

Chartered October 21, 1921

Fall 2014

Justinian Society Newsletter

734 N. Wells, Chicago, IL 60654 ■ Phone 708.338.0760 ■ Fax 708.401.0360 ■ www.justinians.org

President's Message

I am honored and humbled to follow in the footsteps of wonderful lawyers and leaders of The Justinian Society of Lawyers, including my Father, Vito D. DeCarlo, and our Secretary, Natalie Petric's Grandfather, Anthony J. Fornelli. My theme this year is gratitude. I am thankful for our Past Presidents, our current Officers and the members of the Executive Committee. I am especially thankful for our members who make our Society what it is today!

I am constantly asked "what makes the Justinian Society of Lawyers so special?" When first asked, I found it impossible to answer. My response was not words, but emotions, including happiness, support, and of course, gratitude. Adequately translating these emotions into words proved difficult until now:

This Society began in 1921 as a fraternal organization, a family, a place where attorneys, young and old, can seek and give guidance. The Justinian Society of Lawyers is special because of mentoring. Many organizations mentor and have mentoring programs. Our organization is not founded nor based upon "official" mentoring. It is founded on family. In a family, we seek guidance from our fathers, mothers, grandparents, siblings and extended family. Nothing is asked in return. This is the mentoring found within our Society. No question is too small, no question is too large. Repayment and/or gratitude is never expected. Except of course, to mentor others, and to do so gracefully.

I have been mentored by so many Justinians that I am unable to list them. I have also

been honored to mentor others. As a young lawyer, it is easy to become overwhelmed by what you do not know. My mentors reminded me of all that I did know. The first time I was approached by a young lawyer for advice, my initial reaction was concealed confusion. I was still being mentored, how could I possibly mentor someone else?

But, again, this is why our Society is so special. Our Justinian Family reminds us that as we are learning, we are simultaneously teaching. Is this not the cornerstone of why we "practice" law? We are constantly learning and growing. No one will ever have all the answers and the answers are constantly changing. We don't practice to be perfect. We practice to be better than the day before.

I previously stated that my theme this year is "gratitude" and I, also, previously stated that within our Society "no gratitude is expected." However, true gratitude, expressed without expectation is the most heart-felt. I am overcome with gratitude for the Justinian Society of



President Anita DeCarlo with her late father and Justinian past President, the truly beloved and highly respected Vito DeCarlo.

Continued on Page 11

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CONTRIBUTORS: SEE PAGE 21

Justinian Society of Lawyers



Anita M. DeCarlo, President

Anita M. DeCarlo follows in her father's footsteps as President. Vito D. DeCarlo, served as President in 1970-1971 and organized the Ballo di Natale with past President, Anthony J. Fornelli. He also acted as the Trustee of the Scholarship Committee for years.

Anita received her Juris Doctorate from The John Marshall Law School, her Father's alma mater. She began her career with her father at DeCarlo & DeCarlo. Later, they worked together at Cullen, Haskins, Nicholson & Menchetti. They worked together at Vasilatos Law until his death in January 2012.

Anita began volunteering with the Justinian Society of Lawyers as a law student in 1995 and served as Co-President of the John Marshall chapter. She worked with many past Presidents on the membership, ad book committees and anything else that was asked of her.

Anita M. DeCarlo represents injured workers in Workers' Compensation cases. She was elected to the Board for Governors of the Illinois State Bar Association (2006 – 2009). In 2008, she was named an Illinois Rising Star by Super Lawyers and received a Distinguished Service Award from The John Marshall Law School. She has lectured and published many articles in the area of Workers' Compensation.



Jessica DePinto, 1st VP

Jessica DePinto is a manager with Deloitte Tax LLP national Customs and Global Trade practice group where she advises Fortune 500 clients on customs compliance issues, including transfer pricing and customs valuation issues and duty minimization strategies. Jessica managed the development and publication of the group's eminence publication, *The Link Between Transfer Pricing & Customs Valuation – 2013 Country Guide*. The guide is one of the most authoritative guides of its kind, compiling essential information regarding the customs-related requirements and implications of related party pricing adjustments in numerous key jurisdictions around the world.

Jessica graduated from IIT Chicago-Kent College of Law. She holds an MA from Indiana University, studied at the University of Bologna (Italy) and graduated, with honors, from the University of Wisconsin at Madison.

She served as chair of practice committees for the Chicago and Illinois State Bar Associations. She currently serves on the Women in Leadership Advisory Board, The School of Continuing and Professional Studies, Loyola University of Chicago. In 2010 she was awarded the Entrepreneurial Spirit Award from the Honorable Dorothy Brown, Clerk of the Circuit Court of Cook County. In 2012 Jessica was named one of the "100 Women to Watch" by Today's Chicago Woman magazine.



Frank A. Sommario, 2nd VP

Frank A. Sommario is a partner at Romanucci & Blandin, LLC in Chicago, where he practices as a petitioner's workers' compensation lawyer. He has obtained several large settlements and favorable trial awards for his clients over the years.

Frank was admitted to the Bar in Illinois (2000), Minnesota (2001), and District of Columbia (2001). He received his Juris Doctorate from DePaul University College of Law in 2000. He is a Certified Public Accountant (1998), who received his Bachelor's degree in Commerce/Accounting from DePaul University in 1997. He became a Registered Investment Advisor in 2003.

In addition to practicing law, Frank is active in several professional organizations. He served two three-year terms on the Board of Governors of the Illinois State Bar Association (ISBA). He is a Silver Fellow of the Illinois Bar Foundation. Frank is the immediate past President of the Workers' Compensation Lawyers Association (WCLA). He is also a member of the national and state trial lawyers' associations, as well as of the alumni associations of DePaul University, DePaul University College of Law, and Fenwick High School.

Frank was named an Illinois' Rising Star by Super Lawyers® for the years 2010-2014 and, in 2012, Frank was named one of 40 Illinois Attorneys Under Forty to Watch by Law Bulletin Publishing Company.

Born in Melrose Park, Illinois, Frank was raised by his parents, Frank and Mary Jo. Frank currently resides in Elmhurst with his wife, Gina, and daughters, Angelina, Isabella, and Sophia.

2014 -2015 Officers



Michael F. Bonamarte IV, 3rd VP

Michael F. Bonamarte, IV joined Levin & Perconti as a trial attorney in August, 2005. Michael worked as a law clerk with the firm during his second and third years in law school. He concentrates his practice on representing injured victims and their families in cases of nursing home abuse and neglect, medical malpractice, automobile accidents, construction accidents, premises liability, slip & fall accidents, and other serious personal injury and wrongful death cases. He works passionately and diligently to advocate for individuals and their families who have been the victims of wrongful conduct.

Michael earned his Bachelor of Science in Psychology from the University of Wisconsin-Madison graduating with academic distinction. He earned his Juris Doctorate from The John Marshall Law School in Chicago where he graduated at the top of his class and earned a place on the Dean's List during his second and third years. He received highest scholastic honors in trial advocacy and advanced trial advocacy. After passing the July 2005 Illinois Bar Examination, he was sworn in on November 10, 2005.

Michael has authored several publications and given several professional presentations to a wide range of groups including the Illinois Trial Lawyers Association, the Illinois Institute of Continuing Legal Education, and the National Association of Elder Law Attorneys. He speaks regularly on the topic of nursing home litigation. He also writes for the Justinian Society newsletter.

Michael is an active member of the Chicago Bar Association, Illinois State Bar Association, American Bar Association, Illinois Trial Lawyers Association, American Association for Justice, and Justinian Society of Lawyers. He is a new member of the Illinois State Bar Association's Assembly.

In 2010, Michael was honored as one of Law Bulletin's "40 Illinois Attorneys Under Forty to Watch". He was also named as a Super Lawyer Rising Star in 2011, 2012 and 2013. In 2011, he received the William J. Harte Amicus Volunteer Award for his work on the Illinois Trial Lawyers Association's Amicus Curiae Committee.



Vincent R. Vidmer, Treasurer

Vincent R. Vidmer is an attorney who practices in Chicago, handling various legal matters, including general civil litigation, real estate transactions, estate planning, and general legal drafting. Additionally, a major component to Vincent's practice resides with the Liquor and Allied Worker's Union, assisting in collective bargaining, fringe benefits, pension and 401(K) plan administration, grievances and arbitrations, and general administration. Vincent is an active member of the Illinois State Bar Association and a member of various civic organizations.

He attended Fenwick High School, Loyola University and The John Marshall Law School. While attending law school, Vincent was named to the Dean's List, studied Roman Law at the Vatican, earned the privilege and opportunity to be selected as one of two students to study International law at Prague, Czech Republic, and was the recipient of numerous scholarships. While in Prague, Vincent worked at an international law firm; conducting legal research to assist in the legal rights of former property owners who were stripped of their land by the government during the communist era.

The Law Office of Vincent R. Vidmer focuses its practice in providing counsel to smaller businesses and individuals. Client issues range from general civil litigation, real estate transactions, and legal document drafting. Clients receive one-on-one counsel, continued care and attention.

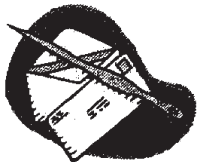
Vincent R. Vidmer is a Chicagoland native who resides in Chicago's West Loop.



Natalie M. Petric, Secretary

Natalie M. Petric currently serves as Senior Enforcement Counsel in the Legal and Market Regulation Department of CME Group. She is responsible for litigating cases and prosecuting market participants in enforcement actions before the Exchange's disciplinary committees. When litigating cases in hearings on the merits of investigations, she must advocate on behalf of the company and present evidence related to futures and options transactions. For seven years prior to joining CME Group, Natalie developed litigation experience during her tenures as a civil defense trial attorney and as a prosecutor as an Assistant State's Attorney in the Cook County State's Attorney's Office.

Natalie graduated cum laude from Tufts University with a Bachelor of Arts in International Relations. She received her law degree from the DePaul University College of Law. She is the proud granddaughter of past Justinian President, Anthony J. Fornelli and resides in Chicago with her husband James, also an attorney, and two daughters, ages two and four months.



Letters to the Editor

By: Katherine A. Amari O'Dell



Dear Katherine,

Thank you very much for sending me a copy of the Justinian Society Newsletter.

Moreover, I appreciate the kind words about our law firm. I shared the newsletter with Frank Castiglione and he too expresses his gratitude to you.

- David Sterba



From left, John G. Locallo, David Sterba, Katherine Amari O'Dell, and Judge Frank B. Castiglione.

Dear Ms. Amari O'Dell,

Thanks for sending me the Spring Justinian Society Newsletter wherein I had the good fortune to have photographs with you and Ms. DePinto so prominently featured.

The Installation & Awards Dinner are always enjoyable and provide a great opportunity to meet old friends and make new ones in a very convivial atmosphere.

I am honored to be invited. Thanks again,

- Justice Lloyd A. Karmeier



Jessica DePinto, Justice Karmeier, and Katherine Amari O'Dell

Dear Ms. Amari O'Dell,

Thank you very much for the thoughtful letter and for taking time to send me a copy of the Justinian Society Newsletter. I am honored to be included in the Newsletter, as well as a member of the community.

Thank you again,

- Michela Petrosino



From left, Dominic LoVerde, Michela Petrosino, and Vince Petrosino

Len,

I am happy to help. It's a wonderful cause, and thank you for bringing it to my attention.

- Joseph Feinberg



From left: Tony Romanucci, Joseph W. Feinberg, and Anthony Farace

Hi Katherine,

I hope all is well! Thank you so much for thinking of me and sending me a copy of the Justinian Newsletter. That was so sweet of you and so thoughtful. Hopefully your summer is going great!

- Rebekah Williams Garofalo

Dear Katherine,

Thank you for the note about my brother in the Justinian Newsletter. He was a good man who will be missed by all. Say hello to your Dad for me.

- Joseph A. Power, Jr.



Dear Katherine and Anita,

It is a pleasure to offer my congratulations for the observance of Italian Republic Day.

With the agony and chaos of World War II over, Italy turned its attention to considering what kind of a nation it would be. It chose to be a republic.

On this day and the next in 1946, Italy's voters, including women for the first time, told monarchy not to return. The nation would be governed by its people as a republic.

Today's Italy is the repository of much history and is also one of the vital nations in Europe and the world. In Chicagoland, the Italian community is a respected part of our cultural and economic life, and the Italian language provides key information for property owners on my office's website at cookcountytreasurer.com.

My best wishes to Italians here and everywhere on this important holiday for Italy.

- Maria Pappas
Cook County Treasurer

Justinian News

May Report

By: Nicole Centracchio

The Justinian Society gathered for their annual swearing-in dinner in Chicago on May 14 at Gibson's Steakhouse. There was a tremendous turnout to support the incoming officers who were sworn in, Anita M. DeCarlo, president; Jessica DePinto, 1st vice president; Frank Sommario, 2nd vice president; Michael Bonnamarte 3rd vice president; Vincent Vidmer, treasurer; and Natalie Petric, secretary. This is always a very exciting event as the new officers are introduced and the president outlines a theme and a vision for the upcoming year.

President DeCarlo stated that the theme of her presidency would be one of gratitude. She also stated that she was going to focus on membership and encouraging current members to regularly renew their membership as well as encouraging current members to bring in new people. There were many past presidents in attendance at the meeting including, Mauro Glorioso, Richard Caldarazzo, Hon. Michael



J. Pope, Enrico Mirabelli, Anthony Fornelli, Michael Favia, Leonard Amari, Katherine Amari O'Dell, Antonio Romanucci, Joseph Bisceglia, Hon. Bruno Tassone, James J. Morici Jr., Gregg Garofalo, John Locallo, Richard Caifano, Salvatore Tornatore and Dupage Chapter Past President Dion Davi. We were also honored to have numerous members and officers from the Illinois Bar Association in attendance, President-elect Richard Felice; 2nd Vice President Vincent F. Cornelius; 3rd Vice President Russell Hartigan and newly elected Board of Governors Member Anna Krolikowska. Jon DeMoss, president of the Illinois State Bar Mutual Insurance, was also in attendance. Many of our friends on the bench, including Justice Pope, Justice Lyons and Justice Suriano, were in attendance to support Thomas

L. Kilbride, former chief justice of the Illinois Supreme Court, Third District, and Justice Timothy Evans, chief of Cook County Courts; both received the Mentoring Award from Hon. Robert Bertucci. Judge Bertucci credited these justices for their role in mentoring him, as well as others, and thanked them for having such a significant impact on his life and career.

With every swearing-in dinner comes a fresh start and new energy and I am thrilled to support our new officers and support their goals for the year. I also would like to contribute to the theme of this term and thank everyone that came out to the meeting, and for everyone's continual support of the Justinian Society and the new officers. I would also like to encourage current members to invite friends and other acquaintances to attend the meetings, so they can experience what a close knit family we are, and the camaraderie that we share, and once they see what a great group of people we are, they will want to continue to come and become a member! Being involved in this organization is one of the highlights of my career as I have made invaluable connections with other members for networking, as well as lifelong friends. I am excited to begin this upcoming year and be a regular contributor to the Justinian Society Newsletter. Congratulations new officers!



Judge Michael Pope and 2014-15 Officers



John Simpson, 1st VP Jessica DePinto and Matthew Dattilo



Gina Arquilla, President Anita DeCarlo and 2nd VP Frank Sommario



Treasurer Vince Vidmer, Past President Christina Mungai, 2nd VP Frank Sommario and Past President Gregg Garofalo.



Past Presidents Judge Bob Bertucci, with Presiding Judge Tim Evans, and Past Presidents Jim Morici and Leonard Amari.



The Fornelli / Petric Family



John Perconti, 3rd VP Mike Bonnamarte and Lou Siricusano.

