

COPLAN+CRANE CHRONICLES

Ben Crane and Jay Crane co-chaired a fundraiser for the Committee for Retention of Judges in Cook County.

Elected circuit judges must run for retention every six years and receive 60% “yes” votes to remain on the bench. The committee works to educate people about the process and encourage participation in the November elections.

As a former circuit court judge in the county for 20 years, **Judge Crane** is very familiar with the importance of active voter participation to retain good judges!



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\$3,000,000 IN WRONGFUL DEATH CASE INVOLVING DOWNED STOP SIGN.

This article is part one of a four-part series.

At Coplan + Crane, we know that every case is unique. But we are always focused on finding the best resolution that meets the needs of our clients. Earlier this fall, we were able to reach a settlement to help a family after the tragic loss of a young mother in a car accident.

On the morning of May 20, 2013, Sarah, a 32-year-old mother and teacher was driving toward her doctor's office. She had recently found out that she was pregnant with her second child and was going for a prenatal checkup.

The mother-to-be was driving through German Valley down Montague Road, an area she didn't know well. As she drove through an intersection, her vehicle was struck by a car traveling down Rock City Road. She was airlifted to a hospital, where she died from her injuries.

Traffic on Montague Road is supposed to stop at that intersection. But there was no stop sign when Sarah drove through it. According to



police, the sign had been blown off the post during a storm the night before. The stop sign and what happened to it became a central part of the case.

Ben Crane and Stephen Blecha, along with attorney Tim Mahoney of Mahoney & Mahoney, represented Sarah's husband in a wrongful death suit against Stephenson County.

A resident who lives near the intersection had called 911 before 6 a.m. to report that the stop sign was down. This was a dangerous situation, but no action was taken.

"The 911 operator assured the caller that somebody would be there shortly to take care of the sign, then took another call and forgot all about it," says Ben.

We learned that because of the storm, the county highway department went to work at 6 a.m. that morning to check for downed signs. Had they been notified, they could have quickly replaced the stop sign at the intersection.

Getting clear answers about the stop sign proved to be difficult. We had been told the sign had been found, but three days later were told the opposite. It was not known when the sign had been put up, but the county claimed they had properly maintained it. We discovered evidence indicating that was not the case. At one point, Stephenson County officials tried to claim that a neighboring county was responsible for the sign. We were able to disprove that.

In the meantime, our case suffered a setback when a judge ruled that the Stephenson County Sheriff 911 center could not be held liable for the crash under the state's Tort Immunity Act.

We kept building our case against Stephenson County, collecting evidence and deposing witnesses. But the county was still denying liability and refused to accept any responsibility for the crash. Eventually, both sides entered into settlement negotiations.

After a week of negotiations, the county made an offer of \$3 million. Our client decided to accept that offer after weighing the risks of a trial and the responsibilities he faced raising his son as a single parent.

"It was absolutely clear that negligence led to the tragic death of this young mother," says Ben. "But we were pleased to reach a resolution that provides her family with compensation to help them move forward." ■

Next issue: "Tort Immunity & Societal Effects"

\$242,474 VERDICT FOR MOTORCYCLIST HURT IN INTERSECTION ACCIDENT

Insurance companies sometimes go to great lengths to avoid their responsibility of paying damages after someone is hurt in an accident. We were able to help one client recover the financial compensation he deserved after he was hurt in a motorcycle accident.

On November 5, 2014, Olan Wheeler was driving his motorcycle through an intersection in Chicago when a car turned left directly in front of him. The car struck the motorcycle and Olan was thrown into the windshield, breaking it with his back.

Olan suffered a serious back injury that left him in constant pain and in need of surgery that he couldn't afford. He turned to Coplan + Crane for help.

Attorneys **Erv Nevitt** and **Blake Vance** made a demand of \$100,000 for Olan's injuries – the full amount of the driver's insurance policy. But in response, the insurance company offered no more than \$27,380.63. We decided to take the case to trial.

As part of their case, Erv and Blake had a board-certified orthopedic surgeon and a board-certified anesthesiologist testify about the injuries Olan suffered and the pain he was experiencing. But despite their compelling testimony, the defense went on the attack.

"The insurance company and their lawyers took a very hard line," says Erv.

The defense tried to claim that Olan wasn't hurt that badly

and that he kept seeking medical treatment because he had become addicted to painkillers. They even had a medical expert who claimed that Olan had engaged in drug-seeking behavior.



In addition, the defense questioned the extent of Olan's injuries and tried to blame him for causing the crash. They argued that Olan's body did not hit the windshield, but that the windshield was cracked by the handlebar of the motorcycle.

They also tried to argue that Olan was driving too fast and that his headlight was broken, yet provided no evidence.

Despite their pre-trial offer, the defense told the jury that Olan deserved no more than \$6,000 for his injuries.

In the end, Blake says it came down to a simple question for jurors.

"I said to the jury that they had to decide if Olan and his two doctors were all lying," says Blake. "Because if they didn't believe that, the defense's entire case falls apart."

The jury believed our client and the doctors, and after several hours returned a verdict of nearly 10 times the pre-trial offer made by the insurance company.

Insurance companies often put up obstacles to prevent injury victims from recovering compensation. Our attorneys were able to help Olan overcome those obstacles so he can get the treatment that he needs. ■

MOTORCYCLE SAFETY TIPS

Motorcycles provide no protection in the event of a crash. Because other drivers may not see a motorcycle, riders must use extra caution and be aware of everything on the roadways. Pay close attention to the signals and brake lights of other vehicles, especially trucks. Remember to always ride with caution, drive defensively, wear protective gear, and always obey the laws of the road.



