

THE SALVI, SCHOSTOK & PRITCHARD

Newsletter

A quarterly review of verdicts, settlements and important Firm news.

Principal's Corner

By: Patrick A. Salvi

SCHOSTOK RECEIVES ACHIEVEMENT AWARD

On Friday, June 10, 2011 at the annual Illinois Trial Lawyers Association (ITLA) convention held at the Oak Brook Hills Marriott Resort, Michael Schostok, my long-time law partner and dear friend, received the prestigious Leonard M. Ring Lifetime Achievement Award.

For those of you not in the legal community, the Leonard M. Ring Lifetime Achievement Award is the highest honor that can be bestowed upon an Illinois trial lawyer. It represents an individual who has spent a substantial part of their life and practice devoted to ITLA and to helping families recover from catastrophic loss by providing the highest level of legal representation available.

As many of you know, Michael retired due to health issues in October. In all my years of practice I have never worked with a more ethical, respected and skilled trial lawyer than Michael Schostok.

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THE TOP STORY

Youngest Ever Named to 40-Under-Forty

This year the 40-Under-Forty Committee at Law Bulletin Publishing Company sifted through more than 1,200 nomination forms in an effort to find the state's best up-and-coming lawyers. Based upon his superior lawyering skills, legal achievements and volunteer work, **Patrick A. Salvi II** was selected to the prestigious list. As a matter of fact, Patrick is the youngest lawyer ever chosen.



Patrick A. Salvi II

One defense attorney who nominated Patrick said, "Mr. Salvi's capabilities are extraordinary. He knows his evidentiary objections and his evidentiary foundations. I have found over the years that most do not. He has tremendous presence in front of the jury that is difficult to articulate. A good presence in front of the jury is either something that you have or you do not. It cannot be taught. When you have that presence together with the legal knowledge that Mr. Salvi has, you have a very formidable opponent."

Additionally, a judge who nominated Patrick appreciated the level of professionalism he displays, particularly as a young lawyer. "Patrick routinely appears before me on complex and hotly contested legal motions. It isn't often that a younger attorney can rise to the task of the intense pressure of the high profile and complex litigation to which Patrick is assigned. In my 22-years on the bench I have never seen a younger attorney step so effortlessly into the field of battle as has Patrick," said the judge.

Patrick was also praised for his civic involvement with Saint Ignatius College Prep, where he served as a board member. The former director of development at the school described in his nomination letter Patrick's enthusiasm and love for the children of St. Agnes, along with his sense of professionalism which "raised the expectations to which we all aspire... changed lives for the better."

Patrick becomes the fourth lawyer in Firm history to be chosen for the Law Bulletin's 40-Under-Forty list. We are proud to have such bright, successful and well-respected young lawyers—like Patrick—as members of our legal team.

STATEWIDE SETTLEMENTS

\$9 Million Macon County Wrongful Death Settlement

Patrick A. Salvi settled two wrongful death claims against ProMark, Archer Daniels Midland, Mining & Industrial Systems, Custom Air Products, Zachry Industrial and Indeeco in Macon County for a total of \$9 million for two Decatur men.



Patrick A. Salvi

Plaintiffs claimed that the Defendants designed, manufactured, and fabricated a defective air handling system designed to “scrub” sulphur dioxide from air that was delivered to a laboratory at the Archer Daniels Midland plant in Decatur. As a result of a fire in the air handler, carbon monoxide was delivered to the laboratory causing the deaths of a 46-year-old laboratory employee and a 55-year-old research chemist. Plaintiffs further alleged that Defendants were negligent in their maintenance of the air handling unit.

“There were serious issues in the case where all the blame was falling on the employer and the uninsured Defendants, however, we were able to overcome these obstacles and reach a terrific outcome,” said attorney Patrick Salvi.

\$3.5 Million Cook County Bus Versus Pedestrians Collision

Patrick A. Salvi II secured a \$3.5 million result on behalf of a grandmother and her granddaughter who were struck by a bus while crossing a street.



Patrick A. Salvi II

The two were returning home from the grocery store (and in the crosswalk) when they were hit by the bus. The grandmother suffered a deep tissue injury to her foot, which required skin grafting. Her broken shoulder injury also required surgery and has led to painful arthritis. The granddaughter broke her hip and had a deep tear in her vagina. The injury has led to impairment of her urinary function. Her future, as it relates to child-bearing and sexual function, may be troublesome as well due to nerve injury around the tear.

“The settlement represents an amount that compensates them, not only for past and future medical expenses, but also for the daily struggle because of these injuries,” said Patrick Salvi II.

McHENRY COUNTY JURY AWARDS \$1.275 MILLION

Attorneys **Patrick A. Salvi II** and **Sarah A. Ferrill** obtained a \$1.275 million verdict on August 25, 2011 on behalf of the estate of a young woman, formerly of Cary, Illinois, who was tragically killed in a head-on collision.