More May Photos:



1. Vince Vidmer, treasurer; Cindy O'Keefe and Sam Tornatore, past president.

2. Dominic Fichera with past presidents Hon. Bruno Tassone and Joe Bisceglia.



3. Tony Fornelli, past president with his granddaughter, Natalie Petric, secretary.



4. Hon. Russ Hartigan, ISBA 3rd VP; with John Locallo, past ISBA and Justinian president; and Rick Felice, ISBA President.



5. David Sosin, Rick Felice, John DeMoss, Leonard Amari and John Locallo.



6. Carl Salvato, James DiTommaso, Judge Hartigan and Judge Michael Pope.



7. Salvatore Ferreggheri, Erica Minchella, and Richard Caifano, past president.



8. Past presidents Enrico Mirabelli and Judge Bertucci with Justice Kilbride.



9. Nello Gamberdio, Gerald Facchini, and Enrico Mirabelli.



10. John Lag, Anthony Farace and Dion Davi.

Golf Report

By: Vince Vidmer

The 2014 annual golf outing took place on June 4 at Bloomingdale Golf Club. Noteworthy: all event proceeds benefited the Justinian Endowment Fund.

It was a treat to have the hometown mayor, past president and Justinian all-star, Franco Coladipietro, present to add to the festivities. In fact, there were many past presidents, Justinian regulars, and golf enthusiasts. Nearly a dozen volunteers were also in attendance, whom we should all thank for their time and effort. The vast majority of volunteers, as in years past, were young law students who were helping raise scholarship funds on the courses Par 3s.

The day started out wet and soggy, with some general trepidation as to whether or not the round would take place. As the attendees filtered in, the rain subsided, as if Justinian himself shifted the clouds to allow for us to play through. Not quite Bishop Pickering style, but dramatic enough to allow the all 18 holes to be achieved by all groups.

Upon completion of the round, cocktails were drunk, good times were recollected, laughs were had, and plenty of pork was consumed. As the dinner wound up, it was time for the annual raffle. There were some great prizes but most mentionable was the set of golf irons donated by past President Richard Caldarazzo. As if that wasn't generous enough, Sam Orticelli, who won irons, raffled them off to the highest bidder. (It seems that Sam hits the ball so far and so consistent with his current set of irons he didn't need a new set.) Third Vice President Michael Bonamarte made the winning bid, which benefited the Endowment Fund. Now if that is not a feel good raffle, I don't know what is!

Special thanks to Golf Chair Sam Tornatore, who put in countless hours in preparation to ensure another successful event. Despite the weather difficulties, President Anita DeCarlo and her committee put on a great outing.



Golf outing volunteers - thank you!

Student Update:

By: Nicole Petrarca, The John Marshall Law School, J.D. Candidate, January 2015

We are half way through 2014 and so far it has been a great success for the Justinian Society. The John Marshall Law School Justinian students continue to excel inside and outside the classroom. Congratulations to the following Justinian students and all other students on their achievements this year:

- Michael Cosentino (3L) received the CALI Award for the highest grade in his Local Government class and was named to the Alternative Dispute Resolution Honors Council for the upcoming Fall 2014.
- Krista Eason is preparing for competition in The National Moot Court Competition coming up this Fall 2014. Krista was also named to the Executive Board for the Moot Court Program.
- Christopher McCleary (3L) was named to the Spring 2014 Dean's List.
- Maria Sarantakis (2L) was named to the Spring 2014 Dean's List and is currently working as a Research Assistant for Professor Kaplan. Maria currently serves as Magister of The Stevens Inn Chapter of Phi Delta Phi International Legal Honor Society, and was invited to join the 2014 – 2015 candidacy class of The John Marshall Law Review. She is also keeping busy writing her second book on Millennials in the workplace.
- Justino Mirabelli (3L) was named to the Spring 2014 Dean's List, and recently began working at Komie and Associates.
- Tyler Duff (2L) was named to the Spring 2014 Dean's List and was invited to join the 2014 – 2015 candidacy class of The John Marshall Law Review.

This summer The Justinian Society's Mentoring Program advised SCALES students through their attempt to be admitted into law school. SCALES is a program that offers prospective students, who do not initially meet the JMLS admissions requirements, a chance to enter the JMLS fall semester class after completing three summer non-credited courses. Good luck to the SCALES students on completing these summer courses!

As a social event update, The JMLS Student Chapter gathered for its annual Meatball Madness event on April 24, 2014. At this event, parent organization members, chapter and non-chapter students gathered to eat everyone's favorite Italian dish: MEATBALLS! The turnout for the event was wonderful and the Student Chapter raised money to donate to The Children's Endowment Fund.

We look forward to what the rest of the year holds for our student members. Congratulations to all those students who graduated this past May. Your Justinian family wishes you the best of luck on the Bar Exam and career endeavors.



From left: Nick Thompson, mentoring student, with co-chairs Nicole Petrarca and Bobby Cannatello

Honore Nella Legge



How about being the first on your block to receive a Justinian desk flag by writing a check to the Justinian Scholarship Fund in the amount of \$200, or more? With the sad condition of the economy, law students, especially folks from our community, are more in need of scholarship monies than ever. The Justinian Society, in fact, our ethnicity, is known for its generosity and concern for others.

Won't you write your \$200 check today to the Justinian Society Scholarship Fund? Send it to the Newsletter editor at our Justinian Headquarters, 734 N. Wells St., Chicago, IL 60654. You will immediately receive in the mail or by messenger, a mailing tube containing your Justinian desk flag.

Grazie!

Meatball Madness

By: Robert Cannatello

To sauce, or not to sauce, that was the question –

*Whether 'tis nobler in the mind to sauce
The pinches and dashes of precise measurements*

*Or to take to the pan and fry
And by opposing end them? To hunger, to eat –*

*No more; and by eat, to say we chose
The meatball, and few alike were judged,
Scrutinized by many*

*Competed against by few –
To scrutinize is to judge*

*To judge is to be indifferent
For in that indifference one victor may come*

And out of that indifference was born a champion

To sauce.

If William Shakespeare were to struggle with mental gymnastics of the judges of the 2014 John Marshall Law School Justinian Society Meatball Madness competition, he too would have been forced to make such a difficult decision. Student contributions of their family's meatball recipes were put to the test in a meatball cook-off that took place at JMLS on March 29. Students, faculty, and honored guests of our parent organization, such as President Anita M. DeCarlo and Past President, Judge Robert Bertucci, tasted what students had to offer and cast their ballots.

William Iverson (2L) took home to the first prize with his nonna's meatballs. Many speculated as to how many onions his nonna used in the sauce, but a general consensus was reached that she used four small onions. Stories were shared, bread was broke, and a winner was declared, all in the sake of charity. Proceeds from the event benefited The Children's Endowment Fund.



Recent JMLS graduate Len Cannata samples some of the delicious Italian food.

2014 Installation and Awards Ceremony

REVEREND MONSIGNOR KENNETH VELO
AWARD OF EXCELLENCE RECIPIENT



Monsignor Kenneth Velo of the Archdiocese of Chicago, serves as Senior Executive of Catholic Collaboration for DePaul University and as Co-Chairman of the Big Shoulders Fund.

Kenneth Velo was ordained in May 1973. His first assignment was associate pastor of St. Angela Parish on Chicago's west side. In 1980, he was appointed associate pastor of Queen of All Saints Basilica on the city's north side. From 1981 until 1994, he served in Archdiocesan Administration in various capacities, including vice chancellor of the Archdiocese and executive assistant to Joseph Cardinal Bernardin.

In November 1993, then Father Velo was named president of the Catholic Church Extension Society. With an extensive portfolio of investments to serve an annuity program, an annual budget of twenty-five million dollars, and more than seventy employees, Catholic Extension raised money for the poor dioceses of the United States. During his eight year tenure as president Catholic Extension experienced tremendous growth and nationwide awareness. It supported seventy-five mission dioceses around the country. He was named a Prelate of Honor by Pope John Paul II in March of 1996 with the title of Monsignor.

In 2001, Monsignor Velo began his responsibilities at DePaul University. At DePaul Monsignor helps to extend the resources of the university to the Catholic community and other entities. DePaul is the largest university in the Chicago area, and the largest Catholic university in the United States.

The Big Shoulders Fund, which he has served as President, and now as Co-Chairman, supports inner-city Catholic Schools in Chicago. This organization raises funds to serve the inner-city Catholic schools. Ninety-three schools are given operating capital and scholarship grants in a school system with more than 24,000 students.

Monsignor Velo was a member of the Priests' Personnel Board of the Archdiocese for more than 22 years. He is a member of the Board of Lurie Children's Hospital, Trustee of St. Mary's College, South Bend and on the board of Trinity

High School in River Forest and is a Life Trustee of Fenwick College Preparatory School as well as other civic and community efforts in Chicago. In early 2011 he was elected to the board of a national organization, Foundation and Donors in Catholic Activities in Washington D.C

Monsignor participates in pastoral ministry at Old Saint Patrick Church in Chicago, Illinois, insofar as he is able to given his full-time responsibilities at the university.

MICHAEL V. FAVIA
PRESIDENT'S AWARD RECIPIENT



Michael V. Favia, the recipient of the significant President's Award of the Justinian Society, is a long time community and ethnic leader. He is the founder of the Law Firm of Michael V. Favia & Associates, a successful General Civil Practice with an emphasis on health law and administrative law. The firm is dedicated to providing personalized service and high-quality representation for clients.

There is an old saw, "when you want something done, give it to a busy person". In our ethnic community, in the Chicagoland legal community, in the community at large, that person is Michael V. Favia.

He is the principal and managing attorney for the law firm of Michael V. Favia and Associates, and current counsel to the health care law firm of Goldberg Law Group. Michael is recognized for his extensive legal and administrative skills, which he uses to oversee and operate a most successful general civil practice firm dedicated to providing personalized service and high-quality representation for his clients. He also serves, very valuably, as of-counsel to the real estate tax reduction firm of Amari & Locallo.

As a highly skilled lawyer with 20 plus years of experience, Michael continues to be designated as a "Leading Attorney" by his peers. Michael utilizes his health law background in conjunction with a highly skilled team of litigators, experts and investigators to obtain maximum results for each of his clients.

Continued on page 9

Installation, continued from page 8

To list all of the leadership roles Favia has assumed over the years in these areas would require too many pages. But some examples are:

- Illinois State Bar Association Assembly delegate for many years, it is the supreme governing body of this 37,000 member state – wide legal organization.
- Committee member of the Medical – Legal Relations committee of the Chicago Bar Association (as well as the prestigious Health Care law section council of the ISBA)
- Over the years Favia was a retained attorney for the Chicago City Councils Committee on Housing and Neighborhood Development (having the responsibility for the overall legal operation of the committee and the drafting of applicable legal ordinances)
- Serves on the governing board of the John Marshall Law School, as a Trustee, chairing on many of its significant committees, in addition to recently (2012-2013) serving as president of the school's alumni association board
- A trustee on the Illinois College of Optometry, serving for many years as secretary of the board
- From 1988-1996, Michael was appointed by the governor of the state of Illinois as the chief attorney and technical advisor to the Illinois Department of Profession Regulation. (directing the state-wide enforcement of the various professional licensing statuses including the Medical Practice Act – supervising well over a dozen attorneys and support personnel in the state-wide regulation of approximately 30 plus professions or well over 150,000 professionals).
- Has and continues to serve as a leading board member of the political voice of our ethnic community, the Italian – American Political Coalition
- Serves on the Advisory Board of the Northwest Business College
- Past executive committee member of the energetic hub organization of all of the clubs and association in our ethnic community, the Joint Civic Committee of Italian Americans
- Member of the Northbrook Safety Commission
- Serves as an Associate member of the Illinois Police Association

He currently represents all types of clients, including individuals, small and large companies, professionals, professional groups and organizations. He is frequently retained by other law firms to assist in their representation of their health care clients. Michael represents clients throughout the state of Illinois. He has also been appointed or retained as an adviser and/or counsel to various public and private entities over the last 20 years.

Historically, Michael represented the state as an assistant Illinois attorney general. In this capacity, he was lead attorney in numerous civil fraud actions filed by that office, successfully collecting many millions of dollars in restitution and fines as a direct result of his aggressive prosecution of fraudulent individuals and companies.

In the mid to late 1980s, Michael was also an

advisor and counsel to several elected officials in the city of Chicago. He advised various aldermen and other city officials on a daily basis. Michael represented the interests of the city and community in various courts and at administrative hearings.

Michael has authored many articles dealing with his area of concentration, e.g., professional regulation of medical professionals, and is a much sought after lecturer.

Obviously highly respected, and extraordinarily well liked, he is one of the real “go to” persons in our community. Mike resides in Northbrook with his beautiful wife, Patricia, and their two daughters, Christina and Nicole. Another example of the best our community has to offer.

LEONARD F. AMARI MOSES HARRISON AWARD RECIPIENT



Prominent Chicago attorney and Italian-American community leader, Leonard F. Amari, will receive the prestigious Justinian Society, Prominent Chicago attorney and Italian-American community leader, Leonard F. Amari, received the Justinian Society Moses W. Harrison, II Award at its annual Installation and Awards Dinner on September 10th, 2014 at the Chicago Palmer House. Amari, founder and co-managing partner of the ad valorem real estate tax assessment reduction firm of Amari & Locallo, is well-known in the legal and the Italian-American community, being past Presidents of the Justinian Society and the state-wide Illinois State Bar Association, President of the Board of Trustees of The John Marshall Law School and community leader.

Moses W. Harrison, II, was born in Collinsville, Illinois, on March 30, 1932. He received a B.A. degree from Colorado College in 1954 and a law degree from Washington University in St. Louis in 1958. He was admitted to both the Missouri and Illinois Bars and practiced law in East St. Louis and Collinsville. Before taking judicial office, Justice Harrison was senior partner in the law firm of Harrison, Rarick and Cadagin.

In 1973, Justice Harrison was appointed Circuit Judge for the Third Judicial Circuit. He was elected to that office the following year and subsequently served two terms as the circuit's Chief Judge. In 1979, the Supreme Court appointed him to the Illinois Appellate Court, Fifth District. He won election to that office in 1980 and was retained by the voters in 1990, serving two terms as Presiding Judge during his tenure.

Justice Harrison was elected to the Illinois Supreme Court in 1992 – the first ever Italian-American. He served as Chief Justice from January 2000 until his retirement in September 2002.

As a professional, as a lawyer and as a judge, the Justice was first, foremost and always a Justinian. Moses ascribed to the tenets of the Justinian Society because they so mirrored his own life's values: helping others, caring, mutual-ami-ty-and-respect and the like. He was the first Italian-American on the Illinois high court and its first Chief Justice.

He never missed a Justinian event and especially looked forward to this annual Installation and Awards Dinner, at least while he was healthy. He honored the Society by accepting its Award of Excellence early on after having been elected to the Illinois Supreme Court. When he became Chief Justice, the Justinian Society Moses W. Harrison Recognition Award was created. Among other paragraphs on the award, these words are written:

[And I Quote:

“NOW THEREFORE, BECAUSE OF THE GREAT RESPECT AND ESTEEM IN WHICH HE IS HELD IN THE STATE OF ILLINOIS, THE JUSTINIAN SOCIETY HAS CREATED AN AWARD IN THE NAME OF JUSTICE MOSES W. HARRISON, II, TO LEND DIGNITY AND GREAT ESTEEM TO RECIPIENTS WHO HAVE DEMONSTRATED, AS HAS THE JUSTICE, A CAREER OF IMPROVING THE CONDITION OF PEOPLE AND OF ITALIAN AMERICANS IN THE STATE OF ILLINOIS...”]

Amari is extraordinarily pleased and honored to receive this award, following in the footsteps of other prominent contributors to the improvement of the Italian American condition in the Chicagoland area, that have previously received this award presented at prior Installation and Awards Dinners of the Society, including Anthony J. Fornelli, Antonio Romanucci, and others. This is especially significant for Amari, because he and Moses were like brothers, for many, many years, inseparable in agendas and life situations.



