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Clifford's Corner

Robert Clifford was named Class Counsel in the class action cases against allegedly defective Pella windows. He was interviewed on the subject by Law 360.

Clifford Law Offices was named among “America’s Elite Trial Lawyers” by The National Law Journal in 2014, its inaugural list. The firm was the only Chicago firm to be named among the Elite 50.

Clifford has been appointed by the President of the American Bar Association (ABA) to Chair a newly-created Task Force to Examine Association Policies Impacting Recruitment and Retention of Law Students and Young Lawyers. Part of the Task Force’s duties is to create a consistent approach and policy to help recruit new members, including law students, and coordinate these recruitment measures with various constituent groups throughout the organization.

Robert Clifford was elected a Fellow of the American Bar Foundation (ABF). The ABF is an honorary organization of lawyers, judges and legal scholars whose public and private careers demonstrate outstanding dedication to their communities and to the highest principles of the profession.

Press Room



Keith Hebeisen received an award for Trial Lawyer Excellence presented by the Jury Verdict Reporter for his verdict of \$5 million in a case involving the death of a 41-year-old woman who suffered an unnecessary hysterectomy following a c-section to deliver her first child. Keith (pictured left) was given the award by John Kirkton of the Law Bulletin Publishing Co. Keith also spoke at the Illinois Trial Lawyers Association (ITLA) Medical Malpractice Seminar in December on “Informed Consent.” Keith is the editor of the 2014 ITLA Medical Malpractice Trial Notebook, which he has edited since 1992. **Sarah King** is the assistant editor. Keith also served as plaintiff’s counsel in a mock trial at McCormick Place at the Radiologists Society of North America Annual Meeting in November.

Michael S. Krzak was named to the inaugural top 40 Under 40 Hall of Fame, reprising the award he received in 2001 when it first began. He also spoke at the American Bar Association seminar in Washington, D.C., entitled "A Global View: What's New in Aviation and Space Law – Litigation in the U.S. and Abroad." Mike Krzak and Bob Clifford spoke at the 2014 International Air and Transportation Safety Bar Association Law Conference in New York.

Lawyers from **Clifford Law Offices** were featured on the Chicago television network, CAN-TV, in three educational interviews intended to educate the Chicago community. Viewers learned about Tort Reform in Illinois by **Keith Hebeisen**, breaches in personal data by **Shannon McNulty** and medical malpractice by **Susan Capra**.

Bradley M. Cogsrove was named a top 40 Under 40 Attorney by the Law Bulletin Publishing Company for his accomplishments as a trial attorney. He also was recognized by the National Law Journal for obtaining the #1 verdict in Illinois earlier this year when he received \$14 million for a woman who was negligently prescribed the birth control pill Yasmin. It also was the 40th top verdict in the country, according to the publication. Brad also has served as Planning Co-Chair and Moderator of several ITLA seminars including "Pointers and Pet Peeves During Trial," the Medical Malpractice Seminar and the Update and Review seminar.

Kimberly Halvorsen served as the auction chair of the Chicago Bar Foundation's recent fall benefit that raised money for the charitable arm of the Chicago Bar Association, an organization on which she also serves on the Young Professionals Board. She is pictured here with her three-year-old son Jackson and her husband Matt at the event. Kim also serves as the President of the Auxiliary Board of the Chicago Sun-Times Judge Abraham Lincoln Marovitz Program Lawyers Lend-A-Hand to Youth, an organization that helps the disadvantaged youth in Chicago through mentoring.

Kevin Durkin, who sits on the Chicago Police Memorial Board, once again sponsored the Run to Remember and the Valor Luncheon, two key fundraising events that raise money for the families of fallen and injured police officers.

