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Our winning team just got better.



David J. Pritchard

Patrick A. Salvi

Matthew L. Williams

Michael P. Schostok

We are proud to announce
Matthew L. Williams
has been promoted to partner.



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Summer 2009

SALVI, SCHOSTOK
& PRITCHARD P.C.
LAW OFFICES

THE SALVI, SCHOSTOK & PRITCHARD

Newsletter

Dedicated to clients, legal professionals and friends of the Firm.

Principal's Corner

By: Patrick A. Salvi

OBAMA, HEALTH CARE, AND TORT REFORM

In June, President Obama came to Chicago to present his most detailed pitch for a \$1 trillion overhaul of the nation's burdened health-care system. His audience, members of the American Medical Association (AMA), listened intently to his plan to offer access to affordable health insurance to every American.

The financial impact of the plan, which would include billions of dollars in cuts to Medicare and Medicaid—in addition to the potential creation of a public/government run insurance system—had many in the AMA audience nervous about the negative financial impact these changes could have on their livelihoods. But doctors weren't the only ones paying special attention to Obama's speech. Advocates of medical malpractice victims, like us, were also listening to get a better sense as to whether or not Tort Reform would be included in the President's plan. As a compromise to gain support from the medical community, would he support the idea of capping financial damages awarded to

Continued on Page 3

THE TOP STORY

\$33.2 Million Verdict For Teen Injured in Car Accident Largest Verdict Reported in Lake County (IL) History

Patrick A. Salvi and Patrick A. Salvi II obtained a \$33.2 million verdict on behalf of a teenager, now 22, who was injured in a car accident. According to the Jury Verdict Reporter (Law Bulletin Publishing Company), the father and son Salvi legal team—in their first trial together—**exceeded the previous Lake County verdict record by nearly \$10 million.**



Patrick Salvi & Patrick Salvi II

In November of 2006, the driver of the car, then 18 years old, was driving intoxicated on Route 43 in Lake Bluff, when he lost control of the vehicle he was driving—crashing into a utility box. The accident paralyzed the vehicle's passenger, the Plaintiff, then 19 years old, from the chest down. Tests later showed that the driver had a blood-alcohol level of 0.146, well above the legal driving limit of 0.08 for adults. The 'black box' in the car indicated that seconds before the accident, the vehicle was traveling at about 120 miles per hour. The trial was only on damages because the driver admitted fault. The Plaintiff was not accused of any wrong doing.

An earlier settlement of \$2.5 million was made with the mother, who owned the home where the driver became intoxicated.

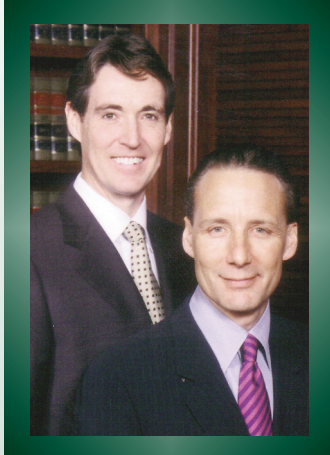
"A Lake County jury correctly recognized that the Plaintiff suffered a tremendous loss," said Patrick Salvi II. "The verdict will provide this young man with the medical resources he needs to live as full a life as possible in the face of physical disabilities."

Check us out at salvilaw.com!

RECORD SETTING SETTLEMENTS

\$12.5 Million Peoria County (IL) Record Medical Malpractice Settlement

David J. Pritchard and Patrick A. Salvi secured a \$12.5 million medical malpractice settlement on behalf of a minor who suffered brain damage as a result of the hospital's alleged negligence. **According to the Illinois Jury Verdict Reporter, this is the highest reported settlement in Peoria County.**



David Pritchard & Patrick Salvi

The minor Plaintiff was born premature, but in stable health. He was placed in a special unit in the hospital so that he could further develop prior to discharge. At three weeks of age, a feeding tube was inserted so that the baby could receive his routine feeding. Unfortunately, the tube was placed into the lung space rather than into stomach, and the next three feedings were given into the lung space. After the third such feeding, the baby suffered respiratory arrest.

During the emergency resuscitation, a chest tube was placed into the lung for a possible pneumothorax, and the milk immediately began to flow out of the chest tube. With this knowledge, the resuscitation team was able to revive the infant, but oxygen deprivation had already caused brain damage.

