

THE HEALY LAW FIRM





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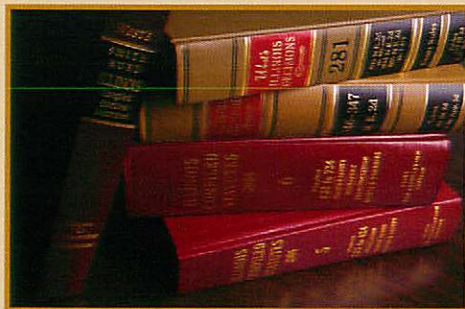
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\$23.7 Million Verdict Against Trucking Companies—Largest in Will County

The Healy Law Firm was lead counsel in a recent three week jury trial. The families of deceased victims and an injured party sued C.H. Robinson Worldwide, one of the world's largest freight brokers, a truck driver and her motor carrier.

The case arose out of a multiple vehicle accident on April 1, 2004 on I-55 near Plainfield, IL. The driver of the truck lost control of her tractor trailer and rear-ended multiple vehicles causing two deaths and one serious injury as well as multiple other injuries. C.H. Robinson denied all responsibility arguing that the driver was not its agent, and it was just a broker in the transaction.

A Will County jury returned a \$23.7 million verdict, the largest injury verdict in Will County, in favor of three plaintiffs against all defendants. They found that the truck driver was an agent of C.H. Robinson, based on the control it had over the driver. Martin Healy, Jr. and Jack Cannon represented the family of a driver killed in the collision.



\$12 Million Settlement for Two Mechanics Killed in Fire at Refinery

The Healy Law Firm was lead counsel on a refinery fire case that was appealed all the

way to the Illinois Supreme Court. Both the Supreme Court and the Appellate Court ruled for the plaintiff reversing a summary judgment entered by the trial court against the plaintiffs. The Supreme Court made a new law with this case in adopting a "direct participation" rule. The rule provides responsibility for a parent corporation where there is inappropriate participation by a parent or a holding company in the activities and affairs of a subsidiary. After remand from the High Court, the claim for the two fatally injured workmen was settled for over \$12 million.

Jury Awards \$7.5 Million for Wrongful Death Case Against Town of Cicero

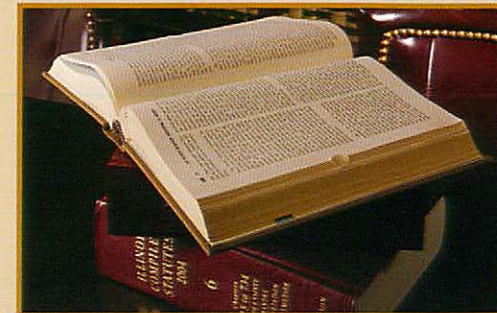
On Halloween night 2003, a Mexican immigrant was detained by Cicero police following an altercation at the corner of 56th Court and Cermak Road in Cicero. He was forced to stand behind the police car with his hands on the trunk. The police car was stopped next to heavy traffic on Cermak Road. The immigrant was hit by a drunk driver, causing both legs to be amputated. He died four hours later.

The Cicero Deputy Chief Police testified that the officers involved violated safety rules by parking so close to heavy traffic and positioning the detainee behind the squad car. However, Cicero argued that all the responsibility for the death



lay with the drunk driver. Cicero also correctly argued that it could not be liable unless the actions of the officers were willful and wanton.

The jury awarded \$5 million to the family for their loss of society and \$2.5 million for his pain and suffering finding the officers' actions to be willful and wanton. The jury also found the drunk driver partially at fault. Martin Healy, Jr., Jack Cannon and David Huber of The Healy Law Firm represented the family.



\$6 Million Verdict Results in \$7.5 Million Recovery

The plaintiff, a 32-year-old carpenter from Ireland, was injured in a collision with a First Student school bus in 2002. Because there was no immediate medical treatment, defense questioned the extent of his injuries, which included an allegation of brain damage. Because no significant offer was made, the case was tried in 2006, resulting in a verdict of \$6 million.

Rather than paying the verdict at the time of trial, First Student appealed to the Appellate Court and the Illinois Supreme Court. Both the Appellate Court and the Supreme Court ruled in plaintiff's favor.

Now, after waiting almost three years since his verdict at trial and almost seven years since the accident, the carpenter and his family will recover \$7.5 million, the increase based on the interest of over \$1.5 million that accumulated since the verdict. His persistence and that of our firm paid off.