Bob Clifford Writes Op Ed Piece in Chicago Tribune on Funding Judicial Elections

The Chicago Tribune published an opinion piece that appeared Dec. 10, 2014, written by Robert A. Clifford on the funding of judicial elections in Illinois. The piece comes on the heels of the November elections where Illinois Supreme Court Justice Lloyd Karmeier won by a very narrow margin in a downstate retention campaign funded by so-called "dark money." To read the entire op ed, [click here](#).

Approach the Bench Hon. Henry R. Simmons (Ret.)

Retired Judge Henry R. Simmons who is the son of former Chicago Public School teachers grew up on the South side of Chicago. His family's strong work ethic provided him with a solid example to build upon throughout his career. He now takes on the position as managing partner at Clifford Law Offices, which is the bulk of all

activity at the firm. The intake of every case originates through Judge Simmons. His goal will be to personally review each case in a truthful and empathetic manner.

“My perspective from the bench allowed me to gain insight into trial decisions and strategies. As a judge it was my job to ensure that the parties received a fair forum in a respectful setting. I see the opportunity at Clifford Law Offices as a way to continue my desire to help individuals in seeking justice in serious claims, and I decided to make a commitment to one of the top firms in the country. I feel strongly for the need to address each case in a professional and thorough manner. We seek out the best experts. We examine every possible viable theory in filing lawsuits on behalf of our clients.”

Bob Clifford congratulates Hon. Henry R. Simmons (Ret.) on his joining the firm.

PHOTO BY Bill Richert

He attended Mount Carmel High School and Purdue University, (the same college his father attended), where he earned a degree in economics. According to Judge Simmons, “While at Purdue, I joined the baseball team as a walk-on, but the practices conflicted with my classroom responsibilities and I realized that my academic goals were more important. I chose Club Rugby and Intramural Softball instead. Following graduation, I received my law degree at DePaul University. He then worked as a Cook County Assistant State’s Attorney for 12 years. For 19 years Judge Simmons served on the bench in the Criminal Division and the Law Division of the Cook County Circuit Court. Judge Simmons spent three years as a mediator and arbitrator for a highly respected mediation firm before joining Clifford Law.

Later he did follow his interest in baseball, by coaching women’s fast pitch softball. It was through this activity that he met his wife Beth, who went on to become a professional fast pitch softball pitcher. Beth received her Masters degree in business from Northern Illinois University and is currently employed as a construction project manager in the Chicago area.

Together, they love to travel and play golf, juggling their busy schedules, which involves church, family and friends. One of Judge Simmons’ real passions is his pro bono work for the Lawyers Assistance Program (LAP). There he is involved in intervention teams, assisting lawyers and judges who face alcohol addiction, drug abuse and other problems that seriously impact their professional careers and personal lives. In fact, his work in this area earned him the Judge of the Year Award by LAP for his countless hours and selflessness in helping other, sometimes even on a moment’s notice. “I receive tremendous satisfaction knowing that I can make a difference, not only in that person’s life, but for their entire family as well,” Judge Simmons said of his six years of volunteering. He also proudly accepted his recent appointment to the Northern Illinois University College of Law School Board of Visitors.

And that is really how he feels about his work at Clifford Law - helping to assist those who are struck by tragedy, due to the negligence of others. Whether it be a victim of medical malpractice, a trucking accident, a plane crash, premises liability or a faulty product, Judge Simmons takes the time to talk to each potential client who contacts Clifford Law Offices and walks them through a personal or wrongful death action. People love his patience in explaining whether their cause of action is a viable one and what to expect in what can take up to five years to resolve. In the meantime, he encourages the families to try to get better, to focus on putting their lives back together as best they can, while the lawyers at the firm take on the legal issues seeking justice for the clients.

Judge Simmons is pictured with Illinois Supreme Court Justice Anne Burke who was they keynote speaker at the Lawyers Assistance Program awards night

“Clifford Law Offices is very fortunate to have someone of the caliber and universal respect that Judge Simmons has,” said Robert Clifford, founder and senior partner at the firm. “His presence already has made an impact at the firm and to so many families he already has touched. He is a perfect fit in our firm and we expect this firm

when Judge Simmons accepted the Judge of the Year Award in November.

to continue to grow and thrive under his tutelage.”

