

# ANESI OZMON

## RODIN NOVAK & KOHEN LTD

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## FROM THE PRESIDENT



### Happy New Year!

Reflecting back over the past year, the firm has seen many exciting changes. We added three new attorneys to our staff and expanded our areas of practice. Scott Sands, a veteran trial attorney, brings to us his expertise in representing federal

workers' compensation claims. As a result, Anesi Ozmon now represents injured railroad employees under the Federal Employers Liability Act. We also now represent workers injured on navigable waterways under the Longshore and Harbor Workers Act and Jones Act, as well as civilian employees working outside the United States on US military bases or under a contract with the US government for public works or national defense under the Defense Base Act.

We also added Patrick Blum, an attorney with extensive experience in state and federal personal injury claims including trucking cases, professional malpractice, police brutality and product liability cases, among many others. While practicing in California he worked at the same firm with the famous Erin Brockovich.

Last but not least, we hired Tracey Schroeder, an attorney who brings to us a wealth of experience in marketing, communications/public relations and legislative affairs. You may have noticed our increased social media presence over the course of the last several months.

If you are not yet following us yet on social media, please click the social media icons at the end of this newsletter to stay up-to-date on the latest firm news. We are providing new and invaluable information on a continuous basis on Facebook, Twitter and LinkedIn. We also look forward to keeping up with our clients and former clients on social media.

Our firm closed out the decade doing what we have done for the past 65 years- providing aggressive representation to our clients and reaping noteworthy results. Our trial team of Steve Berman and Michael Teich went to trial in August for a union ironworker in federal court in Chicago. After several days of trial, they settled the case for \$10.03 million. We have several significant cases on our trial docket this year, and look forward to reporting the results to you as the year progresses.

If you need an attorney for any reason, I urge you to call us. Although our firm is best known as a premier personal injury and workers' compensation firm, we have a general practice department that offers an extensive array of legal services. Anytime you need to consult with an attorney for any reason, please make it Anesi Ozmon.

## \$10.03 Million Settlement in Construction Negligence Case

*Three defendants to pay Local 393 Ironworkers for injuries suffered at distribution center construction site.*

Partners [Steven A. Berman](#) and [Michael L. Teich](#) obtained a \$10.03 million settlement in a construction negligence case on behalf of their client, Andrew Woods, 32, an ironworker from Local 393.

Woods filed suit against Duke Realty Services, LLC, Steel King Industries, Inc., and a third defendant for injuries sustained during the construction of a warehouse distribution center in Aurora, Illinois. Woods sustained severe and permanent injuries when a large steel rack system collapsed onto him after it was struck by an untrained and uncertified forklift operator.

Woods underwent surgery to repair a torn ACL and other injuries to his left knee, which eventually will require knee replacement surgery. He also aggravated a pre-existing bone injury in his right wrist requiring a fusion, and tore the rotator cuff in his right shoulder requiring surgical repair.

Steel King was hired to manufacture, deliver, and install the steel rack system in the warehouse, Duke was the general contractor, and the third defendant, for whom the warehouse was being built, had employees onsite to oversee the work. Woods worked for a subcontractor, Lakeside, hired to assist with the installation. The plaintiff contends that in May 2017 the three defendants were pushing the installers to build the racks at a dangerously fast pace, ignoring the standard practice of anchoring the racks to the concrete floor as soon as they were erected. When a forklift operator hit an unanchored rack, it collapsed on top of the plaintiff, causing his extensive injuries. The forklift operator later acknowledged he was not properly trained or certified to operate the forklift.

“This project was an example of what happens when corporations value speed over safety. These defendants were entirely focused on meeting an impossible schedule and not at all concerned about the dangerous conditions they created on the job, which they all knew about but chose to ignore,” Teich stated. “By taking these defendants to trial we were able to provide Andrew and his family with financial security and send a message to these corporations that they cannot put people in danger and get away with it.”



Steven A. Berman



Michael L. Teich

## \$2.5 Million Settlement in Medical Malpractice Case

*Defendants to pay plaintiff for injuries resulting in open heart surgery to replace two valves.*

Partner [Michael L. Teich](#) and Associate [Patrick J. Blum](#) secured a \$2.5 million settlement in a medical malpractice case on behalf of a 50-year old woman from Lake County, IL. Two defendants agreed to pay \$2.5 million on January 9, 2020, after mediation before the Honorable Judge Hollis Webster.

