

KOEPKE & HILTABRAND

Attorneys at Law

Kurt M. Koepke

Bachelor of Arts/Political Science - 1983, Western Illinois University

Juris Doctor 1988, Southern Illinois University School of Law

Admitted to Practice in Illinois and Federal Court 1988

Admitted to Practice before the United States Supreme Court 2009

Professional Affiliations: Sangamon County Bar Association
Illinois State Bar Association
Adjuster's Association of Central Illinois
Faculty member, Illinois Institute of
Continuing Legal Education
Member of Advisory Board for Robert Morris College
– Paralegal Studies Program (2005)

Practice Areas: Defense of General Liability matters and
Workers' Compensation

ILLINOIS SUPREME COURT DECISIONS

1. *Bubb v. Springfield School District*, 167 Ill.2d 372, 657 N.E.2d 887 (1995).

The plaintiff filed suit against the defendant school district when she fell off her bicycle on school grounds fracturing her arm. The area had been used as a "play site". The Supreme Court accepted the defendant's position that the school property in issue fell within the statutory immunity and dismissed the plaintiff's claim against the school district. As a matter of first impression, the Supreme Court held that the statutory recreational immunity standard, as stated in the Local Governmental and Governmental Employees Tort Immunity Act, applied if the property was intended or permitted to be used for recreational purposes regardless of its primary purpose.

2. *Webster v. Hartman*, 195 Ill.2d 426, 749 N.E.2d 958 (2001).

The Supreme Court affirmed an Order granting defendant's Motion to Enforce Settlement. The plaintiff and defendant had been involved in an automobile accident and after several years of discovery, the case was eventually settled for a nominal sum. The plaintiff's attorney had represented to the court that the case had been settled but an issue revolved around whether plaintiff's counsel had actual authority from the plaintiff to settle the claim. Due to the fact that the plaintiff's attorney failed to create an adequate record, the Supreme Court affirmed the ruling

of the Fourth District Appellate Court which affirmed the Circuit Court's Order enforcing the settlement.

3. *Eads v. Heritage Enterprises, Inc.*, 204 Ill.2d 92, 787 N.E.2d 771 (2003).

The plaintiff had been injured while at an extended care facility when she slipped and fell in a bathroom and fractured her hip. The defense had moved to dismiss the claim arguing that 735 ILCS 5/2-622(a) required the filing of an Affidavit from an experienced health professional attesting that the plaintiff had a reasonable and meritorious cause of action. It was defendant's position that the plaintiff's action sounded in Healing Art Malpractice; thus, requiring the Affidavit. The Circuit Court granted the defendant's Motion to Dismiss the plaintiff's complaint. The Fourth District Appellate Court reversed the Circuit Court's Order granting the Motion to Dismiss. The Illinois Supreme Court affirmed the Appellate Court Judgment.

REPORTED APPELLATE COURT DECISIONS

1. *Sunderland v. Tri-City Community Unit School District 1*, 549 N.E.2d 992, 140 Ill.Dec. 341 (1990).

The plaintiff, Sunderland, was allegedly injured at the school gymnasium when an unpaid student manager of the school volleyball team wheeled a volleyball stand onto the gym floor. The stand separated from its support, landing on the woman's foot and injuring her. The plaintiff brought suit against the school district and the student manager. Defense counsel filed a Motion to Dismiss arguing that the student manager was a "volunteer" as defined under the Local Governmental and Governmental Employees Tort Immunity Act so that the one year statute of limitations applied barring the plaintiff's claim. The Circuit Court agreed with the defense position and the Appellate Court affirmed.

2. *State Street Bank & Trust Co. of Quincy, Illinois v. INA Insurance Company of Illinois*, 567 N.E.2d 42, 153 Ill.Dec. 327 (1991).

The suit was based upon the insurer's refusal to defend the insured in a business customer's action for intentional interference with the customer's business relationships. The defense moved for summary judgment on the issue stating that no damage was incurred by the plaintiff due to an "occurrence" as defined by the policy of insurance. The defense further argued that the underlying action against the bank arose from the bank's exercise of its business judgment in conducting its principle business activity and therefore the action fell under the office building policy's applicable exclusion. The Circuit Court agreed with the defense position and the Appellate Court affirmed.

3. *Watson v. J.C. Penney*, 605 N.E.2d 723, 178 Ill.Dec. 929 (1992).

