

COPLAN+CRANE CHRONICLES



Driver Safety

Children are at greatest risk when they are getting on or off the school bus. Drivers need to take special care around schools and bus stops.



Make sure to adhere to decreased road speeds when driving near schools.



Kids might be distracted by phones, texting, or their headphones.



Do not pass school buses.



If the "STOP" arm is showing, attempting to pass the bus is illegal and can lead to a loss of the driver's license!

\$11,500,000 FOR TRUCK ACCIDENT VICTIMS IN BAD FAITH INSURANCE CASE

Coplan + Crane held an insurance company responsible for the damage it did when it denied a claim it had no business denying.

"The insurance company basically played Russian roulette with their policy holder's assets," says Ben Crane. "And the policy holder ended up shutting its doors."

Insurance companies have a responsibility to act in the best interests of their policyholders. When one company failed to meet that responsibility, we were able to take action and help two families tragically devastated in a truck accident. Through Coplan + Crane's efforts, the victims of this crash received nearly three times what the jury awarded.

million. This left the trucking company with a debt of approximately \$3 million it could not pay.

But the insurance company had previously rejected attempts to settle the case for \$1 million, and never budged from their initial lowball offer of \$350,000 during settlement discussions.

Ben Crane notes the insurance company abandoned its fiduciary duties.

The trucking company felt that their insurance company had not acted responsibly and gave the car driver permission to sue on their behalf to recover the amount owed.

The attorneys representing the victims turned to Coplan + Crane. We prosecuted

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Three Bad Faith Factors



At a 2011 trial, an Iowa jury found a trucking company at fault for the death of a man and severe injury of a mother and her toddler-aged son, awarding \$4 million in damages. The insurance company was only responsible for paying \$1

the insurance company in federal court in the Northern District of Illinois, claiming it acted in bad faith by failing to settle the case within policy limits.

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\$11,500,000 FOR TRUCK ACCIDENT VICTIMS IN BAD FAITH INSURANCE CASE (CONTINUED)

The insurance company lawyers were very aggressive, and tried to blame the victim for what happened. During our investigation, we discovered that from the very beginning, the insurance carrier had relied on false assumptions and faulty information and had failed to follow up with witnesses. They hired expert witnesses to defend the insurance carrier's decision – witnesses we discredited during the deposition phase.

“We were able to firmly establish that the insurance company violated every single duty it owed to this small truck company,” says Ben.

Weeks before the trial was set to begin – and with a motion pending to also seek punitive damages – the insurance

company agreed to settle the case for \$11.5 million. Most of that amount goes toward the care of the child in the car, who was left with a permanent disability.

Ben noted the case was a team effort, citing the work of Stephen Blecha and the help of Kevin Burke, Greg Coplan and Ted Jennings.

“When an insurance company won't go above \$350,000 in a case involving a death and serious injuries, and is willing to let their policy holder be financially ruined, that's a problem that needs to be resolved,” says Stephen. “If we allow that to persist, then insurance really means nothing and consumers are left without any protection.” ■

FIRM HAPPENINGS



Stephen M. Blecha

Stephen M. Blecha has received the William J. Harte Amicus Volunteer Award from the Illinois Trial Lawyers Association (ITLA) for a second consecutive year. The award honors attorneys who have provided dedicated volunteer service in preparing legal briefs for the ITLA Amicus Curiae Committee.

This year, Stephen wrote an amicus brief in *Monson v. City of Danville*, a case in front of the Illinois Supreme Court that considered the liability of a municipality under the Tort Immunity Act. On August 2, the Illinois Supreme Court ruled in favor of the plaintiff and ITLA.

In 2012, a woman tripped over a piece of damaged sidewalk in the city of Danville, Illinois and suffered serious injuries. The issue before the Illinois Supreme Court was whether one of two statutory provisions applied to the facts of the case. The city argued its employees chose to not repair that sidewalk, and the city was therefore immune from liability per a statute that immunizes municipal employee liability for making discretionary policy decisions. In ITLA's amicus brief, Stephen argued that another section of the Act, which requires the city to maintain its property in reasonably safe condition, applied and took precedence over the section of the Act cited by the city. He also argued that any decision relating to repairs of the sidewalk made by the city was not “discretionary,” but rather ministerial, and therefore the immunity cited by the city did not apply.

Stephen received his award at the ITLA's annual membership meeting on June 8. ■



Coplan + Crane feels it's important to give back to the community when we can. This year, we have sponsored three golf tournaments to help raise money for charitable causes in the area.

On Saturday, June 9, the firm sponsored a hole at the Fr. Ted Schmitt Memorial Golf Outing at Streamwood Oaks Golf Course to benefit St. John the Evangelist School in Streamwood. Ben Crane is an alumnus of the school and supported the event in honor of a former teacher.