On October 10, 2007, the 25-year-old Plaintiff was traveling into work north on Illinois Route 31 near Centegra Hospital in Crystal Lake. The 67-year-old Defendant was traveling south on Route 31 when she crossed the centerline and collided with the Plaintiff.

The four-day trial was on damages only because the Defendant admitted fault, so no facts of the crash were heard. During the trial, the jurors heard testimony from family members and friends and were asked to consider the loss of society of each family member along with their grief, sorrow and mental suffering. Criminal charges had been filed against the Defendant because on the day of the crash she had an alcoholic beverage at lunch and was taking medications that should not have been mixed with alcohol. The criminal charges were dropped in May 2010.

The trial was conducted in the Law Division of the McHenry County Circuit Court before **Judge Thomas Meyer**. The jury took two-and-a-half hours to deliberate before reaching the verdict.

STATEWIDE SETTLEMENTS

\$3.1 Million Cook County Wrongful Death Settlement

Patrick A. Salvi and Sarah A. Ferrill obtained a \$3.1 million wrongful death settlement on behalf of the family of a 3-year-old boy killed after falling out of a roller coaster ride at a popular family entertainment center in Norridge, Illinois.



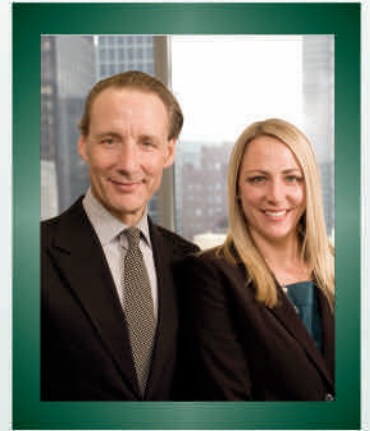
Sarah Ferrill & Patrick Salvi

The minor Plaintiff, deceased, and his twin brother were riding in the front car of a children's roller coaster (the Python Pit) during a family visit to Go Bananas indoor family theme park. When the coaster was on its second lap around the track, the Plaintiff came loose from the car's restraint system, fell out of the car between the tracks, and was fatally struck as the coaster continued its path around the track without stopping. Plaintiffs' alleged that the Defendant failed to have adequate height requirements, restraint devices and also alleged negligent maintenance, supervision and operation of the ride.

"No parent should ever have to experience this kind of preventable tragedy," said attorney Patrick Salvi.

\$2.82 Million Lake County Personal Injury Settlement

Patrick A. Salvi and Tara R. Devine secured a \$2.82 million personal injury settlement on behalf of a teenager who was burned.



Patrick Salvi & Tara Devine

The Plaintiff was a passenger in the Defendant's modified 1991 Ford Bronco when the vehicle caught fire while riding on the Silver Lake Sand Dunes in Oceana County, Michigan. The minor Plaintiff sustained third degree burns on over one-third of her body, which required skin grafts and laser surgery.

"The Defendant driver of the vehicle was negligent in the operation of the truck on the day of the accident, and failed to immediately shut down the fuel system after smelling gas," said attorney Patrick Salvi. "By reaching this settlement, our client will have the resources to pay for and receive future medical treatment that will be necessary as she grows older."

\$29.1 MILLION VERDICT AFFIRMED

The United States Court of Appeals for the Seventh Circuit affirmed a \$29.1 million medical malpractice verdict on September 1, 2011.

On April 2, 2010, attorneys **David J. Pritchard** and **Patrick A. Salvi II** secured the verdict on behalf of the Plaintiff. **Judge Amy St. Eve** of the Northern District of Illinois rendered the verdict for the Plaintiff against the United States of America after a week-long bench trial. The government-employed doctors were found guilty of negligence having to do with their obstetrical and neonatal care. The attorneys proved that prophylactic measures to prevent infection should have been taken prior to Plaintiff's birth and that the signs and symptoms of a neonatal infection were missed, causing profound brain damage.

The government appealed the verdict based on the statute of limitations. The government said that the suit was untimely because it was brought more than 2-years after the baby was discharged from the hospital following birth. Attorneys successfully argued that the lawsuit was filed timely because the family did not know and had no reason to know that the brain injury had any sort of doctor or government cause.

STATEWIDE SETTLEMENTS

\$7.25 Million Cook County Medical Malpractice Settlement

Patrick A. Salvi and Sarah A. Ferrill obtained a settlement of \$7.25 million in a medical malpractice lawsuit which the Firm filed in Cook County, Illinois. The terms of the settlement are confidential.

\$1.75 Million Kane County Medical Malpractice Settlement

Patrick A. Salvi and Colin M. Jones obtained a \$1.75 million settlement on behalf of an 8-year-old boy who suffered an arm injury.