A customer brought an action against the store to recover for injuries sustained when he slipped on ice. The defense moved for summary judgment on the basis that the incident occurred as a result of a natural accumulation of ice and snow. The Circuit Court agreed with the defense position and granted its Motion for Summary Judgment. The Fourth District Appellate Court affirmed the Circuit Court's ruling.

4. *GTE North, Inc. v. Henkels & McCoy, Inc.*, 612 N.E.2d 1375, 184 Ill.Dec. 215 (1993).

The owner of the property sued the contractor seeking a declaration that the agreement under which the contractor was constructing the building for the owner required the contractor to defend the owner in a negligence action brought by an employee of the contractor for an injury which occurred while he was working on the property. The Circuit Court found for the contractor declaring that the contractor was not required to defend the owner or to indemnify for any liability incurred from the suit. The Appellate Court affirmed the Circuit Court's ruling holding that the agreement to defend and indemnify was not a contract requiring the contractor to furnish insurance such that the provision did not bring the agreement within the provisions of the Construction Contract Indemnification for Negligence Act which exempted construction bonds or insurance contracts or agreements from the prohibition against indemnity agreements.

5. *Clinton Price v. Industrial Commission*, 663 N.E.2d 1057, 278 Ill.App. 848 (1996).

The Appellate Court Fourth District held that the worker's injuries were causally connected to the work event even though the Petitioner had been scheduled for an MRI of his cervical spine prior to the accident and the pre-accident MRI demonstrated a herniated cervical disc. The treating surgeon did not have any history of the post-MRI work event and determined that a discectomy was in order. The Industrial Commission believed that the work accident "aggravated" the Petitioner's condition so that the need for the surgical intervention was at least partially attributable to the work accident.

6. *Alexandra Phillips, a minor, by her Mother and Next Friend, Lorena D. Travell and Lorena D. Travell, Individually v. Shawn A. Dodds*, 371 Ill.App.3d 549, 867 N.E.2d 1122 (2007)

The lawsuit revolved around a motor vehicle accident. The plaintiff, Lorena D. Travell, brought suit for medical expenses incurred by the minor in seeking treatment for injuries sustained in the automobile accident. During discovery it was determined that Lorena D. Travell was not the minor's

mother nor was she the minor's guardian. The trial court agreed with defendant that Lorena D. Travell did not have a claim for medical expenses under the Family Expense Act. The Appellate Court, in reversing, found that an individual not a parent nor a guardian could still stand *in loco parentis* to the minor such that the adult could be liable for medical expenses and; thus, had a right to pursue a claim for those expenses in the tort action.

*Several other matters were appealed to the Appellate Court by plaintiff's counsel; however, the above decisions are the only published opinions of cases handled by Kurt M. Koepke.

JURY TRIALS

1. *Schwab v. Honey Bend - Montgomery County, IL*

Plaintiff brought suit against the resort when she suffered a trimalleolar ankle fracture after having fallen down a slope on the premises. After deliberating two days the jury returned a defense verdict - not guilty.

2. *Camille v. Logan - Sangamon County, IL*

Two plaintiffs, occupants of a motor vehicle, brought actions against a bus company, a driver of a private automobile and the owner of a Kerr McGee Service Station. The plaintiffs alleged that the bus driver and the driver of the private automobile were negligent in the operation of their vehicles. The remaining defendant, the owner of the Kerr McGee Service Station, was represented by Kurt M. Koepke. It was alleged that the service station was negligent in repairing the brakes on the privately owned automobile which contributed to the accident. Both plaintiffs suffered severe injuries and the jury returned a verdict in the amount of \$2 million against the drivers of the vehicles but found the owner of the Kerr McGee Service Station not guilty.

3. *Krueger v. Trader - Sangamon County, IL*

Plaintiff was the driver of a motor vehicle that was rear-ended by defendant. Plaintiff suffered soft tissue injuries. Plaintiff had approximately \$4,000.00 in medical specials and some minimal missed time from work. Result - not guilty.

4. *Bishop v. Jones - Macoupin County, IL*

Plaintiff was the driver of a motor vehicle which was rear-ended by defendant. Three vehicles involved in the accident were total losses. Plaintiff had a bulging lumbar disc/low back pain along with \$6,500.00 in medical bills and \$2,000.00 in lost wages. Result - not guilty.

5. Reynolds v. Killian - Sangamon County, IL

Plaintiff was the driver of a motor vehicle that was rear-ended by defendant. Plaintiff had approximately \$4,000.00 in medical bills and strains were diagnosed. The jury returned a verdict in favor of the plaintiff for approximately \$374.00 (emergency room bill).