The plaintiff filed suit against her primary care physician and the physician's employer for severe and permanent injuries resulting from an infection that went undiagnosed. The plaintiff visited her doctor in February 2016 because she wasn't feeling well. She returned in March and continued to feel sick over the next several months, returning multiple times to her doctor who told her it was a virus and would resolve on its own. In June 2016, the plaintiff went to the emergency room where a blood culture revealed that she had been suffering from a streptococcus bovis (strep bovis) infection and an advanced case of endocarditis caused by the strep bovis infection. Strep bovis infection, when left unchecked, is known to attack the valves of the heart, and in plaintiff's case the infection was so advanced that her aortic valve and mitral valve were destroyed beyond repair.



Michael L. Teich

From February through June 2016, the defendant doctor never ordered or performed a blood culture to determine whether the plaintiff suffered from a bacterial infection such as strep bovis. The doctor never referred the plaintiff to an infectious disease specialist, nor did the doctor prescribe penicillin or any similar antibiotic known to be effective against strep bovis.

The plaintiff was forced to undergo open heart surgery in July 2016 to replace both valves. The recovery was painful and prolonged and she remained weak and debilitated for months after surgery. She will continue to suffer from chest pain, fatigue, and other consequences of her injuries, including limited ability to function physically. She has also been diagnosed with anxiety, depression, panic disorder and PTSD as a result of this ordeal.

“We are very pleased with the outcome for our client, and the fact that the result will provide financial security to continue her ongoing care,” Teich stated. “We are proud to continue the Anesi tradition of uncompromising and tenacious advocacy for our clients.” Blum stated, “We are happy that the settlement will provide some sense of normalcy for our client and her family.”



Patrick J. Blum

## New Firm Members



Left to right: Scott C. Sands, Tracey L. Schroeder, and Patrick J. Blum

**Scott C. Sands** has more than 30 years of experience in the area of personal injury litigation and trial law and has earned a national reputation as an expert and leader in the field of Railroad Law. He represents injured railroad employees under the Federal Employer’s Liability Act, the Locomotive Inspection Act, and the Safety Appliance Act. He has tried cases in both state and federal courts in multiple states including Illinois, Indiana, Missouri, Iowa, Tennessee, and Montana. He takes great pride in protecting the rights of the injured. Sands earned a J.D. from The John Marshall Law School and a B.A. from Southern Methodist University.

### Welcome

Anesi Ozmon is pleased to announce that **Scott C. Sands** has joined the firm as a Partner and **Patrick J. Blum** and **Tracey L. Schroeder** have joined the firm as Associates.

**Patrick J. Blum**, an accomplished trial attorney with more than fifteen years of experience, brings a track record of success in a multi-faceted portfolio. He has successfully litigated federal and state personal injury and wrongful death claims relating auto and tractor-trailer crashes, police brutality, product liability, medical and dental malpractice, premises liability, violations of the Federal Motor Carrier Safety Act and violations of Section 1983 of the United States Code, and has achieved several six and seven-figure verdicts and settlements.

**Tracey L. Schroeder** concentrates her practice in personal injury law and general litigation matters. She is a flexible practitioner who works to distill complexity, build consensus, and take action. Prior to practicing law, she served as a member of senior leadership teams in the private and public sector, most recently as the Communications Director for the Chicago Teachers’ Pension Fund. Schroeder earned a J.D. from The John Marshall Law School, an M.B.A. from Dominican University, and a B.A. and B.S. from Miami University.

## Recent Results

## FELA - RAILROAD LITIGATION

### \$2.338 Million Verdict for Railroad Engineer

Partner Scott C. Sands obtained a verdict in the amount of \$2,337,607 in favor of an Indiana Harbor Belt Railroad (IHB) Engineer who sustained a herniated disk with nerve root compression (non-operated), a torn rotator cuff injury (surgery), and aggravation of a pre-existing degenerative condition in his cervical lumbar spine when his locomotive was unexpectedly rear-ended at 7 mph by another Locomotive and caboose.

## PREMISES LIABILITY

### \$475,000 Settlement for Trip and Fall

Partners Michael L. Teich and Brian D. Teven obtained a \$475,000 settlement for a woman who sustained serious injuries when she tripped and fell due to potholes in her employer's parking lot.

## WORKERS' COMPENSATION

### \$450,000 Settlement for Workplace Injury

Partner Jennifer J.C. Kelly obtained a \$450,000 settlement for a workplace injury resulting in a significant knee injury with permanent restrictions, resulting in loss of occupation. An additional \$100,000 was obtained in a Medicare set-aside to protect the worker's future medical needs.

