

# CRAIN'S LIST ILLINOIS' LARGEST VERDICTS AND SETTLEMENTS IN 2005

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Amount (millions)	Settlement/ Verdict	Type	Court	Date announced	Lead plaintiff lawyer(s)	Firm	Lead defense lawyer(s)	Firm	
\$12.0	Settlement	Medical malpractice	Cook County Circuit Court	2/16/2005	Kevin G. Burke	Burke Mahoney & Wise LLC	Jennifer A. Lewis	Lewis & Gellen LLP	
<p>► <b>Mitchell Speck on behalf of Bradley Speck v. Dr. Lorenzo F. Munoz, Dr. Stanford Shulman and Children's Memorial Hospital</b> Plaintiffs alleged hospital staff failed to treat a case of bacterial meningitis that caused the boy to seizure, which resulted in cerebral palsy and profound spastic quadriplegia.</p>									
\$10.5	Settlement	Medical malpractice	Cook County Circuit Court	6/27/2005	David R. Barry and Daniel M. Kotin	Corboy & Demetrio P.C.	Richard H. Donohue and Sherri M. Arrigo for Adventist Health System; Sheldon A. Brenner for Dr. Cynthia Victor	Donohue Brown Mathewson & Smyth LLC for Adventist Health System; Brenner Ford Monroe & Scott Ltd. for Dr. Cynthia Victor	
<p>► <b>Dennis and Lori McCaffrey v. Adventist Health System, d/b/a LaGrange Memorial Hospital, Dr. Cynthia Victor and Dr. Daniel Chen</b> Plaintiffs alleged that the hospital staff failed to diagnose a spinal infection until most motor functions were lost. Man is an incomplete paraplegic.</p>									
\$7.5	Settlement	Medical malpractice	Cook County Circuit Court	7/29/2005	Patricia A. Florio and Michael R. Panter; Michael R. Richmond	Michael R. Panter & Associates; Heller & Richmond Ltd.	Marilee Clausing and Michele Anderson	Anderson Razor & Partners LLP	
<p>► <b>Jordan Bazant through his mother, Karen Bazant v. Dr. Valerie Hansbrough, Ingalls Memorial Hospital and Primary Health Care Associates</b> Plaintiffs alleged that delayed C-section left newborn with cerebral palsy.</p>									
\$6.0	Settlement	Medical malpractice	Cook County Circuit Court	2/10/2005	Kevin G. Burke	Burke Mahoney & Wise LLC	Robert H. Smith; Mark J. Lura	Lewis & Gellen LLP for the doctor; Anderson Razor & Partners LLP for Swedish Covenant Hospital	
<p>► <b>Domahidi v. Swedish Covenant Hospital</b> A newborn allegedly was born with cerebral palsy after being deprived of oxygen for 40 minutes during delivery.</p>									
				<p>► <b>Kevin G. Burke</b>, a medical-malpractice plaintiff lawyer, won verdicts and settlements in 2005 totaling \$21.2 million, 23.6% of his chart-topping \$89.8 million that led Chicago lawyers a year earlier.</p> <p>The one-time defender of doctors and hospitals says it's not a sign that he's slowing down. The firm expects to conclude several big cases in the second half of this year and in early 2007.</p>		<p>"It seems like you'll run into three or four big ones in a row and then six months where none of the cases have reached maturity," Mr. Burke says.</p> <p>During a 15-year period, Mr. Burke has secured 56 settlements above \$1 million. In 2005, his biggest cases were medical-malpractice lawsuits in which communication failures cost the patient the opportunity to receive proper care, Mr. Burke said.</p>		<p>"As I often find, it wasn't dependent on a lack of medical skill or lack of medical knowledge, but it was a breakdown in communication in the hospital," he says. "It's a question of following through communication in an organization."</p> <p>One family got a \$12-million settlement after a 6-year-old boy was diagnosed with cerebral palsy and spastic quadriplegia after an alleged case of bac-</p>	
								<p>terial meningitis that the plaintiffs said went untreated by hospital staff despite lab results that highlighted the problem hours earlier. A second family got a \$6-million settlement when a baby was born with cerebral palsy after he was deprived of oxygen for 40 minutes during delivery because hospital staff disagreed about whether the baby was showing signs of distress, Mr. Burke says.</p> <p><i>Michelle Evans</i></p>	
\$6.0	Verdict	Medical malpractice	Cook County Circuit Court	11/9/2005	Kenneth C. Chessick, Magdalena Dworak and John Fisk	Law Office of Kenneth C. Chessick M.D.	James Quinn and Stephanie Ripple	Ruff Weidenaar & Reidy Ltd.	
<p>► <b>Marsha Dienstag and Gary Dienstag v. Lawrence Margolies</b> Gynecologist prescribed estrogen treatment for menopausal patient though he knew estrogen can accelerate breast cancer growth and the patient was at a high risk of breast cancer.</p>									
\$5.9	Settlement	Construction	Cook County Circuit Court	2/3/2005	Kenneth J. Allen; Thomas A. Demetrio	Kenneth J. Allen & Associates P.C.; Corboy & Demetrio P.C.	Nikolita Lamprinakos; Steven Krkljes	Myers Miller & Krauskopf; Schiff Gorman & Krkljes	