Anyone wishing to share information with their fellow Justinians is encouraged to contact Newsletter Associate Editor **Katherine Amari O'Dell** at our Justinian headquarters address: 734 North Wells Street, Chicago, IL 60654; phone (312)255-8550; fax (312)255-8551; kaa@amari-locallo.com.

John Marshall Law School News

JMLS Alumni Association New Officer Installation

By: Leonard F. Amari

On June 5th, 2014, at the law school, The John Marshall Law School Alumni Association held its annual reception and new officer installation and awards ceremony.

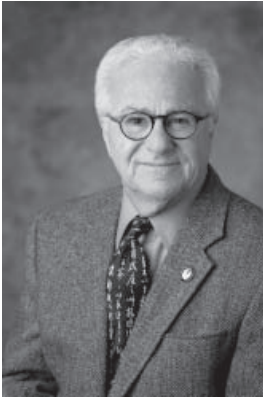
Completing an outstanding year as president of this energetic and large alumni association, and hardworking and active board of directors, is our very own, the wonderful

Judge Regina Scannicchio. She follows in the footsteps of many Justinians who ably served in this position, including: Katherine Amari O'Dell, Anita DeCarlo, Michael Favia, just to mention a few.

Assuming the presidency is an outstanding young professional, Natosha Cuyler-Sherman. Our own Christopher Cali (2009) was presented with the prestigious President's Award for his tireless efforts on behalf of the association and his law school. Student member Carla Trinca-Conley received a generous association scholarship. Trinca-Conley is a third-year student with an interest in elder law and serves as vice president of the student chapter of the Justinian Society.

Other Justinians serving on this board include Robert N. Beaulieu, Daniel T. Calandriello, Christopher Cali, Anthony F. Calzaretta, Hon. Joseph M. Cataldo, Michael V. Favia, Stephen Fiorentino, Mauro Glorioso, Michael J. Hennessy, Hon. Thomas E. Hoffman, Hon. Angela M. Petrone, Michael J. Salvi, Hon. Regina A. Scannicchio, and Karie J. Valentino.

Refreshments were served and students and alumni mingled with professors, Deans, administrators, and Trustees of the law school.



Attendees at the JMLS Alumni Association annual meeting. Standing, from left, Judge Joe Cataldo, Katherine Amari O'Dell, Leonard F. Amari, and Jon DeMoss. Seated, from left, Judge Regina Scannicchio and Joseph Marconi.

JMLS Elects 3 New Members to Board

The John Marshall Law School has elected three new members to its Board of Trustees. Roger Zamparo, a veteran litigator; Christine Castellano, a Fortune 500 corporate general counsel; and J. Timothy Eaton, recent past president of the Chicago Bar Association (CBA), bring respected and wide-ranging experience to the law school's board.



Members of the JMLS Board of Trustees, from left: Leonard F. Amari, president; Joseph Gagliardo; Christine Castellano; and Nicholas Zagotta.

"It is my pleasure to welcome these three exceptional attorneys to our board," said Leonard Amari, president of the Board of Trustees. "I'm sure they will add much to our discussions and offer important insights to our decision-making. In the history of legal education, there has never been a more critical time. The John Marshall Law School and law schools across the country are making serious decisions and need talented people on their boards. Fortunately, especially with these three outstanding new board members, John Marshall's Board of Trustees has the talent to address the serious issues head on."

Roger Zamparo received a B.A. from Ohio University and his J.D. from The John Marshall Law School. In his litigation practice Zamparo has represented individuals and corporations in state and federal courts. He has concentrated on

several areas, including family law, personal injury, legal malpractice, probate, product liability and other consumer law areas. He is a member of the CBA and the Illinois State Bar Association (ISBA), the National Association of Consumer Advocates and the Justinian Society of Lawyers. He also serves as an arbitrator for the Mandatory Arbitration Program of Cook County.

Zamparo has been active with several legal organizations, as well as those assisting the underserved, including Chicago Volunteer Legal Services, Five Hospital Homebound Elderly Program and Committee to Abolish Incivility. "Roger is an experienced trial attorney who brings a broad base of experience in multiple aspects of the law to the Board of Trustees. Roger has represented individuals and corporations in a variety of business-related transactions and civil litigation matters and in the area of consumer law," said Joseph Gagliardo, a fellow Board of Trustees member. "Roger's extensive experience gives him a unique perspective which will assist the Board in conducting its business activities. We are happy to have Roger as a member of the board."

Christine Castellano received a B.A., *summa cum laude*, from the University of Colorado, and her J.D., *cum laude*, from the University of Michigan Law School. She is a member of the American Bar Association, the Conference Board Council of Senior International Attorneys and the Corporate Counsel Association. In 2011, Castellano received the Outstanding International Corporate Counsel Award from the International Law Section of the American Bar Association.

"Christine Castellano is a corporate general counsel of distinction. I am proud to have worked with her and know her talents firsthand," said fellow board member Mary Ann Hynes. "In addition to her numerous corporate achievements, she is a council member and communications officer of the ABA International Law Section, a member of the Association of Corporate Counsel, The Conference Board Council of Chief Legal Officers and the North Shore General Counsel Association."

Castellano serves with numerous organizations, including the Women's Board of the Chicago Zoological Society and the Executive Leadership Team for the Metro Chicago American Heart Association Heart Walk. She also is a member of the Illinois Supreme Court Commission on Access to Justice Corporate Counsel Advisory Committee.

"Christine is the whole package and we are lucky to have her on our Board of Trustees," Hynes added.

J. Timothy Eaton received a B.A. from Miami University of Ohio, his J.D. from Southern Illinois University School of Law, and an LL.M. degree from Washington University School of Law. He is a partner at Taft Stettinius & Hollister LLP where he focuses his practice on commercial and appellate litigation and arbitration. His peers have selected him numerous times as a "leading



Kari Valentino (left), chair of The JMLS Alumni Association Scholarship Committee, presents Carla Trinca-Conley with a Scholarship.

lawyer in civil appellate law and commercial litigation” and Eaton has been honored as “best lawyer in America” and “best Chicago appellate lawyer.”

Active in bar activities, Eaton served as president of the CBA for the 2013-14 term. Ten years earlier he served as president of the ISBA. He is a past president of Illinois Lawyers Trust Fund and Appellate Lawyers Association of Illinois. He served three years on the American Bar Association’s House of Delegates.

“Tim Eaton exemplifies what it means to be not only a great lawyer but a great person,” said Daniel Cotter (John Marshall J.D. ’95), who serves with him on the CBA Board. “He has been a leader in the appellate practice area as well as in the bar associations. He has had a phenomenal year as CBA president and will add his wisdom and leadership to the John Marshall Board of Trustees.”

For more information about The John Marshall Law School Board of Trustees, or to request high-res photos of its new members, please contact Christine Kraly at ckraly@jmls.edu .

JMLS Freedom Award Luncheon

By: Cindy O’Keefe

The John Marshall Law School Alumni Association Board recently honored Justinian Past President Leonard DeFranco with the Distinguished Service Award. The president (at that time) of the John Marshall Alumni Association, the Honorable Regina Scannicchio, presented the Freedom Award and presided at the event with great charm and grace – setting the tone for another annual JMLS Freedom Award luncheon at the Chicago Palmer House, held on May 9, 2014.



Receiving the prestigious Freedom Award was Chief Justice of the Illinois Supreme Court, Rita Garman. She provided poignant and inspirational remarks.

The Distinguished Service Award was created to recognize JMLS graduates for their outstanding achievements in a career field or personal endeavor. These recipients are amazing, hard-working members of the legal field, as well as proponents of the Italian-American community.

DeFranco was one of a handful of other JMLS alumni to receive this recognition. Graduating in 1978 and receiving his LLM in 1984, his outstanding career in tax and estate planning is what sets him apart from the pack. DeFranco has been a chairman of the ISBA Federal Tax Section Council (1995) and of the Business Advice Sec-

tion Council (2007). He currently serves on the Investment Committee of the ISBA which has approximately four and one half million dollars under investment. He is a lecturer for the ISBA Law Ed. series, and has been a panelist on several ISBA Federal Tax cable television shows.



Other folks from our community to have received the Distinguished Service Award given annually to graduates include (JMLS graduation year in parentheses):

- Katherine Amari O’Dell (2000)
- Leonard F. Amari (1968)
- The Hon. Joseph E. Birkett (1981)
- The Hon. Cheryl D. Cesario (1981)
- Franco A. Coladipietro (1993)
- Umberto S. Davi (1982)
- Anita M. DeCarlo (1998)
- Frank J. Del Barto
- Leonard DeFranco (1978)
- Michael V. Favia (1982)
- Lawrence J. Ferolie (1950)
- Joseph M. Gagliardo (1977)
- The Hon. Celia Gamrath (1994)
- Scott M. Guetzow (1999)
- Michael J. Hennessy (1964)
- The Hon. Thomas E. Hoffman (1971)
- Paula Hudson Holderman (1979)
- MaryAnn Hynes (1971)
- Mia P. Jiganti (1994)
- Joseph F. Locallo, Jr. (1976)
- The Hon. Daniel M. Locallo (1977)
- Joseph R. Marconi (1976)
- Enrico J. Mirabelli (1981)
- Michael J. Pofelle (1969)
- The Hon. Nicholas T. Pomaro (1964)
- Anthony C. Raccuglia (1959)
- Antonio M. Romanucci (1985)
- The Hon. Regina A. Scannicchio (1988)
- Ferdinand P. Serpe (1984)
- Brian J. Stephenson
- Salvatore J. Tornatore (1974)
- Nicholas Zagotta

Other Justinians in attendance were several past Presidents, including Leonard Amari, the Board of Trustees President of JMLS, and Michael Favia, 3rd Vice President of the Board of Trustees, and Katherine Amari-O’Dell, past President of the Alumni Association. Joining the Amari & Locallo table at the event were Justices Anne Burke, Mary Jane Theis and Thomas Kilbride – all friends of the firm, the law school, and the Justinian Society. Another wonderful and prestigious event of a great Chicago law school.



From left, Katherine Amari O’Dell, Justice Mary Jane Theis, Leonard F. Amari, and Justice Anne M. Burke attended the Freedom Award Luncheon.

President’s Message, continued from page 1

Lawyers and all of the mentoring I have received. I am thankful for an amazing group of Officers, our Executive Board, and for our members who all continue this tradition.

Our membership is down, however, our membership committee will be working tirelessly this year to remedy this situation. Our Dues Notices have already been sent out. Thank you to everyone who has paid your dues. I encourage our unpaid members to join again. Our family tradition of mentoring is in your hands. To any new members, please join us, as our Justinian Family needs to grow and multiply.

Secretary Natalie Petric is chairing the Justinian Society of Lawyers Endowment Fund Installation and Awards Dinner to be held at the Palmer House on September 10, 2014. Michael V. Favia will be receiving the Justinian Society of Lawyers President’s Award, Leonard F. Amari will be receiving the Honorable Moses W. Harrison Award of Recognition. The Reverend Monsignor Kenneth J. Velo will be receiving the Justinian Society of Lawyers Award of Excellence.

A special thank you for all of our Past Presidents, including immediate Past President Bertucci. I will be continuing his focus on our law school chapters. In closing, thank you for taking the time to read this message, thank you for your membership, thank you for your support and most especially, thank you for your mentoring!

By: Katherine A. O'Dell

On May 18th, 2014, The John Marshall Law School held its 197th Commencement, awarding diplomas to 329 graduates. Of course, many folks from our community have a tremendous influence in the governance of the law school. Past President Leonard Amari serves as the president of the board of trustees, and serving with him as trustees are: John DeMoss, 2nd vice president; Michael Favia, 3rd vice president; MaryAnn (Iantorno)Hynes, treasurer; Honorable Celia (Guzaldo) Gamrath, secretary; Christine M. Castellano; Joseph Gagliardo; Nicholas Zagotta; Paula Hudson Holderman and Roger Zamparo. Giacomo Pecoraro serves as chairman of the emeritus board; serving with Umberto Davi and Peter DiConza.

A substantial number of graduates are children of folks from our community, including:

- Nicholas V. Alfonso
- Joseph John Andruzzi
- Frank Agostino Battaglia
- Dana Therese Benedetti
- Louis Anthony Cairo
- Leonard B. Cannata (cum laude)
- Christopher Ryan Cardona
- Collin Carlucci
- Scott P. Cipolla
- Lia Louise DeFeo
- Mike Greco
- Vincent Anthony Incopero
- Jacqueline B. Maglio
- Jonathan C. Magna
- Michael Thomas Manseau
- Jacquelyn M. Martini
- Kellie Mazzearella (cum laude)
- Lauren L. Pierucci
- Fred Bruno Roti
- Jenifer Lee Schiavone
- Lisa Michelle Sterba
- Laura Tagliere
- Julie Marie Tenuto

(Recipient in 2013 of the prestigious Lupel & Amari Scholarship, \$10,000)

- Nicole Elizabeth Valenti
- Rachel Ann Zordani

As we all know, this is a difficult time for law schools in the United States, especially for schools like JMLS, one of only eight totally independent tuition-driven law schools in the US. With these types of leaders, and its rich, 100-plus years tradition, it will continue to flourish and produce practice-ready lawyers.



JMLS President Amari gives the welcoming address at the Commencement.



Circuit Court of Cook County Judge Regina Scannicchio, President of the law school's Alumni Association, with President Amari.



Retired Circuit Court Judge David Sterba, and daughter Lisa Sterba.

Felice Starts Term as ISBA President

[Editor's note: This article written by Andrew Maloney is reprinted with permission from the Chicago Daily Law Bulletin]



From left, Umberto Davi, John Locallo, Paula Hudson Holderman, Rick Felice, and Vincent Cornelius.

Things could have turned out much differently for Richard D. Felice.

As a student heading into his second year in the 1970s, he transferred from Lewis University College of Law in Glen Ellyn to Washburn University School of Law in Topeka, Kan. He made the move for myriad reasons, he said. One of which was that he was close with several other students who were looking in to Washburn.

"I had about six friends, and at that time, you know, we felt that maybe a better bet was to go there," Felice said during an interview this week.

At the time, Kansas had a "diploma privilege" policy, meaning that incoming attorneys didn't have to pass a state bar exam to start practicing.

So it might have been easier for him and his cohorts to break in to the profession there. But after about a year in Topeka, Felice came back home to the Land of Lincoln.

"My roots clearly were back here, so I came back here," he said.

The move arguably looks prescient now, as Felice — a man who almost didn't become an Illinois attorney — was installed as president of the Illinois State Bar Association at the group's annual convention on Friday.

A passion for the past

After returning to Illinois and Lewis University — which eventually became the Northern Illinois University School of Law — Felice clerked at the general practice firm Laraia, Solano, Berns & Kilander Ltd. in Wheaton.

While his mentors worked on a lot of criminal cases, Felice tackled real estate law, domestic relations and everything in-between.

"I did both of those things because their primary focus was probably more in the criminal area," he said. "So they pretty much gave me everything else to deal with."

One of those mentors, Joseph M. Laraia, who runs a practice in Wheaton, Laraia & Laraia

P.C., said Felice was especially known for his tenacity.

Whether it was during a deposition or while negotiating a price for a car he wanted to add to his budding collection, he knew how to stick to his guns.

"He'd go out from time to time (to look at cars) and he would tell me how the salesman threw him out of his agency," Lاراia recalled.

"Then, after about the third attempt, damn it, he'd get his car at his price. He's that tenacious."

After six years at the firm, from 1979 to 1985, Felice opened his own practice down the street.

Not long after, he moved to a Victorian-style building at 511 W. Wesley St., and he's been there ever since.