Bill of Particulars

Chicago Challenges Drug Industry’s “Aggressive Marketing” Techniques

Chicago and two California counties have filed two separate lawsuits against five drug makers for their “aggressive marketing” techniques that they alleged have fueled an epidemic of addiction and cost taxpayers millions of dollars in insurance claims and other health care costs, according to a story in The New York Times (“Chicago and 2 California Counties Sue Over Marketing of Painkillers,” Aug. 24, 2014).

“The lawsuits assert that drug makers urged doctors to prescribe the drugs far beyond their traditional use to treat extreme conditions, such as acute pain after surgery or injury or cancer pain, while underplaying the high risk of addiction,” writes reporter John Schwartz. He goes on to say that “Such marketing, the plaintiffs say, has contributed to widespread abuse, addiction, overdose and death.”

After Change of Mind, Federal Regulators Will Release Hospital Mistake Records

The Center for Medicare and Medicaid Services (CMS) apparently has backtracked on its earlier decision to stop publicly reporting incidents of life-threatening mistakes made by hospitals in their course of treating patients, according to a story that appeared in USA Today (“Feds reverse course, will release hospital mistake data,” Sept. 7, 2014). Federal regulators will resume releasing such data, including mishaps such as leaving foreign objects in patients’ bodies following surgical procedures and misreading

of a patient’s blood type, the USA Today reported. Jane O’Donnell for USA Today also reported that a source informed them that the data is not expected to be available until later this year.

Hospital officials have publicly condemned the release of such data because some incidents, particularly objects left in patient’s bodies, reportedly happen so infrequently that the information is thought not to be dependable. However, these institutions have faced growing pressure to be more transparent about safety and pricing, particularly because the health care industry is so complex for most consumers, USA Today reported. The data will be of particular use for safety ratings’ websites and researchers, according to the USA Today article.

Clifford Law Offices Offers Free CLE Program

The Eighth Annual Clifford Law Offices continuing legal education (CLE) program will be held Feb. 19. Bob Clifford will moderate a program entitled “The Ethics of Conflicts of Interest” that offers attorneys across the state two hours of free professional responsibility CLE credit. He will be joined on the panel by Hon. Virginia M. Kendall, U.S. District Court, Northern District of Illinois, and former Member of the Judicial Conference of the U.S. Codes of Conduct Committee, and Bruce A. Green, Louis Stein Chair at

Fordham University School of Law and Director of its Stein Center for Law and Ethics.

To register, please [click here](#).

NTSB Most Wanted List 2014

Every year the National Transportation Safety Board (NTSB) issues a “Most Wanted List” highlighting safety issues that it identifies from accident investigations. The purpose is to increase awareness about the issues and recommend safety solutions.

For 2014, the NTSB has identified unique characteristics of helicopter operations, eliminating distractions and substance-impaired driving, pipeline safety, rail mass transit operational safety and other important issues that it sees that need improvement.

The NTSB wrote, “Over the last 10 years, the NTSB has investigated numerous helicopter accidents and issued over 100 safety recommendations on helicopter-specific issues. Increased awareness and action by helicopter manufacturers, helicopter operators, and training and regulatory agencies is needed.” Indeed, the Midwest has seen a number of tragic helicopter crashes and Clifford Law Offices represents a number of families who suffered in these horrific incidents, including medivac helicopters.

It also talked about rail mass transit: “Public rail mass transit, comprised of light rail, commuter rail, and subways, affects the lives of millions of people daily. Although each system poses unique equipment, operating environments, and challenges, all can benefit from strengthening their organizational safety cultures.” Clifford Law Office is proud to say that because of some of its rail lawsuits, including that of internationally-acclaimed violinist Rachel Barton who tragically was involved in a Metra accident that severely injured her, procedures and protocol were improved at the rail company so that others would not suffer similar horrific injuries.