During a youth football game, the Plaintiff suffered a compound fracture to his right arm, which caused the bone to protrude from the skin. The exposed wound subsequently became infected due to a failure on the part of his physicians to properly clean the injured area. Additionally, medical staff failed to diagnose a severed nerve in his forearm, which required surgical intervention.

“The \$1.75 million settlement significantly exceeds the median settlement award of \$1.1 million for similar injuries in the county where the accident took place, and will provide the Plaintiff with the resources necessary to cover future treatment,” said attorney Patrick Salvi.

\$1.25 Million Cook County Medical Malpractice Settlement

Patrick A. Salvi and Sarah B. Kwasigroch obtained a \$1.25 million settlement on behalf of the estate of a 48-year-old man who died from a collision on April 29, 2011, involving a motorcycle and two vehicles.



Sarah Kwasigroch

According to the police investigation, the deceased Plaintiff of Sycamore, Illinois, was driving a Harley-Davidson motorcycle westbound on Route 120 when the 86-year-old Defendant, driving eastbound, failed to yield while turning left. The Defendant was ticketed for the accident. The Defendant, driving a PT Cruiser, then hit a Chevrolet Colorado pickup truck. According to the law suit, the Plaintiff died of injuries sustained at the crash.

“If the Defendant had been more careful this horrific death could have been avoided,” said attorney Patrick Salvi.

OTHER RECENT NOTEWORTHY RESULTS

\$960,000.00

Medical Malpractice;
Cook County, IL.
Pritchard

\$750,000.00

Wrongful Death;
McHenry County, IL.
Salvi/Jones

\$600,000.00

Medical Malpractice;
Cook County, IL.
Williams/Jones

\$350,000.00

Nursing Home;
Cook County, IL.
Pritchard

\$925,000.00 (Partial)

Medical Malpractice;
Cook County, IL.
Pritchard

\$750,000.00 (Partial)

Birth Injury;
U.S. District Court
Pritchard

\$425,000.00 (Partial)

Nursing Home;
Cook County, IL.
Devine

\$330,000.00

Auto Accident;
McHenry County, IL.
Salvi II

\$875,000.00

Medical Malpractice;
Cook County, IL.
Pritchard

\$625,000.00

Medical Malpractice;
Cook County, IL.
Salvi/Ferrill

\$350,000.00

Auto Accident;
Boone County, IL.
Salvi II

\$225,000.00

Nursing Home;
Cook County, IL.
Williams

Michael's legal career was inspired by his father, Stephen Schostok, a well-known Chicago lawyer in his own right. After receiving his law degree from Capital University in Columbus, Ohio in 1986, Michael was admitted to the Illinois bar. He immediately served as an Assistant State's Attorney in Lake County. His reputation as a smart, tough, charismatic, young lawyer spread quickly throughout Lake County legal circles. I hired him as an associate in 1989.

Michael's hard work and success helped elevate him to an equity (named) partner here eight years later. He went on to serve in various leadership positions with the Illinois Trial Lawyers Association, including serving as its 50th president, and was elected to serve on the Board of Governors of the Illinois State Bar Association.

He was involved with several professional organizations including:

the American Board of Trial Advocates, the Illinois Bar Foundation, Trial Lawyers for Public Justice, American Association for Justice, American Bar Association and the Lake County Bar Association.

While this most recent award is a great honor for any trial lawyer, Michael Schostok is truly defined by the impact he has had, and continues to have, on the lives of others—including his co-workers, and the thousands of you who have called Michael your lawyer over the years.

Lastly, I have to say Michael is one of the finest human beings I have ever known. He is an outstanding husband, father and friend. I had the good fortune of watching him become one of the top trial lawyers in the country.

From all of us, congratulations Michael. We think of you daily and pray for your good health and continued happiness.



OCTOBER - David Pritchard was the moderator at the American Society of Law Conference, Medicine, and Ethics in Chicago.

OCTOBER - Patrick Salvi II was the program planning co-chair and moderator at the Illinois Trial Lawyers Association "Update & Review" Seminar.

SEPTEMBER - Patrick Salvi II and **Sarah Ferrill** were guest speakers at the University of Notre Dame's Law School.

JULY - Patrick Salvi hosted a Catholic Lawyers Guild party at Trump Towers in Chicago.

APRIL - The Firm was a gold sponsor at the 53rd Annual University of Notre Dame Rockne Athletic Banquet.

APRIL - Patrick Salvi was selected as a Fellow of the American College of Trial Lawyers.

FEBRUARY - Matthew Williams was a guest speaker at Northwestern Business School.

