

PROFESSIONAL HIGHLIGHTS - Bruce R. Pfaff

NOTABLE JURY VERDICTS

J. M. v. Ford Motor Co. - \$27,000,000 jury verdict for the estate of a 46 year-old man who died because the driver's seat of his vehicle failed in a rear impact, causing him to suffer fatal head injuries. The jury's award included \$25,000,000 for loss of society suffered by his wife and two children, an Illinois record. This verdict was named one of the Top 100 Verdicts in America in 2005 by Verdict Search, a national publication. The case was ultimately settled.

L.C. v. Ford Motor Co. - \$14,500,000 jury verdict for a woman paralyzed below the chest and her husband due to the unsafe design of the driver's seat of a 1991 Ford Explorer, which broke when she was rear ended in Hammond, Ind. This is the highest verdict for paraplegia in the State of Illinois, according to the Jury Verdict Reporter. The 1st District Appellate Court affirmed the judgment, and the full amount of the judgment and interest was paid.

K.B. v. Kim - \$30,000,000 jury verdict for a six year-old girl who suffered cerebral palsy due to a delayed emergency cesarean section delivery.

D.S. v. MiTek Industries, Inc. - \$13,544,171 jury verdict for a 22 year old worker who suffered a leg amputation using a roof truss press designed by MiTek. The case was tried in a county where there had never been a million dollar verdict before. The jury awarded every penny requested.

J.G. v. Advocate Christ Medical Center - \$12,261,171 jury verdict for the estate of a 49 year-old man who died from a rare blood disease, thrombotic thrombocytopenia purpura (TTP). He was admitted to the hospital on a Sunday morning, the diagnosis was confirmed by 4:30 p.m., but the plasmapheresis nurse took 6 hours to come to the hospital to provide the essential emergency treatment. His wife and three adult children survive him.

D.B. v. Advocate Medical Group S.C. - \$10,500,000 jury verdict for a 72 year-old woman who suffered an above knee amputation of her leg due to a failure of the emergency room doctor to diagnose bacterial cellulitis. The jury award included \$10,000,000 for non-economic losses.

R.H. v. Central Telephone Company of Illinois - \$9,623,000 jury verdict for a 48 year-old roofing contractor who suffered an incomplete spinal cord injury and thermal injury to his skull as a result of contacting a bare 7200 volt electrical wire suspended above a roof where he was working. The jury awarded \$16,000,000, but reduced the award by 40% contributory negligence, resulting

in a total judgment of \$9,623,000. The case was subsequently settled for \$10.2 million, which included interest on the judgment and \$500,000 awarded to his wife for loss of consortium.

J.G. v. TTI, Inc. - \$9,362,580 jury verdict for the estate of a 48 year-old man who was killed when a truck's trailer backed into him, pinching his legs and causing fatal hemorrhages. The jury's verdict included \$8,800,000 in non-economic losses.

A.O. v. Edgewater Medical Center - \$9,346,663 jury verdict for the estate of a 42 year-old man who died because of an unnecessary cardiac catheterization performed negligently. The jury's award included \$8,350,000 for loss of society.

D.S. v. Chicago & Northwestern Transportation Company - Tried case and handled appeal with Philip H. Corboy on behalf of a young man who suffered a closed head injury when the front wheel of his bicycle came off the fork as he was traversing the Central Avenue Crossing in Highland Park. The verdict of \$8,235,000 was affirmed both by the Illinois Appellate Court and the Illinois Supreme Court (1985-1989).

NOTABLE SETTLEMENTS

S.D., a minor v. Advocate Christ Hospital and Medical Center - \$9,900,000 settlement for a 7 year old boy who suffered brain injuries when he arrested due to post surgical neglect.

Estate of M.R. v. Chicago anesthesiologist and hospital - \$8,000,000 wrongful death settlement. A 52-year old woman was having an elective surgery to treat an enlarged thyroid gland. She died when her anesthesiologist failed to intubate her when she went into respiratory arrest before surgery. The anesthesiologist shortly before trial admitted that he made up most of the information on the anesthesia record he prepared. The doctor was removed from that hospital's staff shortly after that admission.

