - Editor, *The Association Press* (2010-2015)
- Chicagoland Healthcare Risk Management Society
- Defense Research Institute
- Illinois Association of Defense Trial Counsel
 - Editor, *IDC 2017 Survey of Law* (2018)
 - Board of Directors (2005-2009)
 - Co-Chair, Diversity Committee (2007-2009)
 - Editor-in-Chief, *IDC Quarterly* (2005-2006)
 - Chair, Medical Liability Committee (2000-2002)
 - Editorial Staff, *IDC Quarterly* (2002-2005)
- Illinois Association of Healthcare Attorneys
- Medical Professional Liability Association

(continued on page 2)

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AWARDS, HONORS & DISTINCTIONS

- AV Preeminent[®] Attorney by Martindale-Hubbell
- Illinois Leading Lawyers (2013-2022)
- Illinois Super Lawyers (2005-2014, 2016-2022)
 - Top 50 Female Lawyers in Illinois (2005-2009)
- Distinguished Member Award, Illinois Association of Defense Trial Counsel (2016)
- President's Commendation, Illinois Association of Defense Trial Counsel (2009)
- Chicago Women in Law, *Chicago Lawyer* (2002)
- Defense Star Award, Oral and Maxillofacial Surgeons National Insurance Company, (2002)
- Golden Gavel Designee, National Association of Insurance Women (2002)
- Maggie O'Toole Mentors and Protégées Award, National Association of Insurance Women (1999)

LAW SCHOOL HONORS/INVOLVEMENT

- Moot Court

PUBLISHED LEGAL WRITING

- Contributing author, *Professional Solutions' Physician Connection* (2014 to present).
- Case study columnist, *Professional Solutions' Dental Insights* (2008 to present).
- "Beware of Potential MPL Verdict Appeals," *Inside Medical Liability* (Second Quarter 2020). (Co-author)
- "Discrimination in the Medical Profession—Unfortunately, It's a Two-Way Street," *Physician Connection*, Issue 4 (Dec. 15, 2018). (Co-author)
- Editorial Board, "The Chemically Impaired Lawyer," *Minnesota Lawyers Mutual Practice Management Booklet Series* (2018).

For a complete list of **Published Legal Writing**, see attached.

(continued on page 3)

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LEGAL LECTURES & PRESENTATIONS

- "Risk, Malpractice, and Related Matters," Chicago Dental Society, New Dentist Event (Wheeling IL, 2022).
- "A Brave New World: Business Development Post COVID," Moderator, Association of Defense Trial Attorneys Webinar (2022).
- "Tales from the Front: Dental Malpractice Post COVID," Medical Professional Liability Association, Dental Workshop (2021).
- "Risk Management: Clarity for a Successful Outcome," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2021).
- "Anatomy of a Malpractice Claim," CADR (Evanston IL, 2020).

*For a complete list of **Legal Lectures & Presentations**, see attached.*

REPRESENTATIVE/RECENT CASE RESULTS

- 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.

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Published Legal Writing

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"Discrimination in the Medical Profession—Unfortunately, It's a Two-Way Street," *Physician Connection* (Dec. 15, 2018, Issue 4). (Co-author)

Editorial Board, "The Chemically Impaired Lawyer," *Minnesota Lawyers Mutual Practice Management Booklet Series* (2018).

"Web Reputation: Setting a Patient's Expectations," *OMS Guardian* (2016). (Co-author)

Editorial Board, "Successful Management and Collection of Fees," *Minnesota Lawyers Mutual Practice Management Booklet Series* (2013).

"Non-Party Treating Physicians: Protection of Patient Confidentiality," *PIAA Quarterly* (2013). (Co-author)

The Glaucoma Book: A Practical, Evidence-Based Approach to Patient Care (2010). (Contributing author)

"Failure to Diagnose and Delayed Diagnosis of Carrier and Medico—Legal Responsibility: A Series of Cases," *The Journal of the American Dental Association* (2009). (Co-author)

"New York Court Bars Defense Attorney from Representing Corporate Defendant's Former Employees," *Association of Defense Trial Attorneys, The Association Press* (Winter 2009, Vol. 16, No. 1).