6. Vancil v. Grant - Sangamon County, IL

Plaintiff was the driver of a motor vehicle which was struck broad-side by the defendant when defendant entered the intersection on a red light. Plaintiff suffered from a concussion, lacerations, strains and vertigo. Plaintiff had medical specials of approximately \$10,000.00 with lost wages of approximately \$4,000.00. The jury returned a verdict in favor of the plaintiff for \$4,500.00 (the jury did not believe that the plaintiff's vertigo was related to the accident but rather found that it was due to a pre-existing condition).

7. Bishop v. Jones - Macoupin County, IL

Re-trial from 1997 case. The jury returned a verdict in favor of the plaintiff in the amount of approximately \$9,000.00.

8. Homa v. Jordan - Sangamon County, IL

Plaintiff was the driver of a vehicle that was rear-ended by a vehicle being driven by the defendant. Plaintiff had a pre-existing cervical condition and strains were diagnosed. Plaintiff had approximately \$3,500.00 in medical bills and minimal lost wages. The jury returned a verdict in favor of the plaintiff for \$274.00 (emergency room bill).

9. Hatten v. Branson - Macoupin County, IL

Premises liability case. Plaintiff sustained a fracture to his foot after falling off of a platform that had been constructed by the defendant at his home. The defendant was the plaintiff's wife's nephew. Evidence suggested that the defendant had moved a support to pour some concrete at which time the plaintiff fell when coming across the platform. Plaintiff had \$16,000.00 in medical specials and approximately \$2,000.00 in lost wages. The jury returned a verdict in favor of the plaintiff for \$8,000.00 (50% of the medical finding that the plaintiff was 50% comparatively at fault). Evidence suggesting that the plaintiff was comparatively at fault was the fact that the plaintiff had been aware that at least part of a support had been moved prior to the occurrence.

10. Champley v. Camatti - Christian County, IL

Automobile case. Plaintiff was struck head-on by defendant after defendant was leaving a beer party. Evidence of intoxication was admitted. Plaintiff suffered a cervical strain and both vehicles were totaled as a result of the collision. Plaintiff's medical specials were approximately \$6,500.00 including chiropractic treatment and an MRI. The jury returned a verdict in favor of the plaintiff for approximately \$10,500.00 representing payment of medical bills, pain and suffering and \$2,500.00 in punitive damages.

11. Bales v. Digirolamo - Sangamon County, IL

Plaintiff, a 50 year old college student, collided with the insured in an intersection. Our client pled guilty to failing to yield although there was still an issue as to who had the right-of-way (the police officer testified that he might not have necessarily given our client a ticket had he noticed an Illinois Department of Transportation sign guiding traffic at the accident scene). Plaintiff claimed strains and blindness in her left eye. Plaintiff's treating ophthalmologist related the blindness to an optic nerve injury sustained in the accident and stated that it was a non-treatable, permanent condition. A neurologist testified that it was not related. Plaintiff had medical specials of approximately \$9,000.00 with no lost wages. Verdict - not guilty.

12. Voss v. Zoelzer, et al. - Sangamon County, IL

Plaintiff sustained injuries to her neck and shoulders after defendant-insured Zoelzer struck the rear of the plaintiff's vehicle after losing control of his vehicle on ice. After the vehicles were removed from the roadway a third vehicle being driven by defendant Russell slid on the ice striking the plaintiff's vehicle again. Plaintiff was treated conservatively with chiropractic treatment and physical therapy. The diagnosis was a cervical strain/sprain/compression fracture and right brachial plexopathy. Medical specials - \$11,500.00. Lost wages - \$2,000.00. Plaintiff's husband had a loss of consortium claim pending. The plaintiff asked the jury for \$76,000.00. Result - not guilty.

13. Cavage v. Roof - Sangamon County, IL

Plaintiff was rear-ended when she stopped suddenly for a construction barrel that had rolled into the street. The plaintiff worked for a week before she was hospitalized for nine days due to back pain. All diagnostic testing was negative although a physician had diagnosed a torn annulus of a lumbar disc. The plaintiff claimed four months of lost work (\$7,200.00) and medical specials of \$15,995.86 which included her hospital stay and two courses of physical therapy. Plaintiff asked the jury for \$68,000.00 to \$98,000.00. Verdict - \$42,995.86.