Talking to him, one gets the sense that his firm could double as a history museum or high-end pawn shop.

"I want to maintain the historical flavor to the building and have a certain look to it, and then along the way ... my son picked up on this antique stuff, so he and I for years would canvass antique markets," Felice said.

Among the items in his collection: some stereoscope machines, a player piano from the 1910s and a turn-of-the-century cash register. His car collection also features a number of vintage vehicles including a 1950s Packard and some muscle cars from the 1960s.

"I've got quite a bit of that stuff. You name it, it's pretty much there," he said. "It's at the point now where I've collected so many things, it's pretty much maxed out."

True to his passion for history — and real estate — Felice also owns the building behind his firm, which was once owned by the family of former President John Quincy Adams as well as Henry Clay Childs — a state legislator who was one of the first to support Abraham Lincoln in his run for president.

Plans for the future

Although he's passionate about history, Felice will focus on the future during his tenure as ISBA president.

He outlined three primary initiatives for his term: helping sole practitioners and small firms; educating students about the courts; and building upon previous ISBA efforts to assess the impact of law school debt.

That third platform is perhaps more nuanced than it sounds.

Felice is creating a task force chaired by 2nd District Appellate Justice Ann B. Jorgensen — who previously chaired a similar debt group under then-ISBA president John E. Thies — to look at some changes to law school curricula that would make new lawyers more "practice-ready."

So in addition to some tough questions about whether borrowing rates or the costs of classes are too high, the group will also look at revamping the classroom experience.

"In other words, looking at the curriculum a little differently, because what we've discovered is that new lawyers weren't valued," Felice said.

"They didn't appear to have practice-ready skills ... and to be able to serve the public by actually practicing, they needed a transitional period. And that isn't available."

As possible solutions, Felice mentioned expanding 7-11 law licenses to cover private practice as well as public agencies and creating residency-type programs built into law school curricula — "like doctors have" in medical school, he said.

And while he described it as "really aspirational at this point," he also said the group would look into diploma privilege for new lawyers, allowing them to practice without passing the bar exam.

It's the same type of policy Felice encountered when he briefly attended school in Kansas in the 1970s.

The thinking is that by lowering the barrier to actually practicing law, more lawyers gain the valuable work experience they need to get jobs and start paying off debt.

"You have to have a transitional step, an opportunity to work in a practice arena with other practicing attorneys," he said.

"You have to be able to be in a position where you're not just looking at books but be in an environment where you're practicing."

Of course, significant chunks of that platform would take Illinois Supreme Court rule changes. And Felice indicated it could take a while before substantive changes could actually be made.

But if nothing else, his friends said Felice will get people to listen.

"He's a real people person. He's able to get people to relate to him," said DuPage County Associate Judge Thomas A. Else, who's known Felice for more than a decade through local bar events.

"Rick's a real good, one-on-one type of guy, and I think that's one of the reasons he's always been so successful. When Rick's talking, he's not just standing there looking over your head."

Felice said in addition to his own programs to improve the legal profession, he'll be paying close attention to the rewrite of the Marriage and Dissolution of Marriage Act at the statehouse in Springfield.

A House panel advanced a version of the bill that would change how courts consider a child's interests in a divorce, how parenting time is divided and require cases to be decided in 60 to 90 days.

The proposal never made it to a floor vote, but Felice is cautiously optimistic that it could next year.

"That's a pretty big piece of legislation that may very well come to completion in my term, it's just hard to gauge," he said. "But I think it's moving forward to some degree."

And no matter what happens with the bill, or where he goes from here, Felice thinks he made the right choice nearly four decades ago when he came back to Illinois.

"I think things turned out alright," he said with a laugh.

Umberto Davi Installed as ISBA President-Elect

Umberto Davi, of Willowbrook, a principal in the Western Springs Law Firm of Umberto S. Davi, P.C., has been installed as president-elect of the Illinois State Bar Association. Previously, he served as second and third vice president and will be installed as president in June 2015-16.



Davi, whose law practice concentrates in family law and real estate, was first elected to the ISBA Board of Governors in 1998 and was re-elected in 2004, 2008 and again in 2011. Since becoming an ISBA member in 1982, he has served on the ISBA's 201-member Assembly and has been active on numerous committees.

A past president of the Cook County Justinian Society of Lawyers, Davi has served as president of the Willowbrook Police Pension Board for more than 10 years and is a Willowbrook Village Trustee. He also is an Emeritus Trustee of The John Marshall Law School. A native of Italy, he helped establish the Sicilian American Cultural Association, and is a lifetime member of the Joint Civic Committee of Italian Americans.

He is a member of several organizations including the American Bar Association, DuPage and Will County Bar associations, West Suburban Bar Association, Women's Bar Association of Illinois, DuPage Association of Women Lawyers, Illinois Real Estate Lawyers Association, DuPage County Justinian Society of Lawyers, Illinois Bar Foundation, The Cook County Justinian Society of Lawyers, and the Western Springs Business Association.

Davi received his law degree from The John Marshall Law School, with Distinction, in 1982. A member of its alumni board, he was its president in 2005-06. He received his undergraduate degree in 1976 from Western Illinois University, in Macomb, where he was a member of the National Honor Society.

Davi has been married to his wife Janet for 36 years. He is the proud father of four boys, Dion (Kelly), an attorney in Wheaton; Michael, a 2011 graduate of Western Illinois University; Ryan, a 2013 graduate of Augustana College; and Evan, a senior at Purdue University; and two grandchildren, Tia and Nico.

The 32,000-member ISBA (isba.org), with offices in Springfield and Chicago, provides professional services to Illinois lawyers, and education and services to the public through a website (illinoislawyerfinder.com), consumer brochures, and distribution of legal information.

IIT Chicago-Kent Dedicates James Morici Jr Advocacy Corridor



Attorneys and Staff of Morici, Figlioli & Associates at the IIT Chicago-Kent Advocacy Corridor Dedication.

The James J. Morici, Jr., Advocacy Corridor at IIT Chicago-Kent College of Law was dedicated at a reception on April 8, 2014. The dedication, brought together Morici's family, friends, classmates and members of IIT Chicago-Kent's trial advocacy and appellate advocacy teams.

The Advocacy Corridor and its walled showcases display more than three decades of awards won by IIT Chicago-Kent trial and appellate advocacy teams. The corridor is named for IIT Chicago-Kent alumnus James J. Morici, Jr., a founding partner of Morici, Figlioli & Associates in Chicago, who graduated in 1979.

Morici is an accomplished trial lawyer and past president of the Justinian Society of Lawyers has amassed dozens of multi-million dollar settlements and verdicts for his clients. He currently teaches courses in trial advocacy at IIT Chicago-Kent, serves on the Alumni Association Board of Directors, and is a member of the law school's Founders' Society. Morici recently was named one of IIT Chicago-Kent's "125 Alumni of Distinction" during the law school's 125th anniversary celebration.

"Having taught more than 6,000 students in my 53 years at Chicago Kent, I naturally can point to many whose accomplishments have given me great pride," said Professor Ralph Brill. "I count Jim Morici among the top 10 of those former students.

"The main reason for my admiration of Jim is that his primary motivation has always been to cure or prevent injustice. Thus, he has used his great skills, knowledge and passion to help those severely injured by wrongful conduct, to foster safe practices

and conditions, to punish wrongdoers, and to improve the skills, knowledge and passion of other lawyers and lawyers-to-be."

Morici began his legal career as an assistant state's attorney in the Cook County State's Attorney's Office. In 1987 he entered private practice in the field of plaintiff's personal injury litigation. Morici has exclusively represented seriously injured plaintiffs in personal injury and wrongful death litigation, concentrating primarily on cases brought under principles of construction site negligence, premises liability and products liability.

"Jim is a fantastic litigator and teacher," said Judge David A. Erickson, retired Illinois Appellate Court justice and director of the law school's Trial Advocacy Program. "He is the founding partner of his firm who never forgot where he came from. Jim is a person who gives back to the profession, as a mentor and teacher, and he is truly a credit to our school."

Founded in 1888, IIT Chicago-Kent College of Law is the law school of Illinois Institute of Technology, a private, Ph.D.-granting institution with programs in engineering, psychology, architecture, business, design and law. IIT Chicago-Kent's trial and appellate advocacy teams have won numerous individual student honors and regional and national competitions. IIT Chicago-Kent is the only law school ever to win the National Trial Competition and the National Moot Court Competition in the same year (2008), and the first school to win the National Moot Court Competition in two consecutive years (2008 and 2009). The most recent U.S. News & World Report ranked IIT Chicago-Kent's Trial Advocacy Program sixth in the country.

Taking the road less traveled to bar group presidency

[Editor's note: This article written by Jack Silverstein is reprinted with permission from the Chicago Daily Law Bulletin]

When members of the DuPage County Bar Association voted for Lynn C. Cavallo as third vice president in 2011, they knew they were getting a passionate, calculated risk-taker.

What else do you call someone who joins the state's attorney office nearly two decades out of law school?



Cavallo, who was installed as the DCBA's 134th president last week, spent the first 17 years of her legal career as a sole practitioner working on real estate and probate matters.

"I was personally and professionally dissatisfied with what I was doing for people," she said. "It just wasn't enough."

So, she joined the DuPage County state's attorney's office.

"That's a real gutsy career move," said friend and fellow DCBA member Irene F. Bahr, a sole practitioner in DuPage County. "It's a steep learning curve and a lot of work. She decided she wanted to do it, and she did."

Though Cavallo initially felt concerned about the age gap — "There were ASAs who were the age of my children," said the 61-year-old — she has grown into her work and feels fulfilled.

"You're doing something that is bigger than one person or bigger than one moment," she said about the job. "It's about protection of the community. It's about the rule of law."

Now she is the first sitting assistant state's attorney to serve as DCBA president.

Service to others

Protecting her community has been a priority for Cavallo for as long as she can remember. What's changed is her method of protection.

Growing up, Cavallo studied history and had an interest in the law, but her family wanted her to become either a nurse or a teacher.

She chose nursing and became a trauma nurse specialist, working with victims of gun shots, stabbings and car crashes.

Early in her career, she encountered a death that changed her life.

"I remember a young child that was brought in by ambulance unresponsive. ... I will never forget it," Cavallo said.

The girl arrived at the hospital with blunt trauma to the abdomen — a lacerated liver.

Her blood pressure was low. The report from the family was that she had fallen.

The girl's mother's boyfriend was arrested for the incident but was not convicted in connection with the death.

"I think that gave me a sense of what injustice there can be in the world," she said. "Taking care of this little girl. Remembering how lifeless she was. It made me angry. It made me think I wanted to do more than just be there when she was brought in as a victim."

The rule of law

In 1981, after eight years in trauma nursing, Cavallo left the field.

"I gained an experience and understanding of what it was like to take care of victims and take care of alleged criminals and know that what we did ... would be important down the line in a criminal setting," she said.

With that in her mind, she attended Roosevelt University and received a degree in history. In 1991, she earned her J.D. at Loyola University Chicago School of Law and went into practice.

In 2008, once again, it was time for a change. That's when she felt the urge to become an ASA.

That was also her first year as a DCBA officer, following time as president with the DuPage Association of Women Lawyers and the Justinian Society of Lawyers.

"It was important to me that I become a part of a community of attorneys wherever I practiced," she said. "It's important to our profession to be mentors to future lawyers because that's what the rule of law is all about. It's our responsibility to protect the rule of law. Without that, there is no justice."

At home in DuPage County

In 2011, she ran for third vice president of the DCBA, an organization that serves 2,700-members. She is the fifth female president of the group, which was founded in 1879.

"She's really widely respected and well-liked by everybody," said outgoing president Patrick B. Hurley. "She's very bright, very hard-working and will really serve as a great face for the organization and an ambassador for the organization."

She has a large list of things she plans to do.

"My goals as president are really to address the crisis in our profession today," she said.

"There's not enough attorneys for those who need attorneys," she said. "There's not enough jobs that can support the law school debt of new graduates. ... That leaves less-experienced attorneys to manage even larger caseloads.

"So fewer experienced attorneys results in fewer attorneys to protect the rule of law."

Cavallo's upcoming initiatives are designed to combat those ills in DuPage County.

The DCBA will be founding "The DCBA University," an experiential training program for new lawyers. It will also expand its website to include a new lawyers section with an expanded job board.

Another initiative, she said, is e-mentoring, in which older lawyers answer questions for younger lawyers online.

She plans to see each of these goals into fruition by the end of her term next year.

"We have excellent judges, and we have excellent lawyers," she said. "And I think everyone enjoys a very close relationship that you don't necessarily see in other places."

As further proof of the county's depth of legal experience, she points to the next three presidents of the ISBA: Richard D. Felice, Umberto S. Davi and Vincent F. Cornelius, all members of the DCBA.

"I think that's going back to what I said — that the DuPage County Bar Association has exceptional lawyers and exceptional judges. And those are just three examples of exceptional lawyers."

Those three and many others are, she said, a result of the attention the DCBA pays to its members.

"They enhance the professionalism and legal education of its members," she said. "The results are better attorneys for our community."

As Bahr said after watching Cavallo's installation speech: "I think it's going to be an exciting year."

Bridgeview Courthouse lifted scales of justice here

[Editor's note: This article written by Tim Hadac is reprinted with permission from The Regional News.]



The vast majority of people who trudge in and out of the Cook County Circuit Court's Fifth Municipal District Courthouse, 10220 S. 76th Ave., Bridgeview, probably never give the building itself a second thought.

If they do, it may be to view the edifice as a boxy, utilitarian structure that serves all yet inspires none.

Those who remember the "bad old days" of the 5th District, however, see it as a gift of a lifetime that made life easier for everyone who passed through its doors, from the judges to ordinary citizens and everyone in between, as well as improved the quality of justice administered.

As the courthouse reached its 25th birthday this summer, several offered reflections on it.

"What we had before 1989, before we had this courthouse, was a hodge-podge of facilities over the years," recalled former court administrator Jack Weimar. "We were in a basement of the Oak Lawn Village Hall. We were in a water tower in another suburb. We were in a cramped, converted school in Chicago Ridge. We were in a side room in a police chief's office.

"That has an impact, make no mistake," he continued. "When you have to try and administer justice in places like that, the quality of justice is lacking."

When the \$50 million courthouse opened for business in July, 1989, the court's chief clerk, Raymond Murphy, described it as "heaven" compared to the old Chicago Ridge facility on Oxford Avenue, which he and many others described as "the dungeon."

The Chicago Ridge site, an old school, had only six courtrooms, compared with 21 in the new building, made of steel, glass, marble and limestone.

"It was a nightmare," agreed Palos Heights attorney David Sterba, who would years later be named presiding judge at the Bridgeview courthouse and who retired last year from the Illinois Appellate Court. "There was so little parking. The offices were the size of a walk-in closet. I could go on and on about the lack of space and

Wanted

Submissions:

Law School information, articles, gossip and miscellaneous wanted for the newsletter

The newsletter staff is anxious to receive information, articles, comings and goings pieces, photographs, informative articles, photo stories, or whatever, of all the law schools in the State of Illinois. Because of the educational law school background of most of the folks that write for the newsletter, there is a concentration of just one or two law schools. We'd really like to write about all nine law schools in Illinois. Anyone interested in representing their law school for purposes of publishing items for the newsletter, please contact the newsletter editor, Leonard F. Amari (db@amari-locallo.com).

Newsletter Staff:

Interested in becoming a staff member/contributor to our highly regarded semi-annual newsletter?

The only responsibility is to attend society functions and submit articles for publications, and maybe take photos of the event being attended.

President Anita DeCarlo is in the process of making Justinian committee appointments.

This is a wonderful opportunity for networking, increasing one's persona in the legal community and have a head shot published with submissions.

If interested, contact the newsletter Editor Leonard F. Amari at lfa@amari-locallo.com or Associate Editor Katherine Amari O'Dell at kaa@amari-locallo.com.

