

2018 JVR SETTLEMENTS REPORT

WE'VE GOT YOUR NUMBER

Record-setting settlements and wrongful convictions helped define the 2018 JVR Settlements Report

by PAUL DAILING

The last year was a remarkable one for deals, and the 2018 JVR Settlements Report breaks the top ones down for you.

Each year, *Chicago Lawyer* and *Jury Verdict Reporter* — a sister publication within Law Bulletin Media — examine the top reported settlements. This year's report is based on \$1.5 billion in settlements of Illinois cases submitted to *Jury Verdict Reporter* between July 1, 2017, and June 30, 2018.

The report includes confidential settlements for which *Jury Verdict Reporter* editors were able to verify details between both parties. Settlements included in prior reports were not included. The law firms listed in the rankings are where the lawyers involved worked at the time of the deal — if a lawyer changed firms since the deal, the settlement doesn't come with them. If two or more firms reported the same dollar amount, they were given the same numerical ranking.

Starting in 2016, the threshold for consideration was moved from only charting settlements of \$2 million or more down to all settlements of \$500,000 or more. While the big-dollar deals make headlines, the bulk of the work is done on smaller cases. Justice doesn't need to have seven figures to help an injured person move on with their lives.

Here are a few hot topics we found:

POWER ROGERS & SMITH

As it has for the last nine years, Power Rogers & Smith has topped the report. The Madison Street personal-injury firm brokered 24 settlements totaling nearly \$205 million. That's a 25 percent increase from the \$164 million in settlements that won them the top spot last year.

We talked with founding partner Joseph A. Power for insight on how the firm operates, both in the courtroom and boardroom. You can find that on this page.

TIERNEY DARDEN

One of the most talked-about settlements of the past year was the \$115 million settlement Salvi, Schostok & Pritchard obtained for Tierney Darden. The largest reported personal-injury settlement for an individual in Illinois' history, *Tierney Darden v. City of Chicago, et al.*, 15 L 8311, came after Chicago vowed to appeal a \$148 million jury verdict, itself the largest Cook County personal-injury verdict ever reported.

We spoke to lead attorney Patrick Salvi Sr. to learn the behind-the-scenes strategy and practices that led to this record result. You can find that on Page 34.

WRONGFUL CONVICTIONS

Civil rights cases — specifically cases related to wrongful convictions or police abuse — have gained prominence in the list.

We talked with the Roderick & Solange MacArthur Justice Center and the law firm of Loevy & Loevy to discuss if these cases are an emerging trend, or the last vestiges of Chicago's history of police abuse, cleared by new DNA evidence?

You can find that on Page 40.

SUBMIT YOUR SETTLEMENTS

To get your recent settlements of \$500,000 or more into the 2019 report, visit lawbulletinmedia.com/SettlementForm.

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NINE YEARS AND RUNNING

Power Rogers & Smith founding partner Joe Power has one piece of advice: Take deposition

"Historically, since I started practicing, when the lawyers start getting older they delegate more," Joe Power said.

Handing over deposition chores isn't passing off grunt work to the younger lawyers, Power said. It's giving up a chance to size up your opponents' experts face to face, "getting a feel of where I need to lay off and where I need to push."

It's a simple admonition Power said that has helped his firm top the JVR Settlements Report for a record nine years in a row.

Power gave as an example *Robert Montagano, et al., v. Leading Edge Group Inc., et al.*, 14 L 8096, in which a Cook County jury awarded \$85 million to a man who had both legs amputated after a crane accident at a Rockford construction site. Rather than go through the appeal process, the firm brokered a \$44.8 million settlement, the firm's largest of the year and the second-highest in this report.

In deposition, Power realized how impressive his opponents' experts were, so he knew he should start with a full-frontal assault rather than chip away with subtlety.

"You don't go after them on their battleground," he said. "You pick your own battleground. You pick the place where the fight is going to start. And knowing they're smart, devious and formidable, you pick another battleground to start on."

The firm's lawyers brought in \$204,952,784 in settlements over the report year. Power said there's no particular way a lawyer is expected to handle a case, just that they work six days a week when not on trial, seven days a week when on trial.

"In my opinion, maybe that's why we are nine years in a row," he said. "We're all working on cases."