14. *Smith v. MacMurray College and Arnie Charron - Morgan County, IL*

Plaintiff was incarcerated at the time that he was attending a vocational auto-tech class at the prison. He lost the sight in his left eye when a flying splinter of metal struck him after a bearing race shattered. Plaintiff alleged that Defendants (teacher and college) failed to provide adequate eye protection, adequate instruction and adequate supervision. It was also alleged that plaintiff was given inadequate tools to perform the work. Defense verdict - not guilty.

15. *Osborne v. Belcher - Morgan County, IL*

Plaintiff brought suit against the defendant after the defendant rear-ended the plaintiff's vehicle. The plaintiff had suffered from prior cervical problems; however, the plaintiff underwent a cervical discectomy and fusion after the impact with the defendant. The plaintiff had accumulated approximately \$60,000.00 in medical specials. The defense argued that the plaintiff's need for surgery was not a result of the accident in issue. The jury returned a verdict in favor of the plaintiff for \$27,500.00.

16. *Goodrich v. Thornley - Sangamon County, IL*

Plaintiff brought suit against the defendant for injuries sustained in an automobile accident. Liability was not really an issue since the defendant turned left in front of the plaintiff on a green light. Plaintiff sought medical treatment the day after the accident with complaints of right foot, right ankle, right wrist and right elbow pain. Plaintiff continued to treat conservatively and eventually treated with three different orthopaedic surgeons. All of the plaintiff's symptoms somewhat subsided with the conservative care; however, several months after the incident the plaintiff began complaining of right shoulder pain which she attributed to the accident. A glenoid labrum tear was eventually diagnosed and operated. The orthopedic surgeon performing the operation indicated that the injury was consistent with the mechanism of injury as described by the plaintiff and as it pertained to the automobile accident in issue. Other physicians really had no opinion regarding the cause of the condition. It should be noted that the plaintiff had denied any prior shoulder problems but subpoenaed medical records reflected that she did, in fact, suffer from prior right shoulder injuries. The plaintiff did not work so there was no lost wage claim. She claimed a little over \$12,000.00 in medical specials. Result - verdict for plaintiff - \$4,165.00 after being reduced by 15% comparative fault on plaintiff's part in causing her own injuries and damages.

17. *Burdine v. Bridgestone/Firestone - Macon County, IL*

A contractor's employee was injured at the plant after tripping over debris. The plaintiff had collected worker's compensation and when the plaintiff brought his action against the owner of the premises the contractor's insurance policy provided for the defense and indemnity of Bridgestone/Firestone. Since the same insurance carrier had the worker's compensation coverage as well as the general liability coverage no third party action was filed. The worker's compensation lien of \$28,000.00 was waived so that the defendant had a set off of any verdict rendered against it. The jury returned a verdict of \$67,886.00 which was reduced by 50% comparative fault as attributable to the employee's conduct in causing his own injuries and damages. After the net verdict was reduced by the worker's compensation lien set off the plaintiff had a recovery of approximately \$16,000.00.

18. *Schnapp v. Vern's Chatham 66 - Sangamon County, IL*

This case involved a claim for negligent repair of an automobile causing total engine loss. Plaintiff replaced the engine with a new motor for \$4,070.00. The defense presented evidence of a cost of a motor for \$1,460.00. The jury awarded \$2,575.00 by computing the cost of a like motor plus payment for labor and materials to complete installation.

19. *Rossmiller v. Hamilton - Adams County, IL*

Plaintiff was a passenger in a vehicle that approached the vehicle being driven by the defendant from the rear on a State highway. The defendant was test driving a car and stopped in traffic with his left directional signal on waiting for oncoming traffic to clear so that he could proceed with his turn. The traffic had cleared at the time that the defendant saw the vehicle in which the plaintiff was a passenger in approaching at a fast speed from the rear. Defendant testified that he did not know what to do since he thought that the plaintiff might attempt to pass him on the left so that he did not want to complete his turn. The defendant remained stationary and the approaching vehicle veered to the right and rolled into a cornfield several times. The defendant filed a Third-Party Complaint against the driver of the other vehicle. Before trial the Third-Party Complaint was dismissed with an agreement that should an adverse verdict be rendered against the defendant the insurance carriers for the defendant and the third-party defendant would share the liability on a pre-determined percentage basis. The case went to trial and a verdict was rendered in favor of the defendant - not guilty.

20. *Buchanan v. Kirchner - Sangamon County, IL*

Plaintiff was rear-ended by the defendant when the plaintiff slowed for stopped traffic ahead. Plaintiff claimed that she suffered a cervical strain as a result of the collision. Plaintiff had approximately \$5,000.00 in medical specials and \$2,000.00 in lost wages. The jury returned a verdict in favor

of the defendant - not guilty.

