

A professional portrait of Pat Salvi, a middle-aged man with short, dark hair, smiling slightly. He is wearing a dark blue pinstriped suit jacket, a white dress shirt, and a purple and blue paisley tie. He is standing in front of a light-colored wall with a blurred sign that reads "SALVI, SCHOSTOK & PRITCHARD P.C." in the background.

Pat Salvi

Elite PI Trial Lawyer Climbs to Top From Waukegan to Chicago

by Roy Strom

The jury reached a verdict, but Patrick A. Salvi wasn't done negotiating on behalf of his client.

It was a case in the Cook County Circuit Court in March 2015, and Salvi was representing a 47-year-old school teacher from Lombard, injured when a semi-truck ran a red light and turned left in front of her. Before the trial, the defense had offered \$4 million for her injuries, which were mostly to her spinal cord.

Salvi turned down that settlement. He did the same thing when the offer rose to \$10 million. At one point, Judge Clare McWilliams pulled the managing equity partner of **Salvi, Schostok & Pritchard PC** aside to point out that it was a lot of money he and his client were possibly walking away from.

Salvi, who tried the case with two of his sons — Patrick A. Salvi II and Brian L. Salvi — remained confident. And that confidence resulted in more money and an immediate payment.

Salvi accepted an offer of \$14 million, which was \$1.4 million better than the roughly \$12.6 million the jury returned after factoring in the plaintiff's predetermined 30 percent fault.

"He certainly had all the advantages in his case, and he exploited them," said John W. Patton Jr. of Patton & Ryan LLC, the lead defense lawyer in the case, *Teresa Burns and Robert*

Burns v. New Bern Transport Corp., etc., No. 12 L 14323.

“Pat distinguished himself in my mind as being one of the most professional trial lawyers I’ve tried cases against, and I’ve tried cases against the best in the business across the country. His word is his bond.”

McWilliams is equally impressed. “He deals in a world where if you roll the dice, you’re losing or gaining millions of dollars depending on how they land,” the judge says. “And he does it really well. And that’s because he’s prepared, and he knows the risks.”

Anyone who knows Chicago’s plaintiff lawyers knows that wasn’t the first high dollar figure Salvi has earned for a client.

According to the Jury Verdict Reporter, he won the highest Lake County verdict on record: \$33.2 million in 2009. In 2012, he earned a record \$8.25 million for an infant death. And in 2014 he won a \$17 million medical malpractice settlement on behalf of a 2-year-old from Waukegan who suffered brain damage during throat surgery.

He has developed a reputation as an “A+ trial lawyer,” as McWilliams puts it. He has done it using the same combination of confidence, skill and tireless work ethic that was on display in the *Burns* trial and negotiating room.

So who would guess that he started his trial career taking cases from the Lake County Public Defender’s Office?

‘The Trouble Is...’

Salvi’s father was a general practitioner in Lake Zurich. And that’s where Salvi went to work when he graduated from the University of Notre Dame Law School in 1978. They handled every kind of case.

“It was fun,” Salvi says, “but I wanted to be in court.”

The quickest way to do that was by taking cases from the public defender. He defended clients facing charges of burglary, rape, murder and armed robbery. He lost a lot more than he won, but he was glad just to be in a courtroom.

There was one problem, though. He wasn’t doing the same type of trial work as the lawyers he admired.

He can still rattle off the classic trial lawyers he looked up to: Phil Corboy, Jack Hayes, Gene Pavalon, Al Hofeld and Jerry Mirza.

“I just thought they were really the best lawyers involved in high-stakes litigation, and often times in a jury trial setting, which is where I wanted to be,” Salvi says.

“The trouble is I wasn’t being mentored by anybody.”

When he got his chance, he didn’t miss. A personal injury lawyer and friend of Salvi’s father referred him a medical malpractice case. Salvi says he “nurtured” that case “because it was the only one I had.”

When it came time to discuss a settlement, the defense lawyer asked Salvi to give a demand. The case was against one doctor with insurance coverage of \$1 million. Salvi commiserated trying to come up with a demand. Maybe \$700,000? Maybe more?

Then he learned something when the defense lawyer informally asked, “You’re going to make a policy limit demand, right?”

“Of course I am,” Salvi responded.

The case settled for \$900,000. It was the first time he learned how policy limits impact settlement negotiations.

“I learned that sometimes you have to listen more than talk, you have to trust your skills and think high, so long as it’s not unreasonable,” Salvi says.