Desk Reference for Illinois Legal Malpractice Claims (2009). (Co-author)

"Avoiding Conflicts of Interest: A Malpractice Insurance Company's Perspective," *Minnesota Lawyers Mutual Practice Management Booklet Series* (2008).

"Legalities," Co-author, monthly column on risk management and related legal issues, *Woman Dentist Journal/Chronicle* (2006-2008).

"Risk Management: The Top 10 Mistakes Dentists Make," *Woman Dentist Journal/Chronicle* (2006, Vol. 4, Issue 6).

"The 10 Biggest Mistakes Physicians Make Regarding Risk Management," SEAK, Inc.'s *The Biggest Legal Mistakes That Physicians Make and How to Avoid Them* (2005).

"The 10 Biggest Mistakes Physicians Make Which Could Lead to Liability for Failure to Provide Informed Consent," SEAK, Inc.'s *The Biggest Legal Mistakes That Physicians Make and How to Avoid Them* (2005).

Published Legal Writing (Continued)

- "The Pruning of Petrillo: Practical Aspects for Defense Practitioners," *IDC Quarterly* (2000, Vol. 10, No. 2).
- "Pre-suit Procedures: What You Should Know," *Chicago Association of Insurance Women Newsletter* (April 2000).
- "Pre-suit Procedures: What You Should Know," Chicagoland Healthcare Risk Management Society's *The Exchange* (2000).
- "Understanding the National Practitioners Data Bank," *Dental Claims and Insurance News* (1998, Vol. 13). (Co-author)
- Editor, "Evolving Trends in Medical Liability Law," *IDC Quarterly Monograph* (1998, Vol. 3).
- "Legal Malpractice: Recent Developments and Trends in the Law," *IDC Quarterly* (1996, Vol. 6, No. 3). (Co-author)
- "Testimony of Plaintiff is Proper Support for Element of Causation Under Objective Standard in Informed Consent Case," *IDC Quarterly* (1995, Vol. 4, No. 5).
- "The Burden of Proof on Proximate Cause: Should Illinois Take a Chance?" *IDC Quarterly* (1994, Vol. 2, No. 4). (Co-author)
- "Legal Malpractice Claim Appropriate When Underlying Case Settles: McCarthy v. Pedersen & Houpt," *IDC Quarterly* (1994, Vol. 1, No. 4).



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Legal Lectures & Presentations

- "Tales from the Front: Dental Malpractice Post COVID," Medical Professional Liability Association, Dental Workshop (2021).
- "Risk Management: Clarity for a Successful Outcome," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2021)
- "Anatomy of a Malpractice Claim," CADR (Evanston IL, 2020).
- "Pain and Perception: Reducing Nerve Injury Risk," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2020).
- "Risk Management Out of the Gate: Using Engagement Letters to Minimize Risk," Moderator, Association of Defense Trial Attorneys Webinar (2020).
- "Confessions of a Mediator," Moderator, Association of Defense Trial Attorneys Webinar (2020).
- "Making Lemonade When COVID-19 Hands you Lemons," Association of Defense Trial Attorneys Webinar (2020).
- "Safe Surfing in the Digital Treasure Trove," Medical Professional Liability Association, Autumn Workshop (2020).
- "Mental Health and Lawyers in the Time of COVID," Moderator, Association of Defense Trial Attorneys Webinar (2020).
- "Legalities in the Dental Practice," (Knoxville TN, 2019).
- "Dress Rehearsal: Preparations Beyond the Law and Evidence," Association of Defense Trial Attorneys Webinar (2019).
- "The Theatre of the Courtroom," Defense Research Institute, Trial Skills Series (2019).
- "Long-Term Care Administration Matters," (Rosemont IL, 2019).
- "Risky Business," recorded presentation (2019).
- "Anatomy of a Malpractice Claim," McHenry/Kane County Medical Society (Algonquin IL, 2019).
- "Legalities in the Dental Practice," (Cedar Rapids, IA 2019).
- "Pain and Perception: Reducing Nerve Injury Risks," (Oakbrook Terrace IL, 2019).
- "Pain and Perception: Reducing Nerve Injury Risks," New Jersey Dental Association (North Brunswick NJ, 2019).
- "Social Media and the Internet: The Impact on Claims," Insurance Law and Coverage Seminar (Oak Brook IL, 2018).