21. *Whitlock v. Brennan* - Sangamon County, IL

Defendant rear-ended the plaintiff while the plaintiff was stopped at a stop light. Plaintiff claimed whiplash as a result of the accident and accumulated approximately \$8,000.00 in medical specials, the majority of which were chiropractic. Plaintiff was not making any lost wage claim. The jury returned a verdict in favor of the defendant - not guilty.

22. *Felchner v. Van Proyen* - Sangamon County, IL

Plaintiff suffered a ruptured biceps tendon when he struck the vehicle being driven by the defendant after she had disobeyed a stop sign. The plaintiff had accrued \$19,790.07 in medical specials and lost earnings of \$4,482.90. The jury awarded a net verdict of \$57,845.68 finding the plaintiff 10% at fault in causing his own injuries and damages.

23. *Sides v. Moorman* - Brown County, IL

Plaintiff sued the defendant for property damage. The defendant had pulled from a stop sign to turn left while the plaintiff was approaching from the defendant's right. The defendant had secured his lane yet the plaintiff still struck the rear of the defendant's vehicle. Result - not guilty.

24. *Redland Insurance v. Newingham* - Christian County, IL

A young man was injured while visiting his father at the farm where he was employed. While a harvest of corn was being unloaded from a truck with an auger, the boy's shirt sleeve was caught in the auger and his arm was amputated. The homeowner's insurance company settled the claim on behalf of the farm owner. A contribution claim was ultimately brought against the farm owner's auto insurer. Result - not guilty.

25. *Pedigo v. Miller* - Sangamon County, IL

Plaintiff was a passenger in a vehicle that was allegedly rear-ended by the Defendant/insured. Plaintiff was diagnosed with a cervical strain and bilateral carpal tunnel syndrome which her treating physician related to the alleged accident. The Defendant denied that there was a collision and photographs of the vehicles did not demonstrate any visible damage although the Plaintiff's counsel suggested that the vehicle in which the Plaintiff was a passenger in had a broken strut after the alleged occurrence. Plaintiff claimed \$6,300.00 in medical specials and no lost wages. The jury returned a verdict in favor of the Defendant - not guilty.

26. *Sprinkle v. Olandese* - Adams County, IL

Plaintiff sought recovery for property damage to his motor vehicle. Plaintiff alleged that Defendant negligently and unlawfully passed him on the right to go through an intersection as he was waiting for cross traffic to clear to turn right. Defendant argued that it passed she passed in a parking lane; thus, not leaving the roadway during the pass. The collision occurred as the Plaintiff turned right as the Defendant passed. Result – not guilty.

27. Kelly, et al. v. Norman – Sangamon County, IL

Four different plaintiffs claiming injuries sustained in a motor vehicle accident occurring on October 12, 2002. Plaintiffs' vehicle hit in side by another vehicle traveling at 30 m.p.h. and which ran red light. Defendant found not guilty on two of the claims (plaintiffs were not injured). Two other plaintiffs were awarded a portion of their medical specials and minimal amounts for non-special damages (one plaintiff for \$1,000.00 and another for \$463.93). No lost wages claimed.

28. Adams v. Gaffney – Sangamon County, IL

Plaintiff brought suit for injuries and damages sustained in an accident after being struck by a motor vehicle while she was riding a bicycle. Plaintiff claimed that she entered an intersection attempting to turn left on a yellow light when a motor vehicle struck her coming through the intersection in the opposite direction. Plaintiff sustained a concussion, three days' missed work and \$12,000.0 in medical specials. Result – not guilty.

29. Auten v. Franklin, et al. – Sangamon County, IL

This case revolves around a motor vehicle accident occurring on December 11, 2003. Defendant Franklin made a left-hand turn in front of the vehicle that the plaintiff, Dawn Auten, was a passenger in. The plaintiff sustained ulna and radius fractures to her right arm. She also sustained an injury to her radial nerve and a dislocated right index finger. The plaintiff alleged that the defendant, Larry Nord, M.D., was negligent in failing to timely diagnose the right index finger dislocation. The patient had an open reduction and internal fixation performed on her ulna and radius fractures. After the dislocation of the index finger was diagnosed six months post-accident the plaintiff underwent three procedures to that finger. The jury rendered a verdict in favor of the plaintiff in the amount of \$307,000.00 finding defendant Franklin 75% at fault and defendant Nord 25% at fault.