\$2.8 Million Logan County (IL) Record Medical Malpractice Settlement

David G. Pribyl and Patrick A. Salvi obtained a \$2.8 million medical malpractice settlement on behalf of a 16-year-old patient on Isoniazid medication (INH). **According to the Illinois Jury Verdict Reporter, this is the highest reported medical malpractice settlement in Logan County.**



David Pribyl

The Plaintiff was receiving INH and over the next several months complained of experiencing numerous side effects, yet continued to receive INH treatment from the nurses. The nurses failed to communicate the Plaintiff's complaints to the physician treating her, even when those complaints were listed as indicative of liver toxicity. The Health Department's written policy expressly called for the nurses to communicate such complaints to the physician.

The Plaintiff alleged that as a direct result of the nurse's negligence and violation of the standard of care, the Plaintiff suffered INH-induced liver toxicity, causing liver failure and requiring two liver transplants. The Plaintiff will require ongoing medical care for the rest of her life.

OTHER NOTEWORTHY RESULTS

\$2,750,000.00 - March 2009; Personal Injury;
Lake County, IL. (**Patrick Salvi**)

\$1,000,000.00 - May 2009; Medical Malpractice;
Effingham County, IL. (**David Pritchard**)

\$1,000,000.00 - April 2009; Medical Malpractice;
Cook County, IL. (**Patrick Salvi**)

\$850,000.00 - April 2009; Medical Malpractice;
St. Louis County, MN. (**David Pribyl**)

\$450,000.00 - March 2009; Medical Malpractice;
Lake County, IL. (**Michael Schostok**)

\$450,000.00 - March 2009; Personal Injury;
Lake County, IL. (**Patrick Salvi**)

PRINCIPAL'S CORNER *(continued from cover)*

those who have been harmed from malpractice?

"I'm not advocating caps on malpractice awards, which I personally believe can be unfair to people who've been wrongfully harmed," Obama correctly stated.

The audience offered their reaction to the President's stance on malpractice award caps—they loudly booed him. Advocates of medical malpractice victims, however, began breathing a little easier.

Some irony could be found in the AMA's response to the President. On one hand, they strongly oppose any plan that might reduce or cap income of member doctors. On the other hand, they vigorously support efforts to cap awards juries give to victims of malpractice. Fortunately, the people of Illinois appear to see through the AMA's double standard. Shortly after Obama's speech, the *Chicago Tribune* polled readers asking, "Should there be a cap on medical malpractice awards?" Respondents said "NO" to



Members of the audience listen on the issue of health care reform

caps by almost a 2-to-1 ratio.

The President did commit to sit down with doctors to address liability reform, encouraging "evidence-based medicine." Plaintiff lawyers remain skeptical of this idea since the President didn't offer specific details or examples of how it would work.

So far, Obama appears committed to protecting victims of malpractice. We'll be following this issue very carefully and will keep you posted as to any new developments.

HIGHLIGHTS

JUNE - Joseph Fusz was introduced as the Chair of the Young & New Lawyers committee for the Lake County Bar Association.

JUNE - David Pribyl was nominated to serve on the Board of Managers of the Illinois Trial Lawyers Association.

MAY - Patrick Salvi spoke at a Law Bulletin seminar on Winning the Verdict & Protecting the Record.

APRIL - Michael Schostok spoke at a Law Bulletin seminar on Managing the Jury Decision.

APRIL - The Firm was a sponsor at an Illinois Judges Association Foundation reception held at the Chicago Cultural Center.

MARCH - Tara Devine, Patrick Salvi II, Marién Zalduondo and **Joseph Fusz** attended an Insurance, Liens & Settlements seminar in Oak Brook, Illinois.

MARCH - Patrick Salvi and **Patrick Salvi II** were recognized by the University of Notre Dame Law School as Spotlight Alums.

COMMUNITY OUTREACH

The United Cerebral Palsy Association (UCP) of Greater Chicago hosted its annual Infnitec North Dinner and Awards Celebration in late April, at The Cotillion Banquets, in Palatine, Illinois. Assistive technology provided by Infnitec, provides the equipment, training and information needed to improve the quality of life for adults and children with disabilities.

"For most of us, expressing our thoughts and needs to others—or simply walking across a room—are uneventful actions," said **David Pritchard**. "It's not the same for those facing serious physical and/or mental challenges. Learning to use assistive technology devices gives these young people their first opportunity to communicate clearly or become mobile; advancing their independence and enriching their lives."

This is the fourth year Salvi, Schostok & Pritchard has participated as a sponsor of this event. For more information on how you can support the efforts of UCP and Infnitec, visit ucpnet.org.



Dr. Paul Dulle, President of UCP of Greater Chicago and David Pritchard at the Infnitec North Dinner