Union Oil Fire Litigation - Acted as lead counsel on behalf of plaintiffs who were injured or died in the Romeoville explosion and fire. All cases settled for an aggregate of \$29,900,000. The six clients represented by BRP settled their claims for a total of \$12,700,000 and worker's compensation lien waivers valued at approximately \$1,000,000.

H.P. v. Hermann - \$9,350,000 settlement for a 42 year-old man who suffered a brain injury during surgery to remove a brain tumor (meningioma).

R.B.T., a minor v. Unnamed Manufacturer - \$9,000,000 settlement for an 8 year-old boy who suffered brain injuries due to a negligently designed garage door opener. The door descended as the boy was exiting the garage and the door pinned the boy under it. He suffered respiratory and cardiac arrest due to the event.

M.R. v. ASSH - \$8,000,000 settlement for the surviving husband and adult children of a 52 year old woman who died when an anesthesiologist was unable to intubate her before an elective surgery. During trial preparations, the anesthesiologist admitted that he created an inaccurate and untrue anesthesia record of the events. He was later removed from the hospital staff as a result of that testimony.

J.F., a minor v. Loyola University Physicians' Group - \$7,900,000 settlement for a child with cerebral palsy due to a physician's neglect in delaying delivery. The case was settled within six months of filing, greatly reducing lawyers' expenses and fees.

J.P. v. Central Illinois Manufacturer - \$7,500,000 settlement for a Peoria area man who lost his lower legs due to burn injuries sustained when he contacted high voltage conductors at a job site in central Illinois. The conductors were not properly kept behind a locked fence, allowing the worker access to the area where he was shocked.

N.K., a minor v. NWMH - \$7,000,000 settlement for damages sustained by a girl during her delivery. She suffers from cerebral palsy, and lives at home with her parents.

J.H., a minor v. University of Chicago Hospitals- \$7,250,000 settlement for a seven year old brain damaged girl. She suffered an anoxic arrest in the emergency room after 7 hours of medical care that did not properly treat her sickle cell crisis.

I.S. v. Fajardo - Represented an infant who suffered brain damage as the result of anesthesiology malpractice. The child was rendered comatose by the malpractice, and he survived on a ventilator for seven years. Case settled for \$6,200,000, a record malpractice settlement in Illinois in 1985.

K.B. v. Weyerhaeuser Canada Ltd. - Settled claims on behalf of 33 year old incomplete quadriplegic for \$6,175,000. Keith was injured when a plank on a scaffold snapped, causing him to fall 20' to a cement balcony. Weyerhaeuser Canada negligently graded the board, and Edward Hines Lumber Company negligently sold it to the plaintiff's employer for use as a scaffold plank.

C.S., a minor v. Michael Reese Hospital - Settled claims of a mother and her brain damaged child for \$5,750,000. Child suffered cerebral palsy as the result of medical negligence during the two hours immediately before the delivery. As part of the settlement, an annuity to pay lifelong benefits to the child was established.

S. v. Norwegian American Hospital - Represented a brain damaged infant in a suit against the delivering obstetrician and hospital. Case settled for \$4,950,000.

R.S. v. United Engineering Co. - \$4,650,000 settlement to the family of a thirty eight year old husband and father of two who suffered third degree burns and later died as the result of an explosion at a steel making furnace in Peoria, Illinois. The defendant designed and manufactured water-cooled panels used in the roof of the furnace that leaked, causing the explosion.

K.M. v. Hobbs - Settled and tried claims of a 7-year-old with cerebral palsy caused by hospital and physician negligence for \$4,472,000.