FDA Concludes that Most American Children Are Exposed to Food Dyes

A recent assessment performed by the Food and Drug Administration (FDA) revealed that 96 percent of all children aged 2-5 years are exposed to food dyes, including Red 40, Yellow 5 and Blue 1, according to Food Safety News. Although there has been no formal, causal link established between the intake of synthetic food dyes and adverse health effects, researchers have suspected for more than 40 years that the over-consumption of synthetic food dyes is linked to hyperactivity, Food Safety News reported. The full results of the exposure study have not yet been published, according to The Food Poisoning Bulletin.

While the FDA allows dyes such as Yellow 5, Yellow 6, Red 40 and the like, the European Union has banned several of these same dyes, and require warning labels for several others, based on the fact that the dyes have never been proven safe, the Food Poisoning Bulletin Reported. According to www.CSPInet.org, Lisa Lefferts of the Center for Science in the Public Interest, stated, “The FDA is failing kids and parents by allowing the use of these purely cosmetic chemicals in food, which trigger behavioral problems in some children, as even the FDA conceded in 2011.”

Trial Notebook

Clifford Law Offices has been recognized as one of the leading personal injury firms, garnering multi-million dollar verdicts and settlements. For some of the recent successful cases in the last year, please visit [our website](#).

Recent Case Filings at Clifford Law Offices

Clifford Law Offices has been recognized as one of the leading personal injury firms, garnering multi-million dollar verdicts and settlements. Below are some recent high-profile matters being handled by attorneys at Clifford Law Offices.

CBS Channel 2 investigative reporter Dave Savini (top) reported on the filing of a case

on behalf of a suburban family whose husband and father suffered permanent brain damage when he was struck in the head by a hockey puck at a Blackhawks game at the United Center. Partner Colin Dunn talked about how this had happened in the past and how the NHL needs to address this important issue.

Clifford Law Offices filed personal injury cases

on behalf of five people who were injured in a tragic bus crash at O'Hare Airport over Labor Day weekend. Robert Clifford and Michael Krzak filed the cases in Cook County Circuit Court against the bus company and the driver of the shuttle bus that crashed in a concrete median as it proceeded down I-190 toward the terminals.

NBC Reporter Phil Rogers Interviewed Clifford Law

Offices' Partner Shannon McNulty

on the firm's filings in General Motors' defective ignition switches. The National Highway Traffic Safety Administration fined GM the maximum amount allowed under the law, \$35 million, for the automaker's untimely disclosure of faulty ignition switches in 2.6 million vehicles.

Clifford Law Offices has been retained by seven of the eight female circus performers who were injured – some severely – in Rhode Island on May 4 when a “human chandelier” act collapsed during a circus act in front of thousands of attendees, including many small children. Partners Michael S. Krzak and Thomas Prindable addressed the national and international press in Boston along with four of the young women who were injured in the horrific incident.

Clifford Law Scrapbook

Hon. Tom Lyons, Hon. Don Suriano and

Hon. James P. Flannery, Jr., Presiding Judge, Law Division, served on a panel moderated by Bob Clifford on jury selection. It was sponsored by the Law Bulletin Publishing Company.

Bob Clifford was one of the “celebrity” instructors at Fred Lane’s 36-week Trial Technique Institute sponsored by the Illinois State Bar Association. His topic: Opening Statements.

Bob Clifford and Pamela Sakowicz Menaker spoke on a panel at Loyola University on “Lawyers and the Ethical Use of Social Media.” Matthew Dattilo (right), General Counsel of the Premier Restaurant Group, also spoke to the group.

A Look Back at Robert Clifford’s Nine Years as American Bar Association Illinois State Delegate

Bob Clifford passed the gavel to Paula Hudson Holderman, the new Illinois Delegate to the American Bar Association House of Delegates. She will serve a three-year term.