Legal Lectures & Presentations (Continued)

- "Legalities in the Dental Industry," Spring Park Oral & Maxillofacial Surgeons (Davenport IA, 2018).
- "Write is Might," St. Bernard Hospital (Chicago IL, 2018).
- "Caution & Control: Reducing Employment Liability," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2018).
- "Risk Mitigation in the Modern Dental Practice," Dental Practice Acquisition and Management: The Ins and Outs of Buying and Managing Your Own Practice (Oakbrook Terrace IL, 2018).
- "Reducing Nerve Injuries," (Oakbrook Terrace IL, 2018)
- "Legalities in the Dental Industry," The Aspects of the Dental Practice: A Series (Fresno CA, 2017).
- "Strategies for the Patient Relationship," The Aspects of Dental Practice: A Series (Charleston SC, 2017).
- "Strategies for the Patient Relationship," Dental Implant Mini Residency (Atlanta GA, 2017).
- "Social Media in the Professional Liability Arena," Insurance Law and Coverage Seminar (Oak Brook IL, 2017).
- "Caution + Control: Reducing Employment Liability," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2017).
- "Social Media and the Internet: The Impact on Professional Liability Claims," Willis Towers Watson/Argentum Senior Living Conference (Chicago IL, 2016).
- "Estates, Trusts and Probate Lawyers' Liability and What May Market Do in Response?" ACI Legal Malpractice Conference (New York 2016).
- "Peer Review: Accomplishing the Goal," Chicago Dental Society (Oak Brook IL, 2016).
- "The Secrets to a Successful Client Relationship," Illinois Association of Defense Trial Counsel, Illinois Adjuster's Seminar (Naperville IL, 2016).
- "Informed Consent and Refusal: How to Know When Enough is Enough," PSIC, Webinar (Chicago IL, 2016).
- "Social Media and the Impact of Professional Liability Claim," PLUS/Lloyd's Brokers, Spring Continuing Education (Chicago IL, 2016).
- "Implants: Clinical Overview, Claims and Risk Management," PIAA Dental Workshop (Las Vegas NV, 2016).
- "Record it...Or Else: Hashtag: Save Me from a Claim!" Chicago Dental Society, Midwinter Meeting (Chicago IL, 2016).
- "Driving the Defense: Pre-suit Analysis in the Long-Term Care Setting," Sedgwick RN Training Seminar (Chicago IL, 2016).
- "Social Media: An Overview of the Ethical Implications, and Succession Planning for Law Firms" (Chicago IL, 2015).
- "Hashtag: Save Me from a Claim," Greater Chicago Dental Academy (Niles IL, 2015).
- "Relationship Building & Networking: An Interactive Discussion on Topics," ACI Women Leaders in Insurance Defense, Claims and Compliance (New York NY, 2015).
- "Beyond the Science: Patient Emotions in Dentistry," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2015).
- "Beyond the Science: Patient Emotions in Dentistry," TDIC Seminar (Oak Brook IL, 2014).

Legal Lectures & Presentations (Continued)