<p>► <b>Catherine Graves v. Ganna Construction Inc. v. Case Foundation Inc.</b> Construction worker suffered minor brain damage after crane dropped heavy sheet of metal. Worker sued contractor; contractor then sued employer of crane operator.</p>									
\$5.5	Verdict	Medical malpractice	Cook County Circuit Court	9/20/2005	John M. Saletta	Motherway & Napleton LLP	Raymond Gupta	Stamos & Trucco	
<p>► <b>Lakisha Love on behalf of the estate of Yolanda Price v. Leopoldo Jurado</b> Doctor failed to recognize abnormal breathing sounds in a mother the day after she gave birth. The mother died at the hospital.</p>									
\$5.5	Verdict	Motor vehicle accident	Cook County Circuit Court	5/25/2005	Kevin J. Conway and John D. Cooney	Cooney & Conway	Philip W. Domagalski	Kralovec & Marquard Chtd.	
<p>► <b>Sue Maggos and Peter Maggos v. Prairie Material Sales Inc.</b> Prairie Material Sales Inc. found negligent for speeding driver, who lost control of car and caused accident.</p>									
\$5.4	Verdict	Medical malpractice	Cook County Circuit Court	9/30/2005	Robert J. Napleton	Motherway & Napleton LLP	Marni Slavick and Michael R. Slovis	Cunningham Meyer & Vedrine P.C.	
<p>► <b>Joanne Tracy on behalf of the estate of Scott Tracy v. Dr. Lee Freund and Midwest Physician Group</b> Medical group was found to be 50% at fault along with patient for his failure to schedule a stress test before the man died of ischemic heart disease.</p>									
\$5.2	Verdict	Toxic torts	McLean County Circuit Court	10/3/2005	James G. Walker and James Wylder	Walker & Wylder Ltd.	Dennis Dobbels and Nicole Behen; Joseph Pevsner; Mark Kurz	Polsinelli Shalton Welte & Suelthaus P.C. for Honeywell International Inc.; Thompson & Knight LLP for Honeywell International Inc.; Gundlach Lee Eggmann Boyle & Roessler for Illinois Central Railroad	
<p>► <b>Doris Dukes on behalf of the estate of Merlon Dukes v. Honeywell International Inc. and Illinois Central Railroad</b> Honeywell International Inc. suppressed information regarding the toxicity of asbestos. Illinois Central Railroad was not negligent.</p>									
\$5.0	Settlement	Medical malpractice	Cook County Circuit Court	12/22/2005	Robert A. Clifford, Keith A. Hebeisen and Katherine L. Dzik	Clifford Law Offices	Robert L. Nora and Lynne Reardon-Damsma	McKay Nora Tanzillo Daddino & Kott LLP for Evanston Northwestern Healthcare and Evanston Hospital; Anderson Bennett Partners for Associates in Gynecological Surgery & Obstetrics and Dr. Herndon; Dykema Gossett PLLC for Dr. Hutter	
<p>► <b>Peter, Cathryn and David Lyon v. Evanston Northwestern Healthcare, Evanston Hospital, Karyn Herndon and Loren Hutter and Associates in Gynecological Surgery &amp; Obstetrics S.C.</b> Plaintiffs alleged newborn suffered permanent severe brain damage when doctors failed to perform a timely C-section. Plaintiffs settled with Evanston Northwestern and Evanston Hospital; case pending against doctors and Associates in Gynecological Surgery &amp; Obstetrics.</p>									
\$4.7	Settlement	Personal-injury accident	Cook County Circuit Court	5/24/2005	Mark McNabola, Jody Pravecek and John Power	Cogan & McNabola P.C.	Robert McNamara and Sean Hardy	Johnson & Bell Ltd. for Commonwealth Edison Co.	
<p>► <b>Krzysztof and Dorota Nejman v. Commonwealth Edison Co. and other defendants</b> Plaintiffs alleged Commonwealth Edison Co. failed to turn off electrical lines. Painter suffered severe electrical shock, a fractured back and broken ankles and ribs. ComEd settled for all defendants.</p>									
\$4.5	Settlement	Personal injury	Kane County Circuit Court	9/1/2005	Philip H. Corboy Jr. and Thomas F. Boleky	Corboy & Demetrio	Jamie S. Lane; John Sheridan Burke; Raymond P. Fabricius	O'Hagan Smith & Amundsen LLC for the driver; Higgins & Burke P.C. for the pizzeria; Pool Leigh & Fabricius for Duffy	
<p>► <b>Wyman and Carol Carey v. Dr. Thomas E. Duffy, et al.</b> The couple was injured in February 2003 when a Rosati's Pizza driver collided with their car in Hampshire.</p>									
\$4.2	Verdict	Motor vehicle accident	Bureau County Circuit Court	2/9/2005	Anthony C. Raccuglia	Anthony C. Raccuglia & Associates P.C.	Paul Martin; W. Mark Sickles	White Marsh Anderson Martin Deobler & Goode; Patton & Ryan LLC	
<p>► <b>Robert Wright on behalf of the estate of Mary E. Wright v. Prudy Brothers Trucking Co.</b> Man exiting driveway collided with passing motorist.</p>									

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