On August 6, the firm sponsored the Canal Shores Invitational at Canal Shores Golf Course in Evanston to raise funds for the First In Foundation, which benefits first responders.

Also in August, the firm sponsored a hole and participated in the CFFU Burn Foundation Golf Outing at Gleneagles Golf Course in Lemont to help the Chicago Firefighter's Union raise funds for the Burn Center at Loyola University Medical Center. ■

FIRM HAPPENINGS



Erv Nevitt

emerging lawyersSM

Erv Nevitt has been named an Emerging Lawyer by Leading Lawyers, a recognition given to fewer than 2% of all lawyers licensed in each state.

Selected by their peers, Emerging Lawyers are among the top lawyers ages 40 and younger or who have practiced for no more than 10 years. Current Leading Lawyers are asked to share the names of lawyers who have “proven themselves professional, ethical, and experienced at an early point in their legal career.”

“It’s an honor to be selected by other attorneys for this recognition,” says Erv. “I want to thank Ben and Greg for their guidance, training and support over the years.”

Erv is also an active member in the American Association for Justice as a representative for the Board of Governors and is on the Executive Committee of the Minority Caucus. ■



Ben Crane

ILLINOIS TRIAL LAWYERS ASSOCIATION



In April, **Ben Crane** and **Erv Nevitt** joined other attorneys from throughout the state to take part in the Illinois Trial Lawyers Association’s Lobby Day in Springfield. The group met with state legislators to lobby on behalf of the rights of people to seek justice through the court system.

Founded in 1952, the Illinois Trial Lawyers Association is an organization with approximately 2,000 members who specialize in representing injured consumers and workers. The group regularly sends representatives to the capital to meet with members of the General Assembly and express their concerns about consumer safety and the integrity of the civil justice system.

Ben says these lobbying efforts are necessary.

“Corporations and insurance companies are always looking for ways to avoid responsibility when someone gets hurt as a result of negligence,” he says. “It’s important to ensure our clients never lose the ability to access the courts to seek justice.” ■



Ted Jennings

In May, **Ben Crane** and **Ted Jennings** attended “Mastering The Medicine,” a three-day seminar from the American Association of Justice held in Enniskerry, Ireland. The program was designed to help attorneys stay up-to-date on new developments in medicine and prepare for medical negligence cases through a series of lectures and question and answer sessions. Lectures were presented by leading physicians who have been published in medical journals worldwide.

Ted says the seminar was an opportunity to interact with some of the top professionals in medical negligence law and reflected the firm’s efforts to have attorneys stay current on medical advancements.

“These presentations are helpful, because lawyers need to learn and understand quite a bit about medical issues and procedures in order to effectively evaluate and try medical negligence cases,” he says. “We learned information at the seminar that we’re going to be able to put to work immediately for clients.” ■



Kevin Burke

Kevin Burke has been elected Chair of the Board of Directors at Notre Dame College Prep in Niles, Illinois. The Catholic secondary school for boys was founded in 1955 and focuses on preparing students to be lifelong learners and to lead lives of integrity.

Kevin and his wife Elaine were instrumental in starting the school’s Burke Scholar Program for students with mild to moderate cognitive abilities. In August 2009, Kevin’s son Ryan became the first student to attend the school under the program, which has helped 10 students to date.



Kevin notes that families choose to send their children to the school for its foundations in faith, moral principles and traditions. “It is an honor to work with the other directors, the administration, and faculty to support our students,” he says. “This school represents the essence of a Catholic education. These are exciting times at Notre Dame, and the future calls us.” ■

••• SUPPORT STAFF SPOTLIGHT •••



ANNA STRONG, a Paralegal, graduated from Marquette University with a degree in English, minoring in criminology and law studies. She spent a semester abroad at St. Mary's University in London, studying International Law and Legal Studies. She joined Coplan + Crane in July 2017.

Anna assists attorneys in a variety of ways to help keep cases moving. She also interacts with clients to help them understand the legal process and help them feel comfortable about being represented by our firm.

"I love the environment here," Anna says. "We're all helping clients get through some of the hardest times in their lives."

A believer in community service, she has volunteered with the Special Olympics and helping feed the homeless. Anna plans a career a law and this fall she will be a first year student at the John Marshall Law School in Chicago. She enjoys spending time with her sister and working out. ■



REBECCA BURCHELL, an Intake Specialist and Executive Assistant, takes great pride in being an ambassador for Coplan + Crane.

"I love talking to people," says Rebecca. "I like being able to connect with clients across the Chicago area and

assist them the best way we can."

In her role as Intake Specialist, Rebecca handles incoming calls from potential clients, and makes sure they have a positive experience from the very beginning of what can be a long, difficult process. She also performs Executive Assistant duties for Ben Crane and is responsible for coordinating the firm's community outreach.

Rebecca lives in Oak Park with her husband and two children. In her spare time, she is an amateur gardener and enjoys vintage and thrift shopping. ■

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