- "Running from the Law," AAOC, Quarterly Meeting, Doctors Direct Insurance (Chicago IL, 2014).
- "Risky Business: How to Avoid Lawyers and Lawsuits," Study Club (Park Ridge IL, 2014).
- "Tale of the Tainted Tongue," Dental, Claims, Risk and Marketing Staff (Clive IA, 2014).
- "The High Cost of Shortcuts," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2014).
- "The High Cost of Shortcuts," TDIC Seminar (Oak Brook IL, 2013).
- "Legal Issues in the EMR," St. Joseph Hospital (Chicago IL, 2013).
- "Issues in the LTAC Setting," Kindred Medical Staff Meeting (Chicago IL, 2013).
- "The High Cost of Shortcuts," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2013).
- "The High Cost of Shortcuts," TDIC Seminar (Oak Brook IL, 2012).
- "Risky Business," Illinois Nursing Association, Breakfast Seminar (Alsip IL, 2012).
- "Understanding the Cyber Liability Risk," Minnesota Lawyers Mutual (Chicago IL, 2012).
- "Understanding the Cyber Liability Risk," Minnesota Lawyers Mutual (Naperville IL, 2012).
- "Good Intentions – Bad Outcomes," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2012).
- "Good Intentions – Bad Outcomes," TDIC Seminar (Oak Brook IL, 2011).
- "Write is Might," ICAHN Webinar (Chicago IL, 2011).
- "Life After Wegman: Competence, Conflicts & Communication," Minnesota Lawyers Mutual, Webinar (Minneapolis MN, 2011).
- "Legal Issues in the Electronic Age," Chicago Healthcare Risk Management Society, Seminar (Schaumburg IL, 2011).
- "Dental Malpractice: Learning the Rules of the Road," Minnesota Dental Society, Star of the North Seminar (2011).
- "Write is Might," Saint Joseph Hospital (Chicago IL, 2011).
- "Write is Might," Saint Francis Hospital (Chicago IL, 2011).
- "Tale of the Tainted Tongue," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2011).
- "Good Intensions – Bad Outcomes," TDIC (Oak Brook IL, 2010).
- "Write Is Might: Running from Risk," Illinois Nursing Association and Provena St. Joseph Medical Center (Joliet IL, 2010).
- "Legal Malpractice Actions: Understanding the Complexities of the Claim," Illinois Association of Defense Trial Counsel (Chicago IL, 2009).
- "Write Is Might: Running from Risk," Illinois Nursing Association, Biennial Convention (Lombard IL, 2009).
- "Risk Management Seminar: Framework for Positive Effective Interactions," TDIC (Chicago IL, 2009).

Legal Lectures & Presentations (Continued)

- "What to Do When the Board of Nursing Calls: Protecting Your License," University of Illinois Medical Center (Chicago IL, 2009).
- "Write is Might: Running from Risk," Sauk Valley Community College (Dixon IL, 2009).
- "Risky Business," Illinois Nursing Association, E&GW Spring Retreat Seminar (Chicago IL, 2009).
- "Curing Litigation Wounds: The Defense Attorney Perspective," Illinois Nursing Association - Wound Care Nursing Association (Burr Ridge IL, 2009).
- "The Impact of Diversity on the Working Lawyer – Perspectives from the Bar and Bench," Panel Discussion, Illinois Association of Defense Trial Counsel (Chicago IL, 2009).
- "Dental Malpractice: Running from Risk," Audio online course, dentaltown.com (2009).
- "Write is Might: Running from Risk," Kindred Healthcare (Chicago IL, 2009).
- "Lawyers on the Edge and How to Restore Civility and Competence to the Proceedings: Hardball Litigation and the Ethical Implications," Panel Discussion, Illinois Association of Defense Trial Counsel (Chicago IL, 2008).
- "Avoiding Claims and Litigation: Dental Malpractice," Oakstone Medical Publishing, LLC, Audio Conference (2008).
- "Running from Risk," University of Chicago Hospitals (Chicago IL, 2008).
- "Write Is Might: Documentation Seminar," Resurrection Health Care – St. Joseph (Chicago IL, 2008).
- "Risk Management Issues and the Electronic Medical Record," The Clarity Group, Inc. (Chicago IL, 2008).
- "Informed Consent for Residents," Resurrection Healthcare - St. Joseph Hospital (Chicago IL, 2007).
- "Informed Consent for Nurses," Resurrection Healthcare - St. Joseph Hospital (Chicago IL, 2007).
- "Alternative Dispute Resolution: Pros and Cons," American Society for Healthcare Risk Management, Annual Conference (Chicago IL, 2007).
- "Current Legislation Affecting Civil Litigation in Illinois: Panel Discussion," Illinois Association of Defense Trial Counsel, Insurance Symposium & Trial Tactics Seminar (St. Louis MO, 2007).
- "Workshop: Industrial Panel," Women in Ophthalmology Leadership Summit (Sedona AZ, 2007).
- "Providing Testimony and the Duty to Warn," Resurrection Health Care (2006).
- "Informed Consent – Run from Risk," Women in Ophthalmology (Montreal, Canada, 2006).
- "Running from Risk – Behavioral Health Concerns," Resurrection Health Care (2006).
- "Confidentiality of Medical Records," Lorman Education Services (Oak Brook IL, 2006).
- "Medical Malpractice and Risk Management: Best Practices for Healthcare Professionals," Co-sponsored by the Muslim Bar Association, Oak Brook Surgical Center (Oak Brook IL, 2006).
- "Informed Consent: Understanding the Risks," Holy Family Medical Center (Des Plaines IL, 2005).
- "Healthcare Providers on Trial," St. Mary of Nazareth and St. Elizabeth Medical Center (Chicago IL, 2005).