FOLLOWING DISTANCE All motorists should allow at least a 3 second following distance (min. 20 ft.) when following another vehicle. In poor weather conditions, increase your distance.



INTERSECTIONS Intersections are a common crash site for motorcyclists. Make sure to remain free from other car's blind spots by assuming you are invisible and that motorists have not seen you.



BE VISIBLE Wear clothing to make yourself obvious! Also, flash your brake light two or three times before slowing down or stopping and use hands signals.



PASSING Drivers must remember to give a motorcyclist adequate space when passing. Riders should remember to signal in advance and stay out of drivers' blind spots.

For more information and tips on motorcycle safety, visit startseeingmotorcycles.org

FIRM HAPPENINGS



left to right: Blake Vance, Ben Crane, Stephen Blecha

Ben Crane, Blake Vance and Stephen Blecha earned **Trial Lawyer Excellence** recognition at the Jury Verdict Reporter's annual reception and awards ceremony for their work on a case that resulted in a \$15 million verdict for the family of a woman killed in a truck accident.

The event recognizes outstanding achievements of legal professionals from both sides of the trial bar in civil litigation.

Jeanette Pivot was stuck in traffic in Rockford on March 23, 2013 when her car was rear-ended by a freight truck, killing her instantly. Coplan + Crane, along with co-counsel Darin Doak of the Law Offices of Darin R. Doak, filed a wrongful death suit against the driver and the trucking company on behalf of her family. The case went to trial in 2017.

The attorneys used dashboard cameras to convince jurors that the truck driver had fallen asleep, and successfully disputed allegations by the defense that blamed the victim for the crash.



Greg Coplan

Depositions taken by **Greg Coplan** were instrumental in the impeachment of defense witnesses.

We were able to convince a jury that negligence on the part of the driver and the trucking company led directly to the fatal accident. The jury awarded Jeanette's family \$15 million – a record verdict in Winnebago County.

"It is always gratifying to be recognized for the work we do for our clients," says Ben. "And I think this verdict points to the dedication and litigation skills of our attorneys. I'm proud to work with them."

The Jury Verdict Reporter was founded in 1959, and collects and publishes summaries detailing civil jury verdicts and negotiated settlements. The awards ceremony was held on October 11 in the Crystal Ballroom at the Hyatt Regency Chicago. More than 250 judges and trial attorneys were in attendance. ■



Kevin Burke



Attorney **Kevin Burke** has been named a "Lawyer of the Year" in the 2019 edition of *The Best Lawyers in America*, and Coplan + Crane has been named a "Best Law Firm" by *U.S. News & World Report* and *Best Lawyers*®.

Kevin was selected by fellow attorneys as "Lawyer of the Year" for his work in "Medical Malpractice Law – Plaintiffs in Chicago." To be eligible for "Best Law Firm," a firm must have a lawyer listed in *The Best Lawyers in America*.

Though honored by the award, Kevin says he became a lawyer because it's a way to help people who need help the most. "I truly believe the work we do at Coplan + Crane can make a dramatic difference in people's lives," says Kevin.

Ben Crane echoes those sentiments when talking about the "Best Law Firm" recognition.

"These awards are recognition that we were able to help people at some of the worst moments of their lives," Ben says. "And that's what really important." ■



Julia Dwyer

Paralegal **Julia Dwyer** has written an article titled "How Sound And Music Uplifts Us" that appears in the Fall 2018 issue of *Paralegal Voice*. The article explores the science behind how music helps to uplift the mind, body and spirit.

Julia said she was inspired to write the article after talking with a consultant about the high stress levels that are often found in the legal profession.

"Stress has so many negative effects," says Julia. "Finding a healthy way to manage it can help us be more productive and provide better service for our clients."

While researching the article, Julia found several studies documenting the changes that occur in our bodies when we listen to music. Music is associated with an ancient reward system that stimulates a dopamine release in the brain.

Julia said her goal was to bring awareness to the idea of music as a positive way to deal with stress and hopes the article can benefit others who work in the legal field. ■

...SUPPORT STAFF SPOTLIGHT...



ELIZABETH HOFFMAN, our accountant, graduated from DePaul University in Chicago with a degree in accounting. In her final year at school, she began an internship at the accounting firm Bronswick Benjamin in Buffalo Grove. She was offered a full-time job there in September 2016. A year later,

the company assigned her to manage one of its clients, Coplan + Crane.

Though she works full time for Bronswick Benjamin, Elizabeth is also taking classes at DePaul to pursue a master's degree in Taxation, with the goal of becoming a Certified Public Accountant. She comes into our office on Tuesdays to manage the firm's finances.

"It's a professional atmosphere and everyone here is very friendly," says Elizabeth. "They are all very committed to helping clients with their legal issues."

A native of Mount Prospect, Elizabeth now lives in Lakeview. Work and school keep her busy, but in her spare time she likes yoga and biking by the lake. ■



EMMA FLORIAN, a paralegal, began her career at Meyers & Flowers, working on medical malpractice and product liability cases. While working on complex product liability cases involving defective artificial hips, Emma often got the chance to work closely with attorneys at other firms, including Coplan + Crane.

After leaving Meyers & Flowers and spending a few years working for defense attorneys, Emma realized that she preferred working with a plaintiff's firm. She joined Coplan + Crane in September 2018.

"I really enjoy helping people who have been injured receive the compensation they need and deserve," says Emma. "Everyone works very well as a team at this firm, which made it an easy transition."

Emma lives with her husband and son in Elburn, where she owns and operates Forest Gate Farm, a horse boarding and training facility. She is also a riding instructor. Originally from south England, she travels home as much as she can to see her family. ■

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