Continued on page 16



Retired Cook County Circuit Court Judge Anthony Monteleone holds a ceremonial plastic hardhat he wore at the groundbreaking for the 5th District courthouse in Bridgeview more than 25 years ago. He was its first presiding judge.

the negative impact it had on everything.

“When we moved into the new courthouse, though, things changed,” Sterba continued. “Opening day was remarkably smooth, and all things considered, it was one of the nicest places I’ve ever worked. The practice of law in the district became much more professional. It was a good example of how surroundings affect our behavior.”

The new courthouse also made life easier for taxpayers by bringing many county services under one roof, such as birth and death certificates, marriage licenses and a range of social services for people in need.

Sterba is quick to point out that the courthouse did not build itself.

“I can tell you this with absolute certainty,” he said. “Without the leadership, dedication and vision of Judge [Anthony] Monteleone, we would not have the model justice center that we have today in Bridgeview. His service to the people of Cook County was stellar.”

Sterba said it was Monteleone who led the push for the new courthouse in the 1980s, convincing Chief Judge Harry Comerford and Cook County Board President George Dunne of the need and working with suburban mayors and police chiefs to get their buy-in on a centralized court location. Sterba, like Weimar, also credited Monteleone with working closely with architects to ensure that the new courthouse made smart use of space that accommodated everyone.

Monteleone, reached at his home in Palos Heights, brushed aside the praise but agreed with the assessment of the impact the court had in consolidating operations.

“The land was acquired through a deal worked out between George Dunne and [Bridgeview Mayor] John Oremus,” Monteleone recalled. “We nurtured this site every time we would come into the area.”

The building opened in July, 1989, Monteleone said. “The Circuit Court Clerk’s office was first to occupy, because they had all the records. As I recall, they worked straight through the Fourth of July weekend. They put the place in shape so we could commence hearing cases. The first time we could hear cases was the first week of August.”

The significance of the move remains clear to the retired jurist.

“Before we moved into the Bridgeview courthouse, we served something like 25 towns and villages, from a range of different places,” he recalled. “Most of them were municipal council chambers or police department meeting rooms, but there some that were a little unusual, to say the least. We were on a stage in Lyons, in a nursing home basement in Burr Ridge.

“In Chicago Ridge, we had bond hearings in a room that would make someone laugh. We had chicken wire in a classroom that was gutted and temporarily used as a lock-up,” Monteleone continued. “I mean, that’s how bad things got.

“In Willow Springs, we had four judges and 12 or 13 clerks in a small space,” he added. At the end of one busy day, when more than a thousand tickets were processed, Monteleone saw a court clerk taking the day’s proceeds—cash, checks and bond slips—into the trunk of her car. “There was no security. I saw that and said ‘Uh uh, that’s got to stop.’ God forbid something should happen to her,” he said.

“Those kinds of things are more than inconveniences, they are a real strain on resources, and the administration of justice can suffer under those circumstances,” he said. “We were spread out all over the county, and it was inefficient.”

Earlier this month, Circuit Court officials said they had no plans to celebrate the courthouse’s 25th anniversary.

When asked if he plans to visit the facility during its anniversary, Monteleone smiled and said he is enjoying his retirement of eight years and counting.

“When you’re retired, you’re retired,” he concluded with a chuckle.

Paul Davies: Neighborhood guy makes good



Paul Davies with grandson, Frank Callero. Frank is an associate with Ungaretti & Harris.

In this issue we introduce the readers to Paul Davies, a Sicilian American, whose roots, like many of us, are from subsidized housing in the City of Chicago, who has become the Senior Chairman of an extraordinarily successful international corporation. Please meet Paul Davies, a project kid from the Cabrini Homes, a Catholic league high school guy, Vincentian-educated, who has attained extraordinary success in academics and in business.

Born April 28, 1939 as Paul R. Crapa - his father died when he was two years old and his mother eventually remarried Herbert Davies, who adopted Paul, hence the name change. All four of his grandparents immigrated from Chiusa, Sclafani and Altavilla Milicia, all small towns just outside of Palermo, Sicily, in the early 1900’s and settled in Chicago’s near north side. Like many of us, his family’s integration into the middle class caused the family to move north; the Davies moved to North Avenue and Sedgwick, an area that is now called Old Town, pre-gentrification.

Davies attended St. Michael’s grade school and DePaul Academy, one of many Catholic high schools that have since closed, DPA in the late 1960’s, on the near north side. He was captain of the football team, played basketball and ran track, and eventually received a scholarship to St. Ambrose College in Davenport, Iowa to play football. After blowing-out his knee, ending his athletic football career, he transferred to DePaul University and graduated with a Bachelor of Science Degree. At DePaul, he was a leader of the Italian student fraternity, Alpha Phi Delta, where he was eventually voted national undergraduate of the year. He went on to night school and earned an MBA from DePaul and later attended its Law School to earn his Juris Doctorate and is a licensed attorney in Illinois and a member of the Illinois State Bar Association and a

Offices For Rent

Two adjoining offices for immediate rent in a River North location, our Justinian headquarters and the law offices of Amari & Locallo, 734 N. Wells Street. Full amenity building, much synergy, referrals and camaraderie. Plenty of street parking with frontal loading zone.

If interested, please contact Matt Hanssel at 312-255-0101 x 117 or mjh@amari-locallo.com.

Davies, continued from page 16

career dues paying member of the Justinian Society of (Italian) Lawyers.

Retired Circuit Court Judge, the highly respected Bruno J. Tassone, says of his longtime friend: "George Bernard Shaw said "You see things; and you say, 'Why.' Paul Davies, as far back as college in the late '50's, said 'Why Not.' Paul Davies personifies Why Not. While married to the beautiful Mary Ann with four children, he earned his Master and Law Degree while working full time to support his family. A renaissance man from his early childhood; he is a man who, when in school, said one day I will run with the BULLS in Paloma, and did. Yes he did. An inspiration and leader to us all."

Davies joined a small company in a unique commercial business area, Reinsurance Agency, immediately after graduating from college in 1961 and became a reinsurance intermediary. He eventually became president and purchased the company in 1986. Mr. Davies sold Reinsurance Agency to the Aon Corporation in 1988. He was named CEO of Aon Re, a major player in the high stakes international reinsurance industry, and eventually built the company into the number one reinsurance intermediary in the entire world. He is presently the Senior Chairman of the Americas for Aon Benfield.

His childhood pal, and highly respected ethnic community leader, Jack LaBrasca says of Davies: "It was obvious that Paul would be successful in life, as far back as graduating from DePaul University. He was raising a family of four children, graduating from law school, playing Chicago Park District softball with some of the best teams in Chicago and maintaining his close friendships with the guys he grew up with, guys he still sees often. Talented, humble to a fault and extremely proud of his Sicilian heritage, Paul Davies is one of the most interesting men in Chicago."

Mr. Davies is presently Senior Chairman of the broker division of the Aon Benfield and is the past chairman of the Insurance Education Institute. He was named one of the outstanding alumni of DePaul University in Chicago magazine.

It is fitting, at the pinnacle of a successful and fulfilling career, that Paul Davies was, a few years back, selected for entry into the Italian-American Executives Hall of Fame at Casa Italia in Stone Park. The ceremonial induction for this honor took place at a celebratory lunch at Casa Italia in 2009.

Paul and the lovely Mary Ann have 4 grown children and 14 grandchildren that are the center of their lives. Paul is also an avid sports enthusiast and traveler.

Another example of the best of our community.

Joseph Curcio:

Quiet and strong – a dynamic leader, mentor and role model



We highlight the distinguished career of Joseph R. Curcio, one of the true leaders throughout the legal profession and especially in the Italian-American legal community. Frankly, I've been after Mr. Curcio for years to permit me to highlight his distinguished career, one that our community should know about and an individual that we can all be proud of and respect greatly. Perhaps, because of his Calabrian roots, he has been adamant about his quasi-anonymity and with great humility has prohibited me from telling our community about all that he means to the younger lawyers that have come along over the years and his impact on so many of us as a role model, mentor, and friend. When asked, and he always said no, he'd say "I was told by my maternal grandfather 'Fa' bene e scorda' (Do good and forget it). I've tried very hard to have made that one of the mantras of my life."

Fortunately, with my Sicilian tenacity and multiple requests over many years, Mr. Curcio has finally permitted me the opportunity to tell our community about him, a gentleman who is a skilled and zealous litigator who has dedicated his entire career seeing that victims of torts are fairly compensated for their injuries, pain and suffering, and discomfort. He has championed victims' rights of catastrophic injuries, aggressively and successfully, with great passion. For these reasons, Mr. Curcio enjoys a stellar reputation as one of the best and most respected plaintiffs' personal injury lawyers in the country.

Joseph Curcio was raised in Chicago in the old Italian neighborhood along Grand and Damen Avenues on Chicago's West Side. The son of a shoemaker, Mr. Curcio learned very early the importance of hard

work and paid his own way through college at DePaul University and law school at The John Marshall Law School, working various night jobs, including repossessing cars. Upon his graduation from law school in 1956, Joe had a very brief stint as a claims adjuster for an insurance company before striking out on his own as a solo practitioner.

From the beginning of his career, Mr. Curcio had a passion and talent for trial work, and by the early 1960s, his practice became focused almost exclusively upon representing plaintiffs in personal injury litigation. In doing so, Mr. Curcio enjoyed great success as a trial lawyer over the course of his career and is well known in the legal community as a fierce opponent and determined advocate on behalf of his clients. Many of the multi-million dollar verdicts he has obtained at trial and successfully defended on appeal continue to serve as precedent in Illinois today, including the landmark case of Simpson v. General Motors, which first recognized a plaintiff's comparative fault as merely a damage reducing element of a claim rather than serving as a total bar to recovery.

Mr. Curcio has been a proud and active member of the Illinois Trial Lawyers Association (ITLA) throughout his career and was elected to serve on the Board of Managers in 1983. He has been an active participant on both the Rules Committee and the Executive Committee and has lectured and authored numerous articles for ITLA and the Illinois Institute of Continuing Legal Education (IICLE). In 1998, he was appointed by the Supreme Court of Illinois to serve as a member of the Illinois Pattern Instruction Committee, which is composed of the most distinguished lawyers and judges throughout Illinois and authors and publishes the instructions that judges give to juries in every civil trial in Illinois. Mr. Curcio is also an active member of our wonderful Justinian Society, a respected and admired senior statesman, and many other legal organizations and is especially proud to be recognized as a leader in the fight to protect consumers and fend off efforts by the insurance industry to impose tort reform in Illinois in diminishing the rights of victims.

Another distinguished member of our community, another true leader in our community, Anthony J. Fornelli, past President of the Justinian Society and the Joint Civic Committee of Italian Americans (JCCIA),

says of Joe Curcio: "I admire everything about Joe Curcio, his talent and success as a trial lawyer, his zeal in representing his injured clients, his concern for his fellow man, and especially his great humility. He has impacted in a most profound way as a mentor and role model for many years."

Mr. Curcio's achievements have been recognized by his peers and he was awarded ITLA's Leonard M. Ring Lifetime Achievement Award in 2009. He has the highest rating by Martindale-Hubbell (AV); he was voted an Illinois Super Lawyer by his peers every year since 2008; voted one of the Top 100 Trial Lawyers by the National Trial Lawyers organization and was selected as a Leading Lawyer by the Leading Lawyer Network in the area of plaintiff's personal injury law.

Another Curcio admirer and community leader, Steve Fiorentino, prominent lawyer and also past President of the JCCIA, says of Joe: "I have known Joe since the early 1980s and I have always known him to be man of great character, of the highest integrity and compassion. I am glad to know him and that he's been my friend for all these years."

The history of the Curcio family in Italy and to America, is similar to that of the rest of us in the community, first, second and third generation Italian-Americans.

Joe's paternal grandfather, Francesco Curcio, born in 1872 in Marsicovetere, Potenza, Basilicata, Italy and paternal grandmother, Rosa Moreno, born in 1878 in the same place, were married there in 1899. They arrived at Ellis Island in 1906 with that voyage originating in South Africa. Francesco's occupation was "musician." They settled in the area of Grand and Damen, and all of their children were born in Chicago.

His maternal grandfather Giuseppe Mare (name changed to Maro in the U.S.) was born in 1870 in San Lorenzo Bellizzi, Calabria, Italy, and maternal grandmother Maria Giuseppina Minervini was born about 1885 in the same town. Giuseppe arrived at what was then Castle Garden in 1892. Maria Giuseppina arrived at Ellis Island in June, 1902. They married in New York in July, 1902. They settled in the area of Grand and Damen, and all of their children were born in Chicago.

Another example of a wonderful Italian-American, a gentleman I take great pride in calling my friend, and one of the finest that our community has to offer.

Joseph Glimco: Prominent lawyer and ethnic bar leader



We highlight the career of a youngish, bright leading lawyer and community leader as he takes the helm as President of the DuPage County Justinian Lawyers' Chapter – Joseph Glimco.

A Benet Academy High School Graduate (1978), and St. Ambrose College (1982), he attended Drake Law School (1985). He was admitted to the Illinois Bar in 1985 and operates the Law Offices of Joseph P. Glimco, III, P.C., located in Darien, IL.

Joe practices in the area of family law, which includes divorce, custody, child support, adoptions, pre-marital agreements, and paternity. He is a trained family law mediator who is on the DuPage County and Will County Court System's approved mediators list. He is a trained Guardian ad Litem, receiving numerous appointments to serve in this most important capacity throughout DuPage County and Will County. He enjoys the finest reputation in the family law field, not only in DuPage and Will counties, but throughout the State of Illinois.

Joe has done legal work throughout his legal career for Teamsters Local 777. His well-known and highly respected grandfather, Joseph Glimco, and father, Joseph Glimco, Jr., were both officers of this union in the past. His brother James is currently President of the Local and his brother Greg is Secretary-Treasurer.

Joe's involvement in professional organizations speaks volumes about his leadership in the legal community, including having served as an officer in the DuPage County Justinian Society of Lawyers for the last 4 years. On June 12, 2014, he was installed as the President of the DuPage County Justinian Society of Lawyers. The DuPage Justinian Society is currently committed to donate \$50,000 for the benefit of the Ronald McDonald House Char-

ties for the new Ronald McDonald House being opened at Central DuPage Hospital in DuPage County in 2015, and part of Joe's agenda as President is to continue this most altruistic agenda. Funds are raised through an annual charity ball. For example, on October 25, 2013, the charity ball was held at Alta Villa Banquets, raised funds for Ronald McDonald House and has donated \$22,000 to date from that event. The next charity ball is being held at Ashton Place in Willowbrook on October 24, 2014.

Another very highly respected DuPage County attorney, Rick Felice, President of the 35,000 member Illinois State Bar Association, says of his colleague and friend: "Joey is extremely well-liked and highly regarded – he is a leading practitioner in the domestic law field. He is a skilled lawyer with a wonderful way with people, especially important in a family law practice. His legacy as President of the DuPage Justinian Chapter will be that he kept us on course, emphasizing the eleemosynary aspect of our agenda – especially in leading the way to raise many, many thousands of dollars for cancer research during his year at the helm."

Joe's grandfather was born Giuseppe Glielmi in 1909 in Puglietta, Italy, a small town in the Campagna region – assuming like many of us, his name was changed during the Ellis Island experience in 1913. His grandmother Lena Glimco, nee Pierini, was born in Ponte Buggianese in 1911, arriving in America in 1913.

He is engaged to Ginger Stevenson and resides in Darien, IL.

In his own words, he says: "I was always encouraged by my parents to be proud of my Italian-American heritage. I have attended several events over the years due to my father's heavy involvement in the Italian-American community. I was honored to be asked to be an officer and eventually President of the DuPage Justinians since I felt that this was a way to give back to the community while preserving the tradition of recognizing Italian-American lawyers and judges for their services to the legal community and the community at large."