Legal Lectures & Presentations (Continued)

- "Informed Consent: Understanding the Risks," Holy Family Medical Center staff (Des Plaines IL, 2004).
- "Running from Risk: Nursing Care in Obstetrics," Saint Joseph Hospital (Chicago IL, 2004).
- "Nurses on Trial," St. Mary of Nazareth nursing staff (Chicago IL, 2004).
- "Documentation, Litigation and the Electronic Medical Record," Resurrection Home Healthcare Services (Skokie IL, 2004).
- "Advanced Workers' Compensation in Illinois," Employment Law Issues, Lorman Education Services (Hoffman Estates IL, 2004).
- "Evidence of Prior Treatment in Light of *Voykin v. DeBoar*," Illinois Association of Defense Trial Counsel, Fall Seminar (Galena IL, 2003).
- "HIPAA Basic Training," Illinois Association of Defense Trial Counsel, Fall Seminar (Galena IL, 2003).
- "Coping with Problem Employees: Retaliatory Discharge and Related Issues," Lorman Education Services (Oak Brook IL, 2003).
- "Anatomy of a Claim: You be the Judge," SITE, National Conference (Chicago IL, 2003).
- "Computerized Medical Office Records: Can They Reduce Your Practice's Malpractice Risk and Improve Patient Safety?" ISMIE Mutual Insurance Company, "Reducing Errors in Family Practice," Stonegate Conference Center (Hoffman Estates IL, 2003).
- "Reducing Errors in Family Practice," Stonegate Conference Center (Hoffman Estates IL, 2003).
- "Coping with Problem Employees," 11th Annual National Workers' Compensation & Disability Conference (Chicago Hilton and Towers, 2002).
- "Coping with Problem Employees," Council on Education in Management (Oakbrook Terrace IL, 2002).
- "The Impact of Electronic Medical Records in Medical Negligence Litigation," Illinois Academy of Family Physicians (Crowne Plaza, Springfield IL, 2001).
- "Coping with Problem Employees: Retaliatory Discharge and Related Issues," 10th Annual National Workers' Compensation and Disability Conference and Exhibit (Chicago Hilton and Towers, Chicago IL, 2001).
- "The Stripping of the Medical Studies Act: How to Keep Your Clothes On," Illinois Association of Defense Trial Counsel, Fall Seminar (Eagle Ridge, Galena IL, 2001).
- "Ethics: Practical Advice in Common Practice," Sarah Bush Lincoln Medical Center (Mattoon IL, 2001).
- "Run from Risk in Residency," Catholic Health Partners, New Resident Seminar, St. Joseph Hospital (Chicago IL, 2001).
- "Trauma, Triage, and Triumph: Legal Issues in the Emergency Care Setting," St. Anthony Hospital Emergency Department (Chicago IL, 2001).
- "The Impact of Electronic Records in Medical Negligence Litigation," Lorman Educational Seminars (Holiday Inn, Itasca IL, 2001).