1

POWER ROGERS & SMITH LLP

AMOUNT \$204,952,784 **CASES** 24

ATTORNEYS Joseph A. Power, Jr. • Todd A. Smith • Joseph W. Balesteri • James I. Power • Larry R. Rogers, Jr. • Brian LaCien • Devon C. Bruce • Thomas M. Power • Sean M. Houlihan • Kathryn L. Conway • Jonathan M. Thomas

TOP CASE \$44,800,000

WORK INJURY Improperly loaded cargo rolled onto trucker's legs, which were crushed, necessitating amputations.

2

SALVI, SCHOSTOK & PRITCHARD

AMOUNT \$126,800,000 **CASES** 11

ATTORNEYS Patrick A. Salvi • Jeffrey J. Kroll • Tara R. Devine • Patrick A. Salvi, II • Eirene N. Salvi • Rob L. Kohen • Matthew L. Williams • Elizabeth R. Olszewski • Aaron D. Boeder • Jennifer L. Ashley • Brian L. Salvi • John A. Mennie • Andrew J. Burkavage

TOP CASE \$115,000,000

STREET HAZARD Bus shelter collapsed on dance student, resulting in permanent paralysis and severe chronic pain.

3

CLIFFORD LAW OFFICES

AMOUNT \$66,818,567 **CASES** 11

ATTORNEYS Robert A. Clifford • Kevin P. Durkin • Keith A. Hebeisen • Sarah F. King • Susan A. Capra • Bradley M. Cosgrove • Robert P. Walsh, Jr. • Tracy A. Brammeier • Colin H. Dunn

TOP CASE \$35,000,000

PEDESTRIAN Right-turning truck ran over and dragged college student, resulting in massive physical trauma.

4

ROMANUCCI & BLANDIN, LLC

AMOUNT \$49,236,725 **CASES** 7

ATTORNEYS Antonio M. Romanucci • Stephan D. Blandin • Michael E. Holden • Bruno R. Marasso • Rebecca E. Neubauer • Michael R. Grieco

TOP CASE \$38,750,000

CIVIL RIGHTS Class action plaintiffs alleged the City of Chicago failed to send proper notice of speed and red-light camera violations.



The amount we agreed to, in our estimation, is an amount that will take care of Ms. Darden for the rest of her life.



Patrick A. Salvi, *Managing Equity Partner and chairman*, Salvi, Schostok & Pritchard

5

WISE, MORRISSEY & KAVENY

AMOUNT \$49,076,566 **CASES** 16

ATTORNEYS David C. Wise • Francis P. Morrissey • Michael L. Gallagher • Elizabeth A. Kaveny • Brian T. Monico • David J. Rashid

TOP CASE \$7,000,000

WORK INJURY Ironworker developed debilitating CRPS after unsecured conduit pipes fell on his foot/ankle.

6

CORBOY & DEMETRIO

AMOUNT \$42,987,767 **CASES** 20

ATTORNEYS Michael K. Demetrio • Philip Harnett Corboy, Jr. • Edward G. Willer • William T. Gibbs • Robert J. Bingle • Susan J. Schwartz • Francis Patrick Murphy • Kenneth T. Lumb • Daniel S. Kirschner • David R. Barry, Jr. • Andrew P. Stevens

TOP CASE \$9,559,000

AUTO COLLISIONS Off-duty Chicago police officer was killed by a fleeing driver, who was being pursued by Calumet Park Police.

7

COGAN & POWER, PC

AMOUNT \$41,693,567 **CASES** 9

ATTORNEYS Michael P. Cogan • John M. Power • Thomas K. Prindable • George T. Brugess • Thomas H. Murphy • Hadas M. Benhamou • Michael J. Pullano • Michael C. Terranova

TOP CASE \$14,000,000

MEDICAL MALPRACTICE Plaintiff's lung cancer was not timely diagnosed, resulting in progression and metastasis to her brain.

8

MYRON M. CHERRY & ASSOCIATES LLC

AMOUNT \$38,750,000 **CASES** 1

ATTORNEYS Jacie C. Zolna

TOP CASE \$38,750,000

CIVIL RIGHTS Class action plaintiffs alleged the City of Chicago failed to send proper notice of speed and red-light camera violations.

BUSINESS – CLASS ACTION

1

Freed Kanner London & Millen LLC (Bannockburn, IL)

AMOUNT \$354,000,000 **CASES** 1

ATTORNEYS Michael J. Freed

BUSINESS A class action of 150,000 containerboard purchasers were allegedly overcharged due to defendant's price-fixing.

2

MoginRubin LLP (San Diego, CA)

AMOUNT \$354,000,000 **CASES** 1

ATTORNEYS Daniel J. Mogin

BUSINESS A class action of 150,000 containerboard purchasers were allegedly overcharged due to defendant's price-fixing.