## WORKERS' COMPENSATION

### \$362,000 Lump Sum in Addition to Total Disability Benefits

Partner Doug Colby secured an additional \$362,000 in permanent disability benefits for a catastrophically injured client who will continue to receive statutorily mandated weekly and medical benefits for the rest of his life. This additional amount was based on an aggressive interpretation of what the Workers Compensation Act allows for catastrophically injured individuals, and includes the cost of a brand new handicapped accessible van which the client can drive.

## Federal Employees Liability Act (FELA)

If you've been injured on the job as a railroad worker, you have a legal remedy and Anesi Ozmon can help. The **Federal Employers Liability Act (FELA)** is a U.S. federal law that was enacted in 1908 to protect and compensate railroad workers injured on the job, if the worker can prove that the railroad was at least partly legally negligent in causing the injury. It is based upon the federal government's power over interstate commerce, granted by the commerce clause in the Constitution. Prior to its inception there was no remedy for injured railroad workers.

Although the protection FELA offers for railroad workers is similar to the workers' compensation insurance provided in other industries, unlike workers' compensation, FELA is a fault based system. To receive benefits under FELA, the injured railroad worker must prove that the injury was caused in whole or in part by the negligence of a railroad employee, its agent or contractor, or from a faulty piece of equipment. However, if the worker is not found to be 100% at fault, he has the right to sue for damages in either a state or federal court, which is not an option for workers' compensation claimants.

## Community Outreach



### **IW Local 1 Retirees Club Annual Golf Outing**

On August 14, 2019, Anesi Ozmon was proud to attend and sponsor the Ironworkers Local 1 Retirees Club Annual Golf Outing in Lemont at the Gleneagles Country Club. In attendance was President of Anesi Ozmon, John Popelka, who is pictured (right) with Club President, Wayne Cook (left).



### **IW Local 1 "Babe" Satalic Charity Golf Outing**

On August 23, 2019, Anesi Ozmon was proud to attend the Ironworkers Local 1 "Babe" Satalic Charity Golf Outing and was a Gold Hole Sponsor of the event. Anesi Ozmon donated two tickets to the Bears home opener and also donated a TV for the raffle. Partners Doug Colby, John Popelka and Jeff Alter attended. Pictured are Doug Colby (left), Anesi Partner, and the lucky raffle winner of the 55" TV, Dan Samardzic.



### **Race Judicata**

On September 13, 2019, Anesi Ozmon joined many other prominent law firms for Race Judicata, a 5k fundraiser hosted by Chicago Volunteer Legal Services to help raise funds for free legal assistance for those less fortunate. Team Anesi is pictured above.



### **Sheet Metal Workers' Local Union 73 1st Annual Charity Golf Outing**

On September 28, 2019, Anesi Ozmon was proud to be a Silver Sponsor of the Sheet Metal Workers' (SMART) Local Union 73 1st Annual Charity Golf Outing. Held at the Fresh Meadow Golf Club in Hillside, IL, all proceeds were donated to St. Jude Children's Research Hospital and Ronald McDonald House Charities.

Pictured left to right: Scott C. Sands (Partner), Jack Ormes (Field Investigator, Anesi Ozmon; former General Chairman of both Local 1183 [now SMART Local 73], and BLET Local 52), Jeff Alter (Partner), Crystal Hart (Paralegal).



**Anesi Partner Moderates Workers'**



**Sylvia's Retirement**

## Compensation Seminar

On November 1, 2019, Anesi Ozmon Partner Jennifer J.C. Kelly moderated a Workers' Compensation Seminar, hosted by the Illinois Trial Lawyers Association Education Fund. The seminar, held at the Hilton Oak Brook Hills Resort, featured a variety of topics and speakers from law firms across the Chicagoland area, and was a very successful event.

Congratulations to Sylvia Saltoon-Muller on her retirement after 50 years as an administrative assistant with Anesi Ozmon. We wish Sylvia a very happy retirement!

Pictured left to right: Partner Steven A. Berman, Sylvia Saltoon-Muller, Partner John M. Popelka

## Anesi Ozmon Proudly Participates in and Sponsors Many Charity Events Throughout the Year:

March 23, 2019: Anesi was a Silver Sponsor of the Operating Engineers Square Club 2019 Spring Dinner Dance, benefiting the Shriners Hospitals for Children.

May 18, 2019: Anesi was a Tee Sponsor for the Laborers' Local 996 27th Annual Dollars Against Diabetes Charity Golf Outing and donated a TV.