Legal Lectures & Presentations (Continued)

- "Employment Issues," Donahoe, Purohit, Miller (Chicago IL, 2001).
- "Nurses on Trial," American Association of Critical Care Nurses, Regional Meeting (Arlington Park Sheraton, Arlington Heights IL, 2001).
- "Tips on Preventing Employment Related Litigation," North DuPage Special Education Cooperative (Itasca IL, 2001).
- "The Impact of Electronic Records in Medical Negligence Litigation," Physicians Insurance Company (Madison WI, 2001).
- "The Impact of Electronic Records in Medical Negligence Litigation," Illinois State Medical Inter-Insurance Exchange (Chicago IL, 2001).
- "The Impact of Electronic Records in Medical Negligence Issues," American Society of Healthcare Risk Managers (New Orleans LA, 2000).
- "E-Insurance, Catch the Wave," Chicago Association of Insurance Women (Union League Club, Chicago IL, 2000).
- "Tips on Preventing Employment Related Lawsuits," Wickes Furniture, National Managers' Meeting (Wheeling IL, 2000).
- "Legal Issues of Patient Care," Catholic Health Partners, New Resident Seminar, St. Joseph Hospital (Chicago IL, 2000).
- "Confidentiality of Medical Records," Lorman Education Services (LaGrange IL and Rosemont IL, 2000).
- "Legalities of Utilizing and Maintaining Computerized Medical Records in Illinois," Lorman Education Services (Itasca IL, 2000).
- "Legal Issues of Patient Care," St. Joseph Hospital and St. Anthony Hospital (Chicago IL, 2000).
- "Tips on Preventing Employment Related Lawsuits," Dixon Valve, National Managers' Meeting (Atlanta GA, 2000).
- "Dental Malpractice: Learning the Rules of the Road," Kankakee County Dental Society (Kankakee IL, 2000).
- "The Impact of Electronic Records in Medical Negligence Litigation," Chicagoland Healthcare Risk Management Society, Annual Meeting (Oak Brook IL, 2000).
- "The Impact of Electronic Records in Medical Negligence Litigation," American Association of Critical-Care Nurses, Midwest Conference (Chicago IL, 2000).
- "Tips on Preventing Employment Related Lawsuits," Donohoe, Purohit, Miller (Chicago IL, 2000).
- "ADA, FMLA and Primer on Employment Law," Lorman Education Services (Chicago IL, 1999; 2000).
- "The Impact of Electronic Records on Medical Negligence Issues," Wisconsin Society of Healthcare Risk Managers, Annual Convention (Egg Harbor WI, 1999).
- "The Impact of Electronic Records in Medical Negligence Litigation," Illinois Association of Defense Trial Counsel, Fall Conference (Adams Mark Hotel, St. Louis MO, 1999).
- "Freedom from Faulty Documentation," Partner Home Care, Columbus Hospital Home Health Staff (Chicago IL, 1999).

Legal Lectures & Presentations (Continued)

"Nurses on Trial," Catholic Health Partners, St. Joseph Hospital and Columbus Hospital nursing staff (Chicago IL, 1999).

"Dental Malpractice: Learning the Rules of the Road," PIC Wisconsin Insureds (Oak Brook IL, 1999).

"Anatomy of a Lawsuit," Residents, Catholic Health Partners, St. Joseph Hospital (Chicago IL, 1999).

"Anatomy of a Lawsuit," Residents, Catholic Health Partners, St. Joseph Hospital (Chicago IL, 1998).

"Prosecuting and Defending Wrongful Discharge Claims - Medical Evidence: Law and Technique," Illinois Insurance and Tort Law Update, Professional Education Systems, Inc. (Doubletree Guest Suites, Chicago IL, 1998).

"Prosecuting and Defending Wrongful Discharge Claims," Illinois Insurance and Tort Law Update, Professional Education Systems, Inc. (Holiday Inn, Collinsville IL, 1998).

"Legal Issues of Patient Care," Resident staff, Catholic Health Partners, St. Joseph Hospital (Chicago IL, 1998).

"Dental Malpractice: Learning the Rules of the Road," Plum Grove Dental Associates (Palatine IL, 1998).

"Advance Directives and End of Life Decisions," Medical staff, Catholic Health Partners, Columbus Hospital (1997).

"Legal Issues of Patient Care," Resident staff, Catholic Health Partners, St. Joseph Hospital (Chicago IL, 1997).

"Legal Issues and Defensive Nursing Documentation in the Emergency Room," Emergency Room staff, St. Joseph Health Centers and Hospital (Chicago IL, 1995).

"Anatomy of a Lawsuit," Resident staff, St. Joseph Health Centers and Hospital (Chicago IL, 1995).



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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.