Another example of the finest our community has to offer.

When an individual is suggested to be highlighted in this column, a letter is sent requesting background information, ancestral background and the like. From time to time, the subject will provide a narrative, and on occasion so compelling, so touching, oftentimes familiar, with slight editing, that we produce this column in the subject's own words – such as this edition.

“My name is Joseph Garofalo and I’m going to tell you my story.

My Mother, Lorraine (nee Aigner) Garofalo was born to Joseph and Myrtle Aigner. Myrtle was born in Sweden and immigrated to the USA in the early 1900’s as a teenager.



My Mother met my Father, Denphon Joseph Garofalo, when they worked at the Daily Racing Form together. They were married around 1950 right after my Father joined the Air Force. He was stationed in Germany. After he returned, I was born in 1952. My parents were divorced shortly thereafter. I was raised by my Mother and her parents on the North Side of Chicago in the Albany Park neighborhood. I only recall seeing my Father two times: the first memory is of him at my 5th birthday party, and the second was at the funeral home when he died when I was only 13. He had remarried and had three more sons, Matthew, Mark and Christopher. So I have three half-brothers I’ve never met. I have no recollection of my father’s family. His father was also named Denphon. Denphon is an interesting name since there is no “ph” sound in Italian. I researched it and Demphoon was a mortal raised to be a God. It makes sense since my Grandfather, Denphon, was born in Naples where there are many Greeks. My father’s mother, Marie, was from Rome. They had two other children, Angelo (died when I was a child) and Henrietta (whom I never met).

My mother and I lived with her parents in the “big house” on the front of the lot on N. Bernard Street and my Aunt Charlotte and Uncle Leo (they were also my godparents) lived in the “back house” where a garage would be on most properties.

I attended a public grammar school and worked evenings during summers selling newspapers at the corner of Montrose and Kimball. When I graduated, my mother enrolled me in North Park Academy where I played football, track (shot put and discus) and tennis. I studied French and was in the French Honor Society. The Academy closed its doors due to financial problems in 1969 and I then graduated from Luther North High School in 1970. Then I went right back to North Park College where I majored in Political Science. I was relieved not to be drafted as my number 329 in the first draft lottery was my ticket to proceeding with

Joseph Garofalo: **Highly successful businessman and practicing attorney who found his own way**

my education uninterrupted by military service. I graduated NPC magna cum laude. Although I was a poor test taker, the Dean of Admissions at DePaul University took me off the waiting list and admitted me on the strength of my GPA, as well as my demonstrated interest in the law by having written an undergraduate thesis titled: The Uniform Code of Military Justice and The Due Process of Law. It was a comparison of the rights of an accused in the military in front of a military courts martial compared to the rights of a citizen in a criminal court. I made quite an indictment of the entire military system of justice. I became interested in military justice since I had won the Louis Kokoris Scholarship in Political Science and Law while in college. Kokoris was a former North Park College grad who was murdered while serving in the US Navy while in the library of his ship. No one was ever brought to justice and that is what triggered my interest. I attended DePaul’s law school as a day student graduating in 1977, and am licensed to practice law in Illinois.

I met my wife Toni in early 1971 on a blind date. The moment I met Toni, I fell in love with her and knew I would marry her. It was my “Culpo di fulmine” or Thunderbolt. Since that day we have never been apart. I was 18 and a freshman in college and she was 16 and a junior in high school. We were married in July 1976 and have been together ever since.

After law school I took my first job as an associate in a small Chicago law firm. The boss owned the Bank of Hillside and Antioch Savings and Loan and would refer all the real estate business and clients of the banks to himself for legal work. My practice consisted of many residential real estate closings and mortgage foreclosures. I hated this job. I was earning \$12,000 per year and he’d pay me an extra \$6.50 per day if I’d work until 6:30 PM as a “dinner allowance”. I did it 4 days a week because we needed the money. Toni was working at an insurance company after graduating from Loyola University in 1976. On Christmas Eve of 1977, I was assigned attendance at a Sheriff’s sale on a mortgage we had foreclosed on a family which had busted out due to an injury suffered by the father. He worked in a traveling carnival, which did not have workers’ compensation insurance. I will forever remember his wife approaching me with her three kids in tow saying, please Mr. Garofalo, don’t proceed with the sale today, not on Christmas Eve. That was the time I quit that job in my mind and a month later, I quit cold as between my boss and the kind of work I had to do, it was inconsistent with my nature and I couldn’t do it anymore.

My second professional situation is one of the best things to ever happen to me. I worked for the senior partner who was a gentle, kindly old lawyer, who needed someone like me to do his work for him and help make him look good. In exchange, he promised to teach me how to be a trial lawyer and introduced me to everyone he knew. It was the best deal I ever made in my life.

Also, I started my own firm in 1984. In my first 6 years as a lawyer, I tried hundreds of cases and appealed many cases. Within my first year of practice, I argued a case in the Illinois Supreme Court. This is how I really learned how to be a litigator: not because I am brilliant, although I had great training, but experience turned out to be a great teacher. If you do anything enough times, you start to get pretty good at it. And the more cases I tried and appealed, the more clients I had seeking me out.

Starting my own practice was like getting on a rocket. We quickly grew to 24 attorneys. Our practice concentration was always the defense of workers’ compensation cases and employers’ liability cases. We enjoy a sterling reputation throughout the State in the workers’ compensation community and have one of the largest practices before the Illinois Workers’ Compensation Commission.

Throughout our existence, I have served as the managing partner and President of our firm. I have personally interviewed and hired every attorney and member of our support staff who has ever worked for our firm. Then they all practice with my ethic, which is essentially firm but fair. Every trial is a straight fist fight, with no low blows and no illegal punches. Everything we do is to make a record and we all behave like Officers of the Court. We do it all on the merits and we leave no stone unturned to aggressively represent the interests of our clients.

Over the years, Toni and I would take annual vacations to Italy with her mother, Dina. Dina was born in Raino, Italy. She was orphaned and was raised in an orphanage in Raino, and ultimately in Rome before she came to the States. She worked her as a buttonhole maker for Hart, Schafner and Marx. Five years ago, Toni and I purchased property in Healdsburg, California, which is 60 miles north of San Francisco. After purchasing the property in 2008, we developed it by adding a small hillside vineyard (Zinfandel vines) and olive grove (Frantaio, Lechino & Manzanilla trees), pool and pool house, and lavender field. We’ve started producing wine through a local winery and call the new business Garofalo Family Vineyards. In 2012, we had our second release of a Dry Creek Valley Zinfandel which is available for sale in Chicago right now through Perman Wine Selections. Please check out www.garofalofamilyvineyards.com.

We presently reside in Park Ridge, IL. My outside interests besides growing grapes and olives and making and selling wine, include reading about the study of mythology and Jungian psychology, religious studies, and anything that concerns politics. I am a news junkie and avid reader of the New York Times. I have my liberal Democratic leanings from my upbringing but am mostly a fiscal conservative and social liberal. I consider my firm to be my surrogate family which I get to show my fatherly affection. Since we never had children, my fatherly inclinations have always been directed towards particularly my partners but also the associates and any of our support staff. For the most part, I love them all and they seem to love me back.”

Another example of the best our community has to offer.

Book Review

"The Mother Who Loved Halloween" *** 1/2

By: Mark A. LaRose

My nephew John Juettner is a writer. It did not come easy. After graduating Miz-zou, he struggled to find a job in the print media while he did freelance sports writing for various high school boys' and girls' events. Two and one half years ago, Joe and I gave John a job at LaRose & Bosco as our Front Man Friday. He has excelled in doing everything we have asked, and then some. The job also gave him the opportunity to finish his dream first novel as he honed it during his three hour daily commute on Metra.



The Mother Who Loved Halloween is a quick, exciting and interesting page turner. It has a little bit of everything – murder, missing persons, inept police work, mystery, dark psychic forces, revenge, adventure, struggles between good and evil, and even fishing. John managed to keep my attention with maybe only one or two swear words and very little sex. Bravo! The plot, character development and John's writing style are all very good.

The story is about Alicia Martin, her son Josh who disappeared on Halloween night, Detective Jack Fuller, the New England policeman assigned to the case, and Houston West, a suspect who could easily be confused with a victim. As the book winds its way through the investigation and resolution of Josh's disappearance, we meet inept policemen, retainer hungry lawyers, waitresses and barmaids that lend a hand, missing persons help groups, lobster boating crews, and a mysterious dark force that seems to affect them all in one way or another. The book has good and evil for sure, but no clear heroes or villains – those lines remain unclear and unresolved. That is part of the attraction -- definitely an attention-grabber; not necessarily a feel good read.

John employed a timeline writing technique that helped me devour the book in just a couple of sittings. Short chapters, short attention span, no problem.

The book weaves its way through thinly veiled lines of good and evil, dream and awakenedness, past, present and future, mysterious entities, and interesting characters.

Reviews



The author, John Juettner

I likened John's ending to many of the endings in Hitchcock movies such as The Birds. It left many unanswered questions, and it will evoke many a debate. The ending is definitely not wrapped up like a happy ending present. Joe Bosco said "That's good – it will keep people talking and hypotheating about it for a long time." I never argue with my partner and I won't here. Good ending. This novel will be good for invoking discussion at Book Clubs.

So what's with the 3 1/2 stars Uncle Mark? Since this is my first book review of any kind, I do not have my own rating system. I use the one employed by film and book critics for decades -- the four star rating system. If I were to give the book 4 stars, I might be accused of the bias of a proud uncle, which I am. In reality, the book is well deserved of its 3 1/2 star ranking, and is highly recommended as a good read for John's first novel. For now the book is only available in e-book form for \$6.99. You can order through Amazon, Apple, iBooks, Barnes & Noble NOOKbook Store, Kobo, Copia, Gardners, Baker & Taylor, eSentral, Scribd, and PagePusher, or you can visit John's website: <http://www.johnjuettner.com/how-to-purchase>. Also, you can read a very interesting article published about John and the book in The Daily Herald on April 4, 2014. Bravo John! My new kindle is excited to download your next effort. In the meantime, get back to your job at LaRose & Bosco.

Restaurant Review

Club Lago - Italian Gem In River North

By: Nicole Centracchio

Imagine stepping into your grandmother's kitchen circa 1950--all the homemade food you could ask for topped off with love as the main ingredient. That is what Club Lago, an Italian gem in the heart of River North, exemplifies. Located at 331 W. Superior, this Chicago institution serves up traditional and delicious Italian dishes daily for lunch and dinner, and has been doing so since 1952 when Gus and Ida Lazzarini opened the doors. The atmosphere and decor have remained much the same since then, from the vintage tin ceilings and terrazzo floors to the sailboat artwork scattered about the walls. When they enter, guests feel as if they are stepping back in time.



Guido and GianCarlo Nardini point the way to Club Lago

Despite the retro feel, though, Guido and GianCarlo Nardini, the third generation of the family, have put their modern touches on the restaurant. Social media keeps followers current on daily specials as well as on information of what sporting events will be shown in the bar that day.

Both brothers travel to Italy regularly for inspiration. Recently, after a trip to their home town of Barga, they perfected Ragu Bianco, which translates to "white meat sauce." It is a tomato-less sauce consisting of meat and mirepoix braised in milk, which can be paired with a variety of their pasta selections. They consider this dish a delicious and innovative way to pay homage to their roots.

Continued on page 21

Restaurant Review **Nonna Graziella:** **Wonderful Sicilian dining in the** **near-west suburbs**

In addition to the fresh daily specials, the menu features traditional northern Italian influenced dishes, such as pasta with the Nardinis' classic (and secret) recipe tomato sauce as well as many meat and seafood options. Guido recommends his favorite veal dish, Bracioline All'agro, a paper thin veal cutlet coated in an egg wash cooked with lemon and wine, as a classic example of the traditional and delicious fare that Club Lago has to offer.

If you do not have time for a sit down dinner, there is always room at the bar! The brothers have embraced and expanded the corner neighborhood bar concept, and at any time of the afternoon or evening, you can sit on a barstool, have a drink, grab a quick bite, watch sports, and chat up the friendly owners, staff, and regulars who will inevitably be found debating anything from current events to politics or sports.

Besides the decor, the outstanding mainstay of Club Lago is the feeling of being with family when you walk in the door. Guido and GianCarlo take the time to get to know their guests personally. Both walk around to each table, introduce themselves, and make all customers feel welcome, as if greeting guests in their own homes. These personal touches make you want to return even if it's just for a glass of wine and a hello.

Club Lago is more than just a business to the Nardini Brothers, it is their home, and they treat it that way. As they like to say, "If you ate here you would be home now!"

All it takes is one visit, and the delicious food, charming owners, and timeless atmosphere--all unique to Club Lago-- will draw you back time and time again. Don't just take my word for it, do yourself a favor and stop in. Check out more at their website, clublago.com, or follow them on Facebook.



The Amari family on Nonna Graziella's patio. From left, Laura (Amari) Jaglarski, Donna, and Katherine (Amari) O'Dell

By: Leonard F. Amari

Recently, on a lovely sunny afternoon, I attended a function with my family, of the Sicilian American Cultural Association (SACA) at Casa Italia, in Stone Park, the home of our Italian-American community in the Chicagoland area. I was surprised to discover a wonderful Sicilian eating facility on the grounds at Casa, Nonna Graziella. As an active member of the various Italian clubs and functions, I was absolutely surprised to learn of this entity, probably one of the best kept secrets in our ethnic community.

Nonna Graziella is Sicilian dining at its finest, including original wood-fired pizzas, delicious salads, Italian appetizers, and traditional Sicilian entrees. Dine-in (both indoor and outdoor seating available), carry-out, have your parties on the beautiful grounds at Casa Italia, but, more important than anything, enjoy delicious pizzas, traditional southern Italian cooking, and a wonderful wait staff, including, Pete Camaci, the dad that cooks, his wife who works in the kitchen, his son who makes the pizza, and Vita, his beautiful and talented daughter who takes care of the tables. Together they make you feel you are having a traditional Sunday pranzo at Nonna's house. Coincidentally, this family is from Borgetto, a little town just outside of Palermo, and one of the towns of my family in Sicily.

Prices are extremely moderate, the ambience wonderful, the service pleasant and efficient, the desserts to die for, eat in or out, but, more than anything, you will have a wonderful dining experience. Hours are Tuesday through Friday, 11:30 a.m. to 9:00 p.m., Saturdays and Sundays 4:00 p.m. to 9:00 p.m. Nonna Graziella is on the grounds at Casa Italia, 1622 N. 37th Ave., Stone Park, IL (catering available). Call (708) 345-6662 or fax order line (708) 345-6977.

From the Archives



From a previous Installation Awards Dinner, Tony Scotillo, Congressman Frank Annunzio, Gerry Sbarboro, Tony Fornelli, and Vito DeCarlo. They are presenting the "Man of the Year" Award to the congressman.



Tony Fornelli, Dominic DiFrisco, San Francisco Mayor Joseph Alioto, Vito Marzullo, and Vito DeCarlo.



The late Vito DeCarlo, circa 1969.

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Sports Law Corner

MLB rules on legal counsel catch players in a Catch-22

By: Nello P. Gamberdino, II

[Editor's note: This article written by Nello P. Gamberdino, II is reprinted with permission from the Chicago Daily Law Bulletin]

Earlier this month, Major League Baseball conducted its annual first-year player draft, in which all 30 MLB clubs selected a collective total of 1,215 high school, college and junior college players from the United States, Canada and Puerto Rico whom they feel will be the next group of future stars.

Every player selected has until July 18 to negotiate the terms of a contract with the team by whom they were drafted or decline the offer and attend college.