June 20, 2019: Anesi attended the Laborers' Local 231 23rd Annual John Evan's Scholarship Golf Tournament and donated a TV for their raffle.

June 29, 2019: Anesi attended Kankakee Federation of Labor's 23rd Annual Charity Golf Outing, and donated a TV and a cooler for their raffle.

July 22, 2019: Will and Grundy Counties Building Trades hosted Anesi Partners at their golf outing on July 22. Anesi donated a TV and a cooler for their raffle.

August 12, 2019: Anesi was a premier sponsor for the Lake County Building and Construction Trades Council's 33rd Annual Golf Outing at the Chevy Chase Country Club in Wheeling, IL.

August 26, 2019: Anesi participated in the Lake County Building and Construction Trade Council's 33rd Annual Golf Outing and raffled off two TVs and two sets of Omaha steaks.

August 28, 2019: Anesi was a premier sponsor of the McHenry County Building and Construction Trades Council's Annual Golf Outing in Woodstock, IL, at the Crystal Woods Golf Club. Anesi sponsored a foursome for golf, and donated two TVs for their raffle.

## Recognition and Awards



**June 5, 2019:** Senior Partner Doug Colby was profiled in *Leading Lawyers Magazine*, "Determined to Succeed for Injured Workers," highlighting his career. View the full article here: <http://bit.ly/2QyW0GA>



**July 9, 2019:** Thank you to the American Association for Justice (AAJ) for recognizing Anesi Ozmon Partners and AAJ Members Steven A. Berman and Brian D. Teven. In a workplace safety case, the defendant failed to provide fall protection, and our client slipped and fell 14 feet, landing on the concrete floor below. He suffered injuries that required multiple surgeries and will cause lifelong pain. Read the full

## Anesi Ozmon Leading Lawyers

On June 21, 2019, Anesi Partners John M. Popelka and Douglas A. Colby were recognized as Top 10 Workers' Compensation Lawyers in Illinois by *Leading Lawyers Magazine*, and Partner Jeffrey M. Alter was recognized as a Top 10 Social Security Disability Lawyer in Illinois by *Leading Lawyers Magazine*.



John M. Popelka



Douglas A. Colby



Jeffrey M. Alter

## Anesi Ozmon Named a Best Law Firm in 2020



Anesi, Ozmon, Rodin, Novak & Kohen, Ltd. has been named once again by U.S. News & World Report as one of the "Best Law Firms" for its Plaintiffs Personal Injury Practice in the 2020 "Best Law Firms" rankings. This selection marks the ninth consecutive year that the firm has been honored as a Tier 1 "Best Law Firm" in the Chicago Metropolitan area.

[Mark Novak](#)

[John M. Popelka](#)

[Douglas A. Colby](#)

[Steven A. Berman](#)

[Jeffrey M. Alter](#)

[Michael L. Teich](#)

[Brian D. Teven](#)

[Jennifer J.C. Kelly](#)

[Scott C. Sands](#)

[Steven A. Wade](#)

[Patrick J. Blum](#)

[Hayley K. Graham](#)

[Lisa M. Ciharan](#)

[Tracey L. Schroeder](#)

### About

Anesi Ozmon, Chicago's premier personal injury law firm since 1955, has earned its reputation for excellence by winning record jury verdicts and achieving multimillion-dollar settlements for its clients. For more than 60 years, the firm has limited its practice to representing people and their families who are injured or killed through the negligence of others. The firm concentrates in personal injury litigation including construction negligence, plant and pipeline explosions and workers' compensation claims; medical malpractice and nursing home abuse cases; automobile, motorcycle and trucking negligence cases; defective and dangerous product cases; federal litigation for railroad injuries; premises liability cases including slip and fall and dog bites; Social Security disability claims, as well as wills and estate planning, real estate transactions and other family law matters.

The firm has been one of the leaders of the trial bar for more than 60 years. It is recognized as a Tier 1 Best Law Firm for personal injury litigation and workers' compensation law by *U. S. News and World Report*. Many attorneys have been recognized as AV Preeminent Peer Review rated by Martindale-Hubbell, named Best Lawyers in America and featured in *Illinois Leading Lawyers* and *Illinois Super Lawyers*. The firm's associates have been recognized as Super Lawyer Rising Stars and Illinois Emerging Lawyers, and several of our attorneys have been featured in the annual Chicago Lawyer Women in Law edition of *Chicago Lawyer* magazine, highlighting women in leadership roles.

Find more information at [www.anesilaw.com](http://www.anesilaw.com).