Abe Lincoln and the Illinois Delegation invite the House of Delegates to Chicago's Annual Meeting.

Abe Lincoln welcomes Illinois State Delegate Bob Clifford to the Meeting.

The Illinois Delegation at the Annual Meeting in New York in 2008.

ABA Executive Director Jack Rives addresses a group on the importance of bar membership. Bob Clifford is at left.

Bob addresses the House of Delegates as a member of the Committee on Issues of Concern to the Legal Profession.

Bob Clifford speaks before the Board of Governors, delivering his report as Chair of the Standing Committee on Strategic Communications.

Bob Clifford and President-Elect Paulette Brown.

Linda Klein, President-Elect Nominee of the ABA, speaks to the Illinois Delegation prior to the House of Delegates meeting.

Bob Clifford at an ABA Nominating Committee meeting.

Bob Clifford and Laurel Bellows of Chicago, then President-Elect of the ABA.

Bob Clifford addresses students at one of his ABA Day programs, part of his initiative to increase law student membership.

Bob Clifford addresses the House of Delegates on an issue impacting lawyers and their clients.

Bob Clifford introducing Supreme Court Justice Anne Burke.

Illinois Supreme Court Justice Anne Burke addresses a gathering of ABA members.

Robert A. Clifford, Illinois State Delegate to the ABA House of Delegates, 2005-2014.

Bob Clifford with former Illinois Law Student Delegates Caitlin Fitzgerald and Caitlin Groh (right).

Then ISBA President John Locallo (l to r) with Bob Clifford and former ISBA President Mark Hassakis from downstate Mount Vernon.

Former ABA President H. Thomas Wells, Jr. of Alabama and Bob Clifford.

Clifford at Univ. of Chicago introduces Tony West, then Assistant Attorney General from the U.S. Dept. of Justice.

Bob Clifford celebrates Laurel Bellows ascending to the presidency of the ABA.

The ISBA gives Bob Clifford an Abe Lincoln t-shirt in gratitude for his service.

Bob Clifford joins Trish Refo, formerly of Chicago, and Scott Atlas of Texas.

Bob Clifford addresses the Conference of State Delegates

Bob Clifford and Anita Ventrelli of Schiller DuCanto and Fleck, a member of the Illinois delegation.

Bob Clifford and U.S. District Court Judge Marvin Aspen, a member of the Illinois delegation in 2008.

Bob Clifford co-hosts a welcome reception with Steve Weiss for new ABA Executive Director Jack Rives (right).

Bob Clifford, Vincent Cornelius, Third Vice President of the ISBA, join Paula Holderman.

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Clifford Law Offices has prepared this newsletter for its many friends, clients and colleagues world-wide. It is purely a public resource of general information. Although it is not intended to be a source of either solicitation or legal advice, it must be regarded as an advertising or promotional communication in the terms of the lawyers' professional responsibility law. Accordingly, it is necessary that certain information be supplied to and noted by the reader.

This newsletter should not be considered as an offer to represent in any legal matter, nor should it be the basis of legal hiring decisions. Thus, the reader should not consider this information to be an invitation for an attorney-client relationship, should not rely on information provided herein, and should always seek advice of competent counsel.

All lawsuits are different, and Clifford Law Offices makes no representation or promises that it can obtain the same results as reported in this newsletter in other legal matters. Nothing in this newsletter constitutes a guarantee, warranty or prediction regarding the outcome of any future legal matter. Further, it should be noted that even where the fee arrangements are on a contingency basis, clients will still be responsible for payment or reimbursement of the costs and expenses of litigation.

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Finally, this newsletter is disseminated to our many friends around the world. We hope you find the information here useful and informative. Anyone, however, who does not wish to receive future newsletters can contact us at the numbers or locations listed here, and the matter will be promptly attended to.

Very Sincerely Yours,

Hon. Henry R. Simmons (Ret.), Managing Partner, Clifford Law Offices, P.C.

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