On its surface, these negotiations would seem to encompass the standard give-and-take involved in employment service contracts between an employer and a potential employee. However, the NCAA, the organization that governs the student-athletes of its member institutions, set forth rules prohibiting amateur baseball players from having legal counsel negotiate contracts with a professional sports team on their behalf.

What's that, you say? Surely the NCAA — an organization whose original reason of existence was to protect student-athletes — would never allow such an egregious disadvantage to exist for these inexperienced and easily influenced young men (some of whom are 17 years old) in contract negotiations against multimillion-dollar corporations who have savvy baseball "lifers" working for them.

Sadly, and unbelievably, it does.

Although the NCAA extends a perceived "helping hand" to drafted baseball players via its Bylaw 12.3.2, which states that draftees are allowed to obtain "advice from a lawyer concerning a proposed professional sports contract," the NCAA quickly pulls the hand back from the grasp of the draftees by adding Bylaw 12.3.2.1, which states that "a lawyer may not be present during discussions of a contract offer with a professional organization or have any direct contact ... with a professional sports organization on behalf of the individual."

If these bylaws, often referred to as the "no-agent rules," are violated, the NCAA will deem the player to have utilized the services of an agent, and therefore, the player will lose some, or all, of his collegiate baseball eligibility.

In essence, an amateur baseball player who is drafted can hire an attorney to obtain



Nello P. Gamberdino, II with his father, the late Judge Nello P. Gamberdino

advice about a proposed contract offer, but said attorney cannot negotiate with the employer, discuss terms of the contract with the employer or even be in the same room as the employer and player when they are discussing terms of the contract.

Here's how the NCAA wants it to play out: A team makes an offer to the player; player consults with his attorney; attorney gives advice to player; player goes back to team with counteroffer; team makes new offer to player; player goes back to attorney; attorney advises player how to respond; player goes back to team, etc., etc.

Round and round we go. Cue the circus music.

A baseball student-athlete can hire an attorney to negotiate a real estate contract. A baseball student-athlete can hire an attorney to negotiate terms of a divorce settlement. But hiring an attorney to help directly negotiate terms of an employment services contract is forbidden.

Ironically, players who are deemed in violation of these bylaws and are subsequently suspended by the NCAA are allowed to have an attorney represent them in proceedings to either try to reverse the suspension or reduce the length of the suspension.

Let this marinate in your brain for a minute: The NCAA's thought process dictates that a player can only have counsel help him when he is suspended for having counsel help him. It's next to impossible to reason with people or organizations who find this way of thinking to be logical.

The draconian NCAA "no-agent rules" have previously come under legal attack in *Oliver vs. National Collegiate Athletic Association*, 920 N.E. 2d 203 (2009, Ohio), in which a college baseball player was suspended for violating the bylaws and subsequently sued the NCAA.

The trial court judge, Tygh M. Tone,

ruled that "not even the defendant can circumvent an individual's right to counsel." Tone further opined that "[I]t is impossible to allow student-athletes to hire lawyers and attempt to control what that lawyer does for his client by [d]efendant's Bylaws 12.3.2 or 12.3.2.1."

The judge concluded that Bylaw 12.3.2.1, in particular, is overreaching, "capricious and ... arbitrary and indeed stifles what attorneys are trained and retained to do."

In the end, the court ruled that NCAA Bylaw 12.3.2.1 is void. Unfortunately for current amateur baseball players, the case was ultimately dismissed when the parties agreed to a settlement in which the plaintiff received \$750,000 from the NCAA.

For now, the NCAA's immoral and unjust rules prohibiting drafted baseball players from having legal representation directly assist in their dealings with MLB teams remains in place.

Of course, the simplest and easiest remedy to fix this issue without litigation is for the NCAA to simply change its bylaws to allow, at the very least, licensed attorneys to negotiate terms of the contract directly with the teams on behalf of their clients.

This would actually make the negotiation process more efficient and more productive for both sides involved. MLB clubs would much rather work with experienced baseball advisers rather than players and families who have no clue as to what they are doing.

This solution makes perfect sense, right? Which is exactly why the NCAA will never do it.

[About the Author: Nello P. Gamberdino, II has represented professional athletes from three different sports in eight countries. He is a Major League Baseball Players Association certified agent and director of Midwest operations for Paragon Sports International. He represents professional baseball players and acts as an adviser to amateur baseball players who are eligible for MLB's annual first-year player draft. In addition, he is the employer outreach coordinator at The John Marshall Law School, where he earned his J.D. Of course, the most important thing that anyone could say about this outstanding young professional is that he is the son of our beloved and recently passed Judge Nello P. Gamberdino. As we say often in these pages, the fruit does not fall far from the tree.]

Not Only Shareholders Get Pierced

“Omittance is no quittance.” Shakespeare



Joseph R. Marconi



Brian Langs

By: Joseph R. Marconi and Brian Langs

How many lawyers assist a client in forming a corporation, but merely assist in filing the annual reports and do nothing else? Failure to advise of the risk associated with this minimal approach may now more likely result in veil-piercing to reach the client for individual liability.

Illinois courts have long held that the failure to follow corporate procedure may lead to the individual liability of a shareholder, director, or officer. Now, according to a recent case in the Appellate Court for the First District, even a non-shareholder—who is not an officer, director, or employee of a corporation—may be found individually liable for a judgment against a corporation where he exercises only equitable ownership and control over a corporation, even if there were no allegations that he engaged in any wrongdoing in the underlying case.

In *John Buckley and Mama Grimm’s Bakery, Inc. v. Haitham Abuzir*, 2014 IL App (1st) 130469 (April 10, 2014), a bakery corporation and its individual owner sought to pierce the corporate veil of a pastries corporation to collect a judgment directly from its individual financier and controller. The trial court granted the individual defendant’s section 2-615 motion to dismiss because the individual defendant was not a shareholder, director, officer, or employee of the pastries corporation. Plaintiffs appealed the dismissal. On appeal, plaintiffs maintained that the defendant made all the business decisions for the pastries corporation exercised control over it to such a degree that it amounted to a dummy corporation and alter ego of the individual defendant. The individual defendant made two arguments in defense: (1) Illinois courts only pierce the corporate veil to impose liability on a corporation’s shareholders, officers, directors, or employees, and he was none of these; and (2) he was not party to the underlying action and was therefore deprived of the ability to defend himself against the allegations made against the pastries corporation.

With regard to the latter issue, the First District held that if plaintiffs proved defendant was the alter ego of the pastries corporation, the decision not to defend the underlying suit would have been his own, ipso facto. After acknowledging that the courts and commenters around the country were split on the issue of whether the corporate veil may be pierced to reach non-shareholders and/or those individuals lacking a corporate title at all, the Mama Grimm’s court determined that the majority of jurisdictions have held that a defendant’s lack of shares or corporate title does not preclude veil-piercing. Relying on *Fontana v. TLD Builders*, 362 Ill. App. 3d 491 (2d 2005), the Mama Grimm’s court further stated that Illinois falls in line with that majority and held that equitable ownership as pleaded by Mama Grimm’s may satisfy the unity-of-interest-and-ownership prong for piercing the corporate veil, regardless of whether an individual is a non-shareholder or lacks any other formal title within the corporation.

This case clarifies a previously muddy area of Illinois law and requires that even closely held corporations undertake every effort to maintain the corporate form. Lawyers should stress to their clients the importance of adequate capitalization, issuance of stock, election of a board of directors, recording of meeting minutes, and other corporate formalities. The simple formation of a corporation is not enough for individual clients to avoid personal liability, even if the individual is not a shareholder, director, or officer of the corporation.

[Editor’s Note: Joseph Marconi is a senior partner at the highly respected Johnson & Bell, and Brian Langs is one of the bright, upcoming associates. Of course, Joe is the son of the Marconi Bakery people from “The Heights” and also serves ably and admirably as General Counsel for the ISBA Mutual Insurance Company.]

Appellate Law Corner

When to Say “No” on Appeal

By: Thomas V. Leverso,

Inevitably, we must give bad news to clients at one point or another. On the issue of whether or not to appeal, “when to say ‘no’” is as much a question of professionalism as it is the more obvious technicalities. In this article, I first briefly examine the dogmatic criteria for preserving an issue for a post-trial appeal (i.e., not interlocutory), and then move onward to how strategy, economics and ethics may dictate not pursuing an appeal.



The Rule: An Objection and a Motion.

The circumstances may have already dictated the decision, and you simply need to inform the client that they cannot appeal an issue. To preserve an appeal, both Illinois and Federal law require: (1) raising an objection, asking for a cure, and securing a ruling thereon; and (2) raising that issue in a post-trial motion. (See, e.g., *People v. Enoch*, 122 Ill. 2d 176 [1988].) As an aside, interlocutory appeals require a more expedited process for which, generally, the appellate rules prescribe circumstances. (See generally, IL S. Ct. R. 306-307 [West 2014]; FRAP 3-4 [West 2014].) However, barring a few exceptions like “issues of some significance”, questions of first impression and the like or the plain error doctrine, the standard rule is pretty much ironclad and will operate to bar an appeal. *People v. Caballero*, 102 Ill. 2d 23, 32-33 (1984); *Enoch*, 122 Ill. 2d 176; IL S. Ct. R. 308 (West 2014).

How does this apply to breaking bad news to a client? Suppose, for example, that the trial lawyer comes to you with a case containing a post-trial motion but no objection (e.g., the lawyer only raised this issue for the first time in the motion for reconsideration). While you would of course examine whether one of the exceptions applied to the particular subject matter of the appeal, you are now looking for exceptions rather applications of the rule. Advising against the appeal may cost business short-term, but in the long run it prevents the inevitable appellate taxes and/or potential sanctions for frivolous appeal under, e.g., Illinois Supreme Court Rules 374-375.

But imagine a scenario where the trial lawyer comes to you with a properly preserved issue. The next section addresses some situations when one should still advise against appealing

Continued on page 24

the case.

Strategy, Ethics, Economics and Other Intangibles May Force You to Deliver Bad News

Strategy applies to litigation, trial, and appeals for pursuing what is best for the client. Indeed, both Paragraph 2 Article VIII Preamble and ethics Rule 1.3 respectively require a lawyer to be a zealous advocate for a client and embody diligence in representation. IL S. Ct. R., Article VIII (West 2014). In these regards, maybe the act of filing an appeal forces settlement, or alternatively maybe it drives the parties away from it because of being perceived as incensing.

Returning to the example above, you may need to consider whether to advise to vigorously pursue post-judgment proceedings in judgment court or commit to the appeal. Time is money, which is why judgment court proceedings are designed, by statute, to be expedited, they still may compel a settlement by virtue of the time they take. (See, IL. S. Ct. R. 277 [West 2014]; 735 ILCS 5/2-1402 [West 2014]; and FRCP 54-63 [West 2014].) So while a credible and meritorious appeal may send a message of even more time along with the scary possibility of losing the appeal, the situation may also arrive where judgment court proceedings accomplish the same.

Often, you will find yourself saving a client from herself or himself—he or she needing to take that one last attempt at prevailing at the case for some reason outside of a purely economic sense. Should you decline to appeal the case when the ultimate reward will be worth more than the value of the *ad damnum* clause in the complaint? Sometimes the precedential value exceeds the costs of any one case; sometimes, it really was just a small claim over a lawnmower. Comment 1 to Rule 1.3 reads in pertinent part: “A lawyer is not bound, however, to press for every advantage that might be realized for a client.” The point is: perhaps diligence means communicating the point of diminishing returns clearly to the client.

There are also the intangibles of the attorney-client relationship, the legal process, and life—all of which could ultimately lead to not pursuing the appeal. The Rules even go so far as to allow lawyers to terminate representation when the relationship is less than ideal. IL S. Ct. R., Article VIII, Rule 1.16, 4-7 (West 2014). Personality conflicts, conflicts of interests are again personal, albeit ethical, instances where you may need to say “no” to the appeal.

Moving forward, you may wish to consult additional authority, as this article was by no means exhaustive on either topic. Wishfully, though, the article stimulated your thoughts on when it is okay to say, “No,” to an appeal.

[About the Author: Thomas V. Leverso attended the Thomas Jefferson School of Law in San Diego, California, studying with an emphasis on appeals and legal writing. A native of Chicago and its suburbs, he practices primarily in the Appellate Courts of Illinois and the Federal Court of Appeals for the Seventh Circuit.]

Labor & Employment Corner

Illinois Supreme Court Determines Arbitration Award Ordering Reinstatement of a Paraprofessional was Binding Because the Award “Drew Its Essence” from the CBA

By: Catherine R. Locallo

Analyzing the scope and enforceability of an arbitration award, the Illinois Supreme Court in *Griggsville-Perry Unit School Dist. No. 4 v. The Illinois Educational Labor Relations Bd., et al.*, 2013 IL 113721 (Feb. 22, 2013), opined that the award was binding on the parties because the arbitrator applied a standard of arbitrariness to the District’s decision to non-renew a paraprofessional, which drew its essence from the negotiated contract language.



Brief Fact Summary

The School District was party to a collective bargaining agreement (“CBA”) with its paraprofessional staff. The CBA did not have a “just cause” termination provision, but did include certain due process procedures if an employee was required to appear before the Board of Education concerning a disciplinary matter.

Paraprofessional, Angela Hires (“Hires”), was verbally counseled by the Building Principal about her negative attitude and interaction with students. These concerns were noted in the Principal’s personal notebook and, unbeknownst to Hires, in her personnel file. Ultimately, the Board of Education (the “Board”) voted to non-renew Hires’ employment based upon the Principal’s noted concerns. Hires addressed the Board regarding the non-renewal recommendation.

Brief Summary of Arbitration Award, IELRB and Appellate Court Decisions

The Union filed a grievance asserting that Hires did not have notice or an opportunity to respond to the written notes in her personnel file. The District denied the grievance and it advanced to arbitration. The arbitrator found that the District violated the CBA because the proceeding before the Board was “deficient in the lack of notice, the opportunity to confront and defend, and in the want of a reasoned decision.” The District refused to comply with the arbitrator’s award and the Union filed an unfair labor practice charge with the Illinois Educational Labor Relations Board (“IELRB”). The IELRB ruled that the award was binding on the parties because the arbitrator interpreted the contract language and the award drew its essence from the CBA. The District appealed the IELRB’s ruling to the Illinois Appellate Court. In reversing the IELRB, the Appellate

Court found that the arbitrator’s decision was “clearly erroneous” because it went beyond the clear contract language and because the arbitrator applied his “own brand of industrial justice” by reading a “just cause” provision into the CBA. The parties appealed to the Illinois Supreme Court.

The Illinois Supreme Court’s Unanimous Opinion

The Illinois Supreme Court reversed the judgment of the Appellate Court, thereby confirming the IELRB’s decision that the arbitration award ordering the reinstatement of Hires and back-pay is binding on the parties.

The Court determined that the arbitrator did not read a “just cause” provision into the CBA. Rather, after considering the due process language contained in the CBA and the relevant bargaining history, the Court concluded that the arbitrator properly applied a standard of procedural and substantive arbitrariness to the District’s decision to non-renew Hires in violation of the CBA. Specifically, the arbitrator found that Hires was confronted with conclusory allegations about her performance, which were uninvestigated and unconfirmed, and which she was unaware of and had no opportunity to respond to. Further, the Board had already decided to support the recommendation to non-renew Hires’ employment prior to her opportunity to address the Board, which essentially rendered the process meaningless. Thus, the arbitrator’s decision, that the District arbitrarily applied the negotiated due process procedures as to Hires’ termination, was proper and drew its essence from the CBA. The Court also found that the arbitrator’s conclusion that Hires could not be an “at will” employee based upon the due process procedures set forth in the CBA “found ample support in case law.”