TRIAL LAWYER EXCELLENCE AWARD

In October, the Law Bulletin's Cook County Jury Verdict Reporter held its Annual Awards for Trial Lawyer Excellence. Among an elite group of lawyers honored with the "Career Achievement Award" was **Patrick A. Salvi**; Salvi, Schostok & Pritchard's Managing Equity Partner. The "Career Achievement Award" is presented to lawyers who have secured at least five Illinois civil jury verdicts of at least \$5 million. Settlements and bench trials were not counted—only verdicts reported in the Law Bulletin's newsletters.

The Jury Verdict Reporter reception was held at the University Club in Chicago and was attended by 200 of Illinois' most prestigious lawyers and judges. Also in attendance to celebrate this special occasion were: **TJ Saye, Matthew Williams, Tara Devine, Patrick Salvi II, Sarah Ferrill** and **Sarah Kwasigroch**. Please join us in congratulating Patrick Salvi on this most recent achievement.



Patrick Salvi receives a 2011 Trial Lawyer Excellence Award

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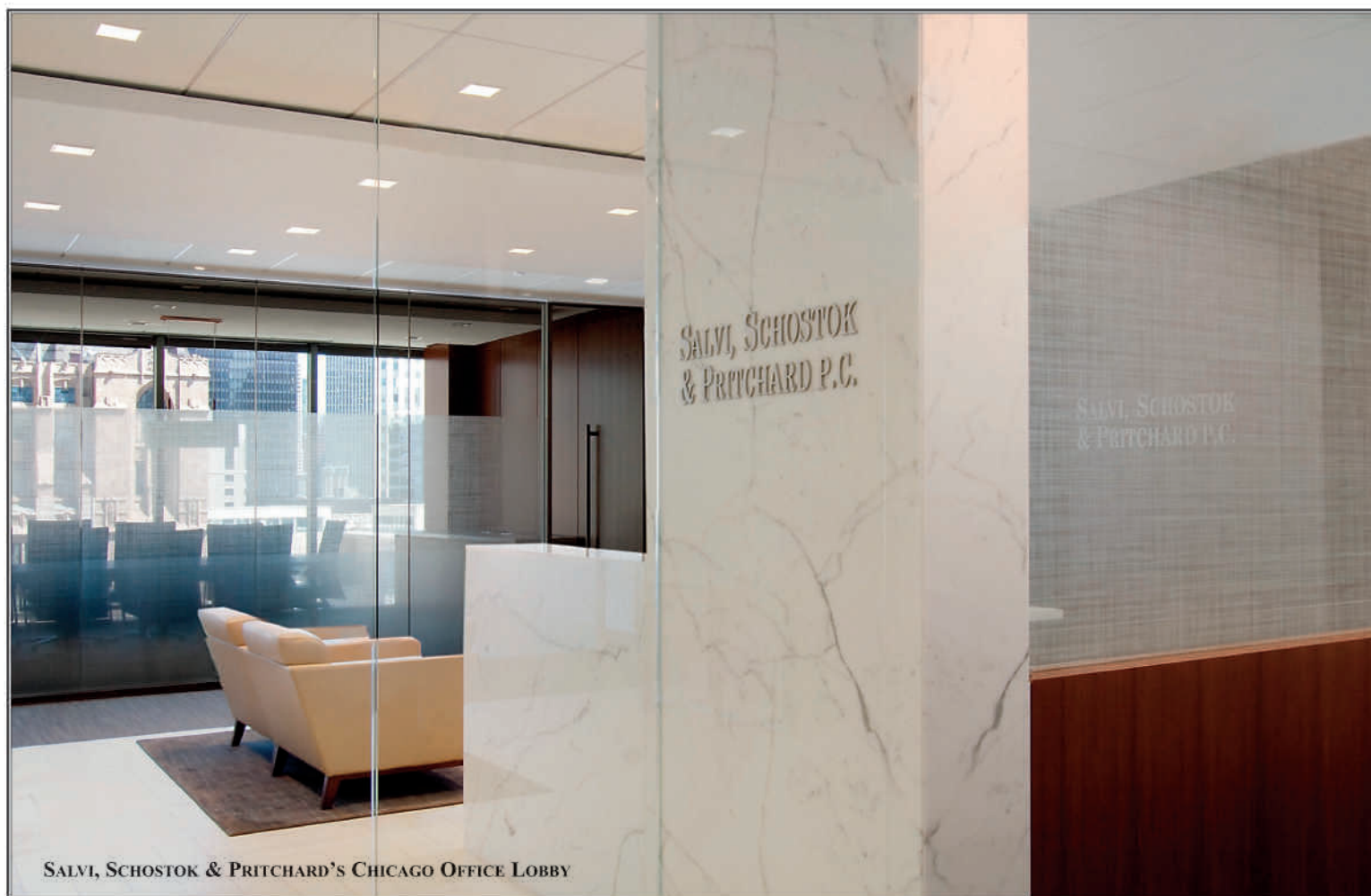
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