Unnamed Plaintiff v. Unnamed Automobile Component Maker: A 25 year old Chicago area man settled his product liability case against the component part maker for \$3,980,000. He claimed the seat belt on his vehicle failed in an automobile collision causing paralysis. The other motorist in the collision paid \$20,000, his available insurance, and an additional \$80,000 was collected from the injured party's underinsured motorist coverage for a total settlement of \$4,098,000.

M.H. v. Wishnick - Represented brain damaged child in suit against Holy Cross Hospital and the obstetrician who delivered. Case settled for \$3,850,000.

Estate of H. v. Michael Reese Hospital - Settled claims for the wrongful death of a 35 year old single woman, survived by her minor daughter, for \$3,800,000. Victoria had given birth to her daughter four days before her death, and succumbed to a pulmonary embolism while she was a patient in the postpartum unit. The hospital and the physicians failed to institute any prophylaxis against pulmonary embolism, despite Victoria being at high risk for the complication.

Unnamed Plaintiff v. Unnamed Automaker and Dealer - Our 57 year old plaintiff fell asleep at the wheel of his convertible coupe, lost control and rolled over while driving on I-94 in SW Michigan. During the course of the rollover, the A-pillar on the driver's side deformed downward, exposing the plaintiff's spine to severe flexion. This caused incomplete quadriplegia. We sued the automaker and dealer for failing to incorporate pop-up or fixed roll-bar technology on the

convertible that would have made the injury less likely. We settled the claims of the plaintiff and his wife for \$3,650,000.

Unnamed Plaintiff v. Unnamed Automaker: \$3,030,000 settlement for a young woman who was an unbelted passenger laying in the backseat of a car hit in an intersection collision. The door adjacent to her head opened and she was ejected. She suffered a thoracic spine injury.

R.M., a minor v. Children's Memorial Hospital - \$3,000,000 settlement for an adolescent boy who sustained a brain injury due to an overdose of Phenobarbital given to him when he was a newborn.

Estate of T.S. v. Rush University Medical Center – Our client was a 74-year-old man with severe heart disease. He consented to participate in a clinical trial that involved injecting the inside wall of the left ventricle of his heart with stem cells to regenerate heart muscle. The doctor, using a medical device approved by the FDA only for investigational uses, perforated the wall of the heart and lacerated a cardiac vein. This led to cardiac tamponade that another cardiologist employed by Rush University tried to repair. Those efforts led to a significant laceration of the heart wall, a hematoma, and our client's death. The suit against Rush, the doctors' employer, the medical device manufacturer, and the clinical trial sponsor was settled for \$2,800,000.

Estate of L. v. Trinity Hospital - \$2,750,000 settlement plus \$1,000,000 consent judgment for the benefit of the surviving spouse and children of a 35-year-old woman who died due to the failure to treat acute pelvic inflammatory disease.

D.N.K. v. LOC Construction Co. - Settled claims for personal injuries on behalf of a 37 year old man who was crushed under a concrete catch basin in a job site excavation for \$2,630,000. The settlement was paid by two general contractors, one subcontractor, the landowner, an engineering firm, and the City of Crystal Lake. The settlement was a record recovery in McHenry County. The previous high settlement in the county was \$850,000, and the previous high verdict was less than \$500,000.

Estate of D.D. v. Schneider National Carriers, Inc. - \$1,012,000 settlement for the surviving children of a 74 year old woman run over and killed by a large tractor trailer exiting a Sears loading ramp in Park Forest, Illinois.

K.H., a minor v. Hospital - \$1,000,000 settlement for an eleven year old boy who suffered damage due to a cardiac arrest 9 days after open heart surgery.

R.E. v. Flaster - \$1,050,000 settlement for a 64 year old man whose prostate cancer was not timely diagnosed; his urologist never offered him a PSA test. By the time another doctor did the test, his cancer metastasized.

A.N. v. Kim - \$950,000 settlement for a woman who suffered painful pelvic nerve damage done by a gynecologist who did an unnecessary uterine suspension surgery that she never consented to his performing.