Attorney News

Martin Healy, Jr. elected Chair of the Products Liability Section of AAJ

Martin Healy, Jr. was elected Chair of the 1700 Member Products Liability Section of American Association for Justice (AAJ), formerly known as ATLA. The Products Liability Section focuses on cases and legislation affecting products liability and product safety. The Section covers all consumer products, including automobiles, toys, and electronics. He was also appointed Chair of the Motorcycle Litigation Group (AAJ). The Group focuses its attention on all aspects of trial preparation and the trial of motorcycle injury cases.



Daniel Malone, while a partner at the Healy Law Firm, was elected President of the Workers Compensation Lawyers Association (WCLA). WCLA strives to improve the quality

of service to the general public for Workers' Compensation legal services. Dan's extensive knowledge and experience with Worker's Compensation cases has earned him this title and position. Some months after his election, the Illinois Supreme Court appointed Dan a Judge of the Circuit Court. The Healy Law Firm wishes Dan the best as he begins his judicial career.



John Scanlon has been appointed to the Illinois Jury Pattern Instructions Committee by the Illinois Supreme Court. This Committee handles all the rules for Jury Instructions in Civil

Trials. John has also been elected Parliamentarian to Illinois Trial Lawyers Association, also known as ITLA. He has previously held the positions of Treasurer and Secretary of ITLA.



David Huber was recognized as one of 40 Illinois Attorneys under Forty to watch by the Chicago Daily Law Bulletin and the Chicago Lawyer. Dave's knowledge and

experience in Personal Injury and Products Liability cases have earned him this honor. David was recently elected as a member of the Assembly of the Illinois State Bar Association. He also serves on the Board of Managers of the Illinois Trial Lawyers Association.



Kevin Veugeler was appointed a member of the Tort Law Section Council of the Illinois State Bar Association (ISBA). He also represents Cook County as a member of the Assembly of the ISBA.



Jack Cannon has been busy trying jury cases resulting in two multi-million dollar verdicts within the last year.



Congratulations to Dennis Lynch who recently won a jury trial. The medical malpractice case resulted in a verdict against three medical professionals and a hospital with Dennis and

Kevin Veugeler representing the plaintiff. Dennis was also re-appointed to the ISBA Tort Law Section Council.



Congratulations to Matthew Healy who recently won an automobile collision case, resulting in a verdict against the defendant driver. Matthew and Dennis Lynch represented

the plaintiff. They are teaming up again this summer to take on a manufacturer of a defective medical implant.

New Parent Alert: Recent Crib Recalls

The U.S. Consumer Product Safety Commission (CPSC) regulates the safety of many products we use on a daily basis. Over the years, there have been recalls on various types of cribs for infants including Stork Craft Baby Cribs, Jardine, Simplicity brand cribs & Delta Enterprise Drop Side cribs.

If you have a crib and believe it may be defective, you should immediately stop using it, find a safe alternative and notify the manufacturer and the CPSC. Most product recalls begin with consumer complaints. Only by letting the CPSC know about defects can we attempt to limit the harm to others.



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Please see our monthly column *Healy Law* in the *Irish American News* which covers legal topics of interest to the readers.



Notable Jury Verdicts



**SPERL, TALUC & SANDERS v.
C.H. ROBINSON WORLWIDE**

Two Deaths, One Serious Injury
Interstate Trucking Accident
\$23,700,000

O'BRIEN v. YAMAHA

Paraplegia
Prod. Liab./Defective Motorcycle
\$24,000,000

GODINEZ v. TOWN OF CICERO

Wrongful Death
Police Misconduct
\$7,500,000.00

**KAKIDAS MCDONALD & CHAKONAS v.
DEAN FOODS**

Death of Three Teens
Intersection Collision/Truck Right of Way
\$20,200,000

ZARAGOZA v. ST. ANNE'S HOSPITAL

Loss of Hearing
Misdiagnosed Meningitis
\$5,500,000

COLELLA v. JMS TRUCKING

Wrongful Death
Construction
\$9,264,600 (Gross)

**SKELTON v.
CHICAGO TRANSIT AUTHORITY**

Loss of an Arm
Mass Transit
\$7,800,000

KELLY v. DART TRANSIT

Wrongful Death
Fire Case
\$7,500,000

KELLET v. CIVIC OPERA HOUSE

Herniated Lumbar Disc
Premises Liability
\$2,800,000

SWEENEY v. FORD MOTOR COMPANY

Brain Injury
Prod. Liab./Rollover Bronco II
\$5,000,000

SMITH v. BOARD OF EDUCATION

Loss of Vision in an Eye
Educational Misconduct
\$4,600,000

**MOSBARGER v.
ILLINOIS CENTRAL RAILROAD**

Mild Brain Damage
FELA/Train Collision
\$3,200,000

DONNELLAN v. FIRST STUDENT BUS CO.

Mild Brain Injury
Bus Crash
\$6,000,000

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