21

COPLAN & CRANE**AMOUNT** \$15,433,552 **CASES** 4**ATTORNEY** Benjamin A. Crane
• Kevin G. Burke • Gregory F. Coplan • Blake M. Vance
• Theodore C. Jennings • Stephen M. Blecha • Ervin B. Nevitt**TOP CASE** \$11,500,000**FINANCIAL MALPRACTICE** Plaintiffs brought bad faith action against insurer that refused to settle catastrophic auto claims for \$1 million policy limit.

22

MUNDAY & NATHAN**AMOUNT** \$15,300,000 **CASES** 2**ATTORNEYS** Thomas J. Nathan**TOP CASE** \$10,000,000**MEDICAL MALPRACTICE** Allegedly, unnamed hospital failed to have pediatric surgeon available to address known gastroschisis, and staff did not timely perform a C-section, leading to brain damage.

There is obviously no amount of money that will adequately compensate Mr. Strong for the incredible injuries that he's suffered – the loss of many years of his life.



Locke E. Bowman III, *Executive Director*,
Roderick & Solange MacArthur Justice Center

23

BEAM & RAYMOND**AMOUNT** \$15,000,000 **CASES** 1**ATTORNEYS** Jack Beam • Douglas J. Raymond • Matthew M. Patterson**TOP CASE** \$15,000,000**MEDICAL MALPRACTICE** Allegedly, defendants mishandled labor/delivery, and baby sustained brain damage that left her severely disabled.

23

**FIEGER LAW
(SOUTHFIELD, MI)****AMOUNT** \$15,000,000 **CASES** 1**ATTORNEYS** Geoffrey N. Fieger**TOP CASE** \$15,000,000**MEDICAL MALPRACTICE** Allegedly, defendants mishandled labor/delivery, and baby sustained brain damage that left her severely disabled.

25

**MACARTHUR JUSTICE
CENTER/NORTHWESTERN
UNIVERSITY****AMOUNT** \$14,625,000 **CASES** 2**ATTORNEY** Locke E. Bowman III
• Vanessa Del Valle • Samuel J. Tenenbaum • Maria Hawilo • David M. Shapiro • Alexa Van Brunt**TOP CASE** \$9,000,000**CIVIL RIGHTS** Plaintiff was convicted of murder and served 15 years before new evidence contradicted witness trial testimony.

26

**MIROBALLI, DURKIN &
RUDIN LLC****AMOUNT** \$14,256,500 **CASES** 3**ATTORNEYS** Scott H. Rudin • Albert E. Durkin • Martin J. Lucas • Adam S. Budz**TOP CASE** \$12,950,000**WORK INJURY** Two laborers were severely burned when mastic remover vapors were ignited by an older model water heater.

27

**ANESI, OZMON, RODIN,
NOVAK & KOHEN LTD****AMOUNT** \$13,650,000 **CASES** 6**ATTORNEYS** Steven A. Berman
• Michael L. Teich • Adam M. Gilbert
• Brian D. Teven**TOP CASE** \$4,550,000**STREET HAZARD** Motorcyclist encountered an unmarked construction zone, lost control and fell, suffering a traumatic brain injury.

28

LOEVY & LOEVY**AMOUNT** \$12,800,000 **CASES** 2**ATTORNEYS** Jon Loevy • Daniel J. Stohr • Arthur R. Loevy • Julie M. Goodwin • Gayle Horn**TOP CASE** \$9,300,000**CIVIL RIGHTS** Plaintiff was wrongfully convicted of arson-murder and served 23 years in prison before being exonerated.

29

**GOLDBERG WEISMAN
CAIRO****AMOUNT** \$11,400,000 **CASES** 4**ATTORNEYS** Michael D. Fisher
• Joseph P. Sorce • Lawrence T. Ruder • Colin J. O'Malley
• Bennett J. Baker**TOP CASE** \$7,750,000**WORK INJURY** Ironworker was killed while working on the Torrence Avenue Bridge construction project.

30

**GOLDBERG &
GOLDBERG****AMOUNT** \$10,350,000 **CASES** 3**ATTORNEYS** Ian R. Alexander
• Barry D. Goldberg • Joseph M. Preiser**TOP CASE** \$6,000,000**STREET HAZARD** Woman drove into the Chicago River from Blackhawk Street where City of Chicago failed to maintain a barricade.