After the settlement, he called his father’s friend who referred him the case, the prominent personal injury lawyer Charlie May, who has since died. Salvi told him the settlement amount. The phone was silent.

That was the first time a Lake County lawyer was surprised by Salvi’s work. It is unclear when the last time came.

“Any time I have a very serious case in Lake County, I kind of expect Pat Salvi’s name to be on it,” says Lake County Circuit Court Judge Christopher C. Starck.

Exploiting a Niche

Today, Salvi has an office in the heart of the Loop at 22 W. Washington St. He opened the firm in 1982 in Waukegan, where an office remains.

Salvi made a name for himself by making it clear he would take medical malpractice cases. Plaintiff’s lawyers, at that time, were reluctant to sue doctors. After all, they needed them as their expert witnesses in personal injury trials.

He went from firm to firm in Chicago and Lake County and told them he was open to referrals in medical malpractice cases.



From left: Chris, Pat, Will and Lindy Salvi



Salvi secured a \$14 million settlement for client Teresa Burns.



Salvi and several Salvi Schostok & Pritchard lawyers confer.



From left: Patrick II, Patrick and Brian Salvi

“That’s absolutely true, especially where he was in Lake County,” says Chip Barry, a partner at Corboy & Demetrio and a former defense lawyer.

“He was kind of the only guy willing to do it. But I think the reason he was able to successfully balance the two was because he was always professional with everyone. He was always very polite, professional and well prepared. So I think the doctors who found themselves on the other side of him respected him.”

“The other thing that he was willing to do that at the time a lot of other firms were not, was he handled cases all over the state,” says Richard H. Donohue, a defense lawyer and partner at Donohue, Brown, Mathewson & Smyth LLC. “He would go to the collar counties. He wasn’t just locked into Lake County.”

In that regard, the firm’s reputation remains intact. Salvi’s son, Patrick, earned

a \$1.2 million verdict in Pope County, where the largest verdict on record was previously five figures.

As Salvi grew his practice by taking medical malpractice cases, he developed a courtroom persona he describes this way: “A little bit more formal. And old school. But without, hopefully, coming across as aloof or arrogant.”

Colleagues describe him as serious, intense, focused and driven.

One story that articulates the point comes from Steve Phillips of Phillips Law Offices. Phillips enjoys hunting, and he says Salvi once called him and said he would like to start “big game hunting.” Phillips suggested deer hunting in Illinois or Wisconsin. But Salvi declined.

“He wanted to hunt something bigger,” Phillips says.

“I think Pat wants to start with climbing the Himalayas and wanting to hunt big

horned sheep. That’s Pat.”

Retired Lake County Judge Christopher C. Starck says Salvi’s intensity does not necessarily show up in the courtroom.

“He is very intense, personally,” says Starck. “But when you see him in the courtroom, the intensity is under the covers a bit. The jury, I think, never knows him as intense.”

“He’s extremely tenacious. He’s very dogged,” Donohue says. “But I’ll tell ya, the thing I respect about him is he is one of the lawyers who listens to the witness’s answer and asks the appropriate follow-up question. And believe it or not, you don’t see that all the time.... It takes courage.”

Robert Smith, a medical malpractice defense lawyer and founding partner of Lewis & Gellen, says Salvi and his former partner Mike Schostok were “probably the best one-two punch I ever faced in the courtroom.”

Schostok died of a glioblastoma brain tumor in July 2012 at age 51.

“Pat’s more almost like a street fighter. He is very aggressive in the courtroom. Direct assault,” Smith says. “And Schostok would be more sophisticated, subtle, with a sneak-up-on-your side approach. And together, oh man.”

Smith tried a case against that dynamic duo in 2001 involving a baby who suffered a brachial plexus injury at birth, leaving the child with a damaged arm for life.

Smith remembers Salvi and Schostok calling two expert witnesses — doctors from Texas — who discussed “phantom pain,” that the arm would still have pain that required painkillers and treatment despite its limited function.

“I remember thinking, ‘Oh my gosh, he just raised the value of this case,’” Smith says.

Matthew Skonieczny received \$13.3 million from the jury.

Raising the Value

Salvi has found other ways to raise the value of his clients’ cases over the years.

One example came when an obese farmer in Lake County was knocked off of a tractor after it was hit on the street. After being treated in the hospital for about a week due to broken ribs and high blood pressure, the farmer was released. He died less than three weeks later due to a blood clot.