30. McIntyre v. Anderson – Montgomery County, IL

Rear-end motor vehicle accident with soft tissue cervical injury and C6 radiculopathy to the right. No claim for lost wages. Plaintiff accumulated \$17,174.18 in medical specials. Treatment consisted of physical therapy and epidural steroid injections (also taken by ambulance to emergency room). Plaintiff attended 10 visits with her family physician as well.

Plaintiff's husband has his own loss of consortium claim. Verdict in favor of Plaintiff for medical specials of \$17,174.18. Judgment entered in favor of Defendant on Plaintiff's husband's loss of consortium claim.

31. Goode v. Donovan – Greene County, IL

Plaintiffs were allegedly injured when the defendants' St. Bernard attacked plaintiff, Lisa Goode. Ms. Goode sustained a bite to her right forearm resulting in nerve damage and also allegedly injuring her shoulder requiring arthroscopic surgery. Ms. Goode also claimed that she suffered from increased psychological problems as a result of the accident and suffered from nightmares on a regular basis. Plaintiff, Roger Goode, claimed that the dog attack ruined his relationship with his wife and destroyed his marriage. Plaintiff had approximately \$17,500.00 in medical specials and no lost wages. Verdict for \$33,000.00 in favor of plaintiff, Lisa Goode, and judgment in favor of defendants as to the claim of plaintiff, Roger Goode.

32. Zino v. Neighbors, et al. – Sangamon County, IL

Plaintiff allegedly sustained a cervical strain, concussion and torn right rotator cuff as a result of a motor vehicle accident. A verdict was directed in favor of the plaintiff and against the defendants on the issue of negligence. There were issues regarding the cause of the plaintiff's rotator cuff tear since he had complaints of right shoulder pain prior to the accident in issue. The plaintiff had been in an automobile accident approximately six weeks before the accident in issue. He did sustain a cervical strain and concussion in that accident. The plaintiff had \$46,000.00 in medical specials and no lost wages. Verdict in favor of the plaintiff for \$85,000.00.

32. Niebrugge v. Wheat – Effingham County, IL

High speed rear-end impact. Plaintiff sustained cervical ligamentous injury and an aggravation of a pre-existing arthritic condition. Medical treatment consisted of emergency room visit, chiropractic treatment, one orthopedic surgeon consult, treatment by family physician and a physiatrist. Plaintiff also underwent physical therapy. Medical specials - \$9,900.00. No lost wages claimed. Verdict \$40,000.00.

(PLAINTIFF'S CASES TRIED BY KURT M. KOEPKE)

1. Allen v. Union Pacific Railroad & Browning Township - Franklin County, IL

The plaintiff's decedent was killed by a freight train when she drove her vehicle over a crossing marked only with cross bucks. Plaintiff argued that vegetation on the railroad's right-of-way obscured the plaintiff's decedent's vision and that the crossing was unreasonably dangerous such that

mechanical warnings should have been installed. The jury awarded plaintiff \$900,000.00 which was reduced to \$450,000.00 due to the plaintiff's decedent's contributory negligence.

2. *Hiltabrand v. Gillick - Sangamon County, IL*

Plaintiff injured her shoulder after a minimal impact rear-end collision. Defendant's vehicle had no damage and plaintiff's vehicle sustained damage in the amount of \$390.00. The plaintiff treated conservatively for approximately one year at which time a subacromial decompression was performed due to a diagnosis of impingement syndrome. The jury awarded the plaintiff \$30,277.73. The plaintiff had \$12,000.00 in medical specials and claimed no lost wages.

Kurt has also represented hundreds of insureds before the Illinois Industrial Commission and has arbitrated over 40 cases. He has also served as the presenting attorney and arbitrator on numerous uninsured/underinsured motorist arbitration claims.

PUBLICATIONS

Proving Fault in Automobile Cases "Across the Center Line" - Illinois Institute for Continuing Legal Education - 2002.

The Steps for Perfecting a Review Before the Worker's Compensation Commission – Illinois Institute for Continuing Legal Education – 2005.

PRESENTATIONS

Medical Deposition Preparation for Worker's Compensation Claims - Illinois Institute for Continuing Legal Education - January 14, 2004.

Employer's Investigation of Worker's Compensation Claims - Lorman Institute - 1995.

Speaker – Risk Control Workshop, Risk Manager's Group, Milwaukee, WI, August 2004.

Guest Lecturer – University of Illinois, Springfield – The American Jury System, July 2005.

Board Member for the Robert Morris College Paralegal Studies Program for the purpose of obtaining accreditation by the American Bar Association.