Estate of S. v. General Motors Corp.- confidential settlement to the surviving adult children of a woman who died in a rollover collision. Claimed defects were in the door mounted seat belt system, and the automatic door locking system of the Pontiac Grand Am.

Estate of S. v. Winslow - \$1,100,000 settlement to the family of a 62 year old husband and father of four who died as a result of congestive heart failure which was not properly treated by his cardiologist. The patient had had four prior open heart surgeries for valve problems, and would have required a fifth surgery had the defendant physician properly diagnosed his condition.

Estate of B.C. v. Raj - \$1,800,000 settlement to the surviving parents and half brother of a nineteen month old child who died at Lutheran General Hospital. Bryce had hydrocephalus, and was being treated with an external ventricular drain to reduce the amount of cerebrospinal fluid in his brain. The drain malfunctioned, and despite adverse neurological signs and symptoms over the course of 20 hours, it was not replaced by the attending neurosurgeon. As a result, he suffered cardio-respiratory arrest and died.

R. v. Jacqueline's Transportation - \$500,000 settlement for a disabled minor who was sexually assaulted by a school bus driver. The suit was premised on the bus company's failure to provide supervision of the driver, and on the bus attendant's abandonment of her job on the day of the occurrence.

N. v. Levy Security - \$400,000 jury verdict for a registered nurse who was attacked and beaten by a psychiatric patient at Northwestern Memorial Hospital. The suit was successfully prosecuted against the security service whose workers did not timely respond to the emergency call for help.

Tylenol Poisoning Cases - Acted as co-lead counsel for the seven death cases pending against McNeil Consumer Product Co. Cases settled for a confidential amount.

R. v. Chrysler Corp. - Settled claim on behalf of a 28 year old paraplegic who was hurt when his Jeep CJ7 rolled over and he was ejected. The amount of the settlement is confidential.

F. v. Day - Represented injured worker who had his left hand amputated as a result of contacting the blades of an industrial mixer. Case settled for \$1,000,000.

B. v. Shiley Co. - Settled case on behalf of the survivors of a 36-year-old woman who died when her mechanical heart valve sustained a weld fracture and failed. Shiley insisted, and the client consented, to keeping the amount of the settlement private.

Estate of L.C. v. Resurrection Hospital - Settled claim on behalf of the widow and children of a working man who died as the result of medical malpractice. Case settled for \$3,000,000.

M.D. v. Alpha Construction - Tried case on behalf of the survivors of a 75-year-old woman who died in a gas explosion at her home caused by negligent trenching. The verdict of \$3,600,000 for her wrongful death is an Illinois record for loss of society. The case was appealed and the full judgment amount was collected.

R.K. v. Commonwealth Edison - Represented a young adult who suffered electrical injuries when the mast of a portable drill rig he was driving contacted an overhead power line. Case settled for \$1,800,000.

M.G. v. Lester Engineering - Represented a woman who lost three fingers and suffered other hand injuries in an industrial accident with a plastic injection molding machine. Case settled in 1987 for \$1,045,000.

I.S. v. Georgie Boy Manufacturing Company - Represented a woman pedestrian who suffered a head injury when struck in the head by an extra wide mirror on a recreational vehicle. Case settled for \$1,015,000.

M.M. v. Shelby Manufacturing Company - Tried case on behalf of young worker who suffered a below knee amputation as the result of contacting an unguarded screw conveyor at work. The jury awarded \$1,748,200 which was paid in full shortly after the verdict in 1986.

Estate of D.M. v. Michael Reese One Day Surgery Center - substantial settlement of wrongful death claim of 36-year-old gentlemen who had a hernia surgery at this outpatient center. He arrested during the procedure, suffered massive brain damage and died 3 weeks later. His widow wishes to keep the amount of the settlement private.

Confidential settlement: We settled a claim for the estate of a 27 year old woman who committed suicide two days after she was discharged from a Chicago area hospital. The family has instructed us to keep the details of the settlement private.

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