The farmer’s treating physician was supportive of the theory that his immobility in the hospital caused the pulmonary embolism. A defense lawyer would naturally argue that the man’s weight put him at risk of an embolism, and of course, that’s just what happened.

But Salvi’s problem arose in the form of a stutter by the treating physician.

“The doctor was very supportive. But I couldn’t call him to testify because he had a stutter,” Salvi says. “And I couldn’t

videotape him because of the same thing. So for one of the first times I used a professional actor.”

The actor nailed his lines without a script. During the same trial, Salvi says the defense lawyer accused the family of the man of looking for someone to blame for his death.

“The defense was really ridiculing this family,” Salvi says. “And it was the first time I really seized upon a defense lawyer being somewhat insensitive to my client or their family. And so I took advantage of that.”

The verdict in Lake County came in at more than \$3 million.

Learning experiences aren’t always that enjoyable, however.

Such was the case when Salvi represented a man who was injured as the passenger in a one-car accident. The duo were in a Cadillac and the driver had been drinking. Unable to manage a curve, the car hit a tree. The driver died. Salvi’s client was suing General Motors Co. because the Cadillac had been lent to the driver by a car dealership.

A lawyer from Kirkland & Ellis LLP represented GM and argued that Salvi’s client, who ran his own construction business, should have prevented the driver from getting in the car.

Salvi argued that the driver is the driver. He has the wheels. He has the pedals. As he was preparing his client to testify, he told him that the defense would try to portray the drive as a “joy ride.”

“So you can’t say or do anything that makes this seem like a joyride,” Salvi told the client.

“So I put him on the stand, and said, ‘Tell the jury what happened.’ And the first thing he says: ‘Well, we were on what I thought was just a joyride.’ And the jury looked over at me like, ‘Huh?’”

The verdict came back with \$10 million in damages for Salvi’s client, but also concluded he was 30 percent negligent.

“I always thought my planting that seed cost us \$3 million,” Salvi says. “Now I’m just a little bit more careful about preparation.”

On to the Next Case

Shortly after Salvi finished the *Burns* trial in March, he was already preparing for a trial set to take place in August, which he would again try with his son Patrick.

Salvi says practicing with two of his five sons has been rejuvenating. And that makes sense, considering his son Patrick’s pace: He tried three cases in a span of eight months, and that number would soon grow to four cases in 13 months.

“He wants to try like three or four cases a year, and he means it and he will do it,” Salvi says.

“Having them around has really energized me. I think any lawyer who is in practice for decades, you’re going to

have ups and downs where you think this is great, and other times you’re like, am I going to do this for the rest of my life?”

Today, Salvi spends a good amount of time managing his firm’s business and its attorneys in a changing landscape for plaintiff’s firms. Having a good team of lawyers and staff has been just as important as developing all those trial skills in getting his firm to where it is today.

He says he demands that his attorneys and staff treat clients “like gold.” One part of that client service is having Salvi’s personal driver steward clients to and from the office and other meetings — in a car with professional grade safety belts.

“You have to surround yourself with really good people, both lawyers and non-lawyers,” he says. “You’ve got to be on the cutting edge of technology and best practices in terms of the operations of your business and the development of business.... It’s very difficult for you to do it all by yourself. It’s exhausting.”

That thought may have surprised a younger Salvi, who by his own admission had a tendency to overwork himself. But, he says, his work ethic comes from an intense competitive streak and a fear of losing.

To explain that competitiveness, he told a story about his son Chris, who played football at the University of Notre Dame. He was 5’10” and 190 pounds. He initially walked on to the team and then earned a scholarship. He did it by constantly working.

“He was that way since he was 7 years old,” Salvi says. “People ask, ‘What did you do to motivate him?’ I encouraged him, but he just had it. He did on his own what was necessary to get himself in a position to do that. And you sort of either have it or you don’t.”

Salvi says one character trait that great lawyers need to have is competitiveness. As a trial lawyer, he says you have to find a balance between “hating to lose” and not being afraid to lose.

“If you’re really competitive and you hate to lose, what are you going to do?” Salvi says.

“You’re going to do everything that’s necessary to win. If I know the only way I’m not going to lose this case is if I start preparing every day, four or five months in advance, getting up at 3 or 4 o’clock in the morning, start abstracting depositions, then that’s what you have to do.”

That’s what he’s done. ■