Significance of the Court’s Opinion

The Court’s decision reminds parties of the scope of an arbitrator’s authority when addressing a contract dispute involving interpretation of a specific contract provision. That said, it is clear that the decision of the arbitrator, IELRB, and Illinois Supreme Court was based on the alleged lack of notice and opportunity to respond to the reasons identified by the District for Hires’ non-renewal and to the documents placed in her personnel file, and the timing of the Board’s initial decision in support of non-renewal. As such, it is important to ensure that fundamental due process is afforded to employees before termination.

[About the Author: Catherine R. Locallo is an associate with Robbins Schwartz. She’s also the mother of the two grandsons of Dick Caifano and Joe and Kristine Locallo. She is the wife of Amari & Locallo associate, Joseph F. Locallo, III.]

Family Law

Premarital Agreements - Five Key Points to Remember When Drafting

By: Nicole Centracchio

Premarital Agreements are becoming more the "norm" these days. More people are focusing on their careers first, and marrying later in life. Parties are desiring to legally protect what they bring to the marriage. Illinois recognizes Premarital Agreements and the content and enforcement of said agreements are covered under the Illinois Uniform Premarital Agreement Act Section 750 ILCS 10, et.al. (IUPAA). As a lawyer drafting premarital agreements, a complete read of the statute is recommended, and here are five points that any practitioner should be aware of when drafting or reviewing a premarital agreement:

1. Right to Counsel. Although it is not necessary or required under the statute that either party have an attorney to review the agreement prior to signing, it is strongly suggested. If the party does not want to retain counsel, they must be advised of their right to do so. A smart practitioner should include language in the Agreement that the pro-se party had plenty of time and opportunity to consult an attorney, but chooses to sign voluntarily without the advice of independent counsel. It is required that there be witnesses and notaries to the agreement, but in some circumstances a videographer/court reporter would be recommended to document the pro-se signor. In an extreme case which took place prior to the signing of the Illinois Uniform Premarital Agreement Act, but still is controlling, In re The Matter of Gigele's Estate, 64 Ill. App.3d 136, Appellate Court of Illinois, First District, Third Division, The court invalidated the ante nuptial agreement because at the time the wife signed the instrument she was not told that she had the right to consult an attorney and was not adequately informed of her husband's assets.

2. Disclosure of Assets. Completed financial disclosure statements exchanged between the parties is a solution to protect yourself and your client. However, if a party challenges the agreement on lack of disclosure, it has been found that one party's constructive knowledge of the other parties assets may be enough to satisfy the disclosure element without a disclosure in writing. The court in Warren v. Warren, 169 Ill. App. 3d 226, 230, 523 N.E.2d 680, 683 (1988), found that it was enough for the husband to set forth that he was a multimillionaire and give a general recital of the source of his wealth. Husband also testified that his wife was aware of other property he owned through employment and living with him. The court in this case found that fraud was absent and the Wife's complaint of fraud and concealment did not stand.

3. Undue Hardship. The IUPAA provides, "if a provision of a premarital agreement modifies or eliminates spousal support and that modification or elimination causes one party to the agreement undue hardship in light of circumstances not reasonably foreseeable at the time of the execu-



tion of the agreement, a court, notwithstanding the terms of the agreement, may require the other party to provide support to the extent necessary to avoid such hardship". The burden of showing undue hardship is the responsibility of the person challenging the agreement. It is important for the drafter to clearly outline each parties earnings and income in the agreement so that undue hardship could be easily proved or disproved. Courts will only invalidate waivers of maintenance if its enforcement would render the spouse a public charge. Marriage of Burgess, 138 Ill.App.3d 13, 485 N.E.2d 504 (3rd Dist. 1985).

4. Voluntary Execution. Parties to the agreement must state that they are signing the agreement voluntarily and without duress or coercion. IUPAA 7(a) (1). Agreements should include language that outlines parties are signing voluntarily without any threats. During the signing, parties in front of witnesses, should state that they are signing the agreement voluntarily. The simple fact that parties sign an agreement in close proximity to the wedding date, or that conditioning marriage upon signing the agreement, is not enough to show duress or coercion, it must be something more which deprives the party of their free will. In re the Marriage of Barnes, 324 Ill. App. 3d 514, 258 Ill. Dec 139, 755 N.E. 2d 522 (4th Dist 2001).

5. Extrinsic Evidence. Clear drafting is always important. However, if a Court determines that language relating to the waiver of maintenance in the agreement is ambiguous, a court can consider extrinsic evidence to determine the parties' intent. Thompson v. Gordon, 241 Ill.2d 428, 441, 948 N.E.2d 39, 47 (2011). Courts can look at the parties conduct throughout the marriage, and if they acted in accordance with an understanding of the waiver provision, i.e. depositing funds in separate accounts, lack of sharing of income, the court can uphold the agreement due to evidence that the parties understood the intent of maintenance being waived.

[Editor's Note: We welcome this outstanding, highly respected and successful young family lawyer to the newsletter staff. A partner in a firm that handles all aspects of family law – including international and domestic issues and resolutions.]

Elder Law Update

By: Anthony B. Ferraro

I. "I Love you Wills & Trusts" for Seniors? Bad Idea!

First: Why are "I love you" Wills and Trusts for seniors a bad idea?

You know the kinds of wills I'm talking about. The husband leaves everything to the wife, the wife leaves everything to the husband, and after they both die, everything goes to the children. This works well for situations in which the spouses are healthy one day and deceased the next.

However, as most of us know, life doesn't usually happen that way anymore. Some research indicates that 69% of individuals over 65 will require some kind of long-term care in their lifetimes.

Thus, many spouses worry that if they pre-decease a disabled spouse who is currently in a nursing home or will require long-term care at some point in the near future, there will be insufficient funds available to provide for the institutionalized spouses' needs. This is an especially relevant concern for expenses that are not covered under Medicaid, like a care manager, private nurse, single room, and certain therapies or drugs.

Another concern is that the availability of funds from "I love you" wills and trusts will disqualify the surviving ill spouse from eligibility for Medicaid benefits. As you know from prior articles, Medicaid is the only long-term-care governmental program in the United States. Medicare does not cover long-term custodial care.

To solve this problem many of our clients rely on a "testamentary trust:" a trust built into the will of each spouse. For many estate planners, this is counterintuitive because much estate planning occurs within the context of a revocable living trust. In order to preserve access to Medicaid eligibility without requiring that the surviving spouse spend down the assets and to lose the chance to maintain a "rainy day fund," creating a testamentary trust in the will of the pre-deceasing spouse is essential.

What this means is that around age 55, you have to completely revise your wills and trusts to accommodate a different paradigm of thought. The thinking process is no longer what happens if I die? Rather, the question is what happens if I don't die and live a long time with expensive long-term care.

The new paradigm requires a new estate plan. If you consider yourself middle-class



Continued on page 26

(meaning that your net worth will be significantly impacted by the cost of long-term care for you and/or your spouse) and are over age 55, I suggest that you revise your estate plan to reflect this newer paradigm as soon as possible.

II. What is the new "Game Changer" in Estate Planning?

For years, estate planners have done what is considered traditional estate planning. They drafted plans primarily concerned with minimizing future estate tax liability and gave minimal attention to income tax consequences.

This was perfectly fine years ago when the estate tax was much more severe than the potential for income tax. This was attributable to relatively high estate tax rates, low estate tax exemption that was not indexed for inflation, and comparatively low capital gains rates.

Recently, however, Congress has tinkered with the tax system in a huge way. Accordingly, the income tax impact of estate planning is taking on greater significance.

More attention is directed towards the importance of income tax basis considerations in estate planning due to the narrowing between the estate tax rates and the income tax rates. In fact, in most estates worth less than \$10.5 million, estate taxes are no longer an issue. Now, income taxes loom large, primarily because of the lack of attention on the income tax basis (i.e. cost or adjusted basis) of capital assets.

The bad news for most middle-class taxpayers is that for years they've been fed a steady diet of estate tax minimizing wills and trusts. Worse yet, they hang onto these outdated documents for many years, thinking they are done with their estate planning and not wanting to be bothered. Sadly, these old documents will no longer serve their intended purpose: estate tax minimization. While there will be no estate tax savings with these documents, because very few middle-class taxpayers will ever pay estate tax, the documents will unnecessarily increase income taxes for their heirs upon the liquidation of any assets.

Bottom line: the game starts anew. Let's focus on income tax minimization for most taxpayers and forget about estate tax minimization. Unless your estate is worth \$10.5 million or more as a couple (or \$5.34 million as a single person), your biggest risk is overpaying income taxes due to inattention to income tax basis planning in your wills and trusts. Don't make that mistake.

[About the Author: Anthony B. Ferraro, is a JD, MS Tax, CPA, and owner of The Law Offices Of Anthony B. Ferraro, LLC, Attorneys & CPAs, The Elder Law, Estate & Trust And Asset Protection Law Firm, based in Rosemont, IL. You may contact him at (847) 292-1220 or visit his website at www.abferrarolaw.com.]

Tort Notes

Illinois Supreme Court Holds That an Attorney Bringing a Wrongful Death Action Owes a Legal Duty to the Decedent's Beneficiaries at the Distribution of Funds

By: James J. Morici, Jr.

The Illinois Supreme Court In re Estate of Perry C. Powell v. John C. Wunsch, P.C., 2014, IL 115997 has recently ruled that in an action brought pursuant to the Illinois Wrongful Death Act (740 ILCS 180/0.01 et. Seq. (West 2012) an attorney owes a legal duty to the decedent's beneficiaries at the distribution of funds phase of the action. The crux of the Court's holding rests with its interpretation of the purpose of the Illinois Wrongful Death Act. Namely, for proceeds recovered to be for the "exclusive benefit of the surviving spouse and next of kin "of the deceased. The Supreme Court's analysis focused on previous Illinois case law involving intended third-party beneficiaries of the relationship between an attorney and client.

In Powell, Perry C. Powell was adjudicated a disabled adult due to severe mental disabilities in 1997. Powell's parents, Perry and Leona Smith, were appointed to serve as co-guardians of Powell's person, but they were not appointed to serve as guardians of his estate. In 1999, Perry died from complications after a surgical procedure. He was survived by his wife Leona and two children, Emma and Powell. Soon thereafter, Leona entered into an attorney-client agreement with defendant law firm John C. Wunsch, P.C., to bring a cause of action against the doctors and hospital that treated Perry. Leona was appointed special administratrix of Perry's estate and in 2001, Wunsch filed a complaint pursuant to the Wrongful Death Act on behalf of Leona individually and as special administratrix of the Estate of Perry Smith. Perry died intestate and his estate's only asset was the wrongful death action.

Two settlements were ultimately reached in 2005. The first settlement, after attorney fees and costs, amounted to \$15,000, which was distributed equally between Leona, Emma and Powell, each of them receiving \$5,000. The settlement order provided that Powell's share of the settlement was to be paid to Leona on Powell's behalf. Leona placed both her and Powell's share of the settlement into a joint account.

In the second settlement, Leona and Powell each received about \$118,000. Emma waived her right to receive any monies from the second settlement. A check made payable to both Leona



and Powell was given to Leona and she placed both her and Powell's share of the settlement into a joint account. The settlement order did not provide that the amount distributable to Powell was to be administered and distributed under the supervision of the probate court and Powell did not have a guardian of his estate appointed to receive his share. Wunsch purportedly advised Leona and Emma that it was "too much trouble" to go through the probate court to distribute the settlement funds for Powell because every time Leona needed money for Powell, she would have to ask the probate court to release funds for her.

It was subsequently discovered that Leona had withdrawn all but approximately \$26,000 from the joint account. No accounting of the expenditures was ever provided by Leona.

The public guardian filed a legal malpractice action against the Plaintiff's attorneys and Motions to Dismiss were filed pursuant to Section 2/615 of the ICCP (735 ILCS 5/2-615 (West 2012)) alleging plaintiff's complaint failed to state a cause of action. The Circuit Court granted the motions finding the complaint failed to sufficiently allege the defendant's attorneys owed Powell a duty and also failed to allege proximate cause.

The Illinois Appellate Court reversed in part, finding that the complaint sufficiently alleged defendant's owed Powell a duty as an intended beneficiary. The Illinois Supreme Court affirmed the Appellate Court reasoning that the beneficiaries named in a wrongful death action are intended beneficiaries of the action rather than merely incidental beneficiaries and the attorney's duty extends to them. The role of the personal representative in a wrongful death action is merely a nominal party to the action effectively filing suit as a statutory trustee on behalf of the surviving spouse and next of kin, who are the true parties in interest.

This is an important and instructive decision for all practitioners handling wrongful death cases. The provisions of the Illinois Wrongful Death Act and Probate Act must be followed to ensure that all beneficiaries actually receive their settlement funds.

[About the Author: James J. Morici, Jr. is a partner in the firm of MORICI, FIGLIOLI & ASSOCIATES, and represents Plaintiffs in personal injury, workers' compensation, and construction site related injury suits. Read all prior issues of "Tort Notes" at www.MoriciFiglioli.com.]

Photo Stories



Congratulations to **David and Benna Dwyer**, upon the birth of their beautiful daughter, Maeve.



Hon. **Celia Gamrath, Rob Gamrath** and **John Locallo** at the ISBA Annual meeting in Lake Geneva.



"Before" and "After." **Franco Coladipietro** and his alligator friend in Florida.



JMLS graduate, **Deanna Cairo**, with mom **Gloria** (photo right) and dad **Louis** (photo left and right) at her May 1st swearing in.



Amari & Locallo partners, **Joseph F. Locallo, Jr.**, left, and **John G. Locallo**, right, congratulate the newest associate at Amari & Locallo, **Vince Oppedisano**, on his first co-counsel check with the firm.



Tom, Judith and Nicole Jaconetty at Fordham University's Parents Appreciation Dinner Dance. Nicole graduated Magna Cum Laude with degrees in American Studies and Anthropology on May 17th. She is continuing her studies at Fordham by pursuing a Master's in Elections and Campaign Management.



Northern Illinois Law School Dean **Jennifer Rosato**, center, pays a visit to the Justinian headquarters. She is pictured with past Presidents **Katherine Amari O'Dell** and **John G. Locallo**.



Guess who and where?

Congratulations to the Zagotta family upon the birth of **Nicholas McGrath Zagotta, Jr.**, son of **Nicko Zagotta** and grandson of **Nick Zagotta**. This photograph shows 4 generations of Nick Zagottas.



Photo Stories

Visitors at our Justinian Headquarters:



Patrick Salvi and John Nisivaco

John Locallo and John Nisivaco



John Lag, Katherine Amari O'Dell, and John Nocita

Roger Zamparo and Anthony Pasquini



Leonard Amari congratulates Anthony Pasquini upon being sworn in to the Illinois State Bar on May 1st. A luncheon was held in Anthony's honor at the Justinian Society headquarters.

Miscellanea

By: Leonard F. Amari

➤ Congratulations to **Chris Keegan**, son of our good friends Kevin and Tamara, who begins at Harvard University in the fall, because of his academic achievements in high school, and, as much, being recruited to play quarterback. Congratulations to young Chris, we will be following your career, mostly academic but, certainly, athletic as well. Chris Keegan in action below.



➤ Congratulations to **Nicole Favia**, upon her recent high school graduation. We wish her luck as she pursues an undergraduate degree in the fall at Loyola University Chicago. She is a remarkably beautiful and successful student and we expect wonderful things from her as she pursues her degree. Certainly, the fruit doesn't fall far from the tree and Michael and Pat should be proud of this wonderful young woman.



The Favia Family, from left: Nicole, Pat, Mike, and Cristina.

➤ ISBA Mutual Insurance Co. has re-elected several board members to three-year terms. They are **Jack Carey**, **David A. Decker**, **James J. DeSanto**, **Robert K. Downs**, **Christopher Mullen** and **John E. Thies**. The board also elected a new member, Paula Hudson Holderman, the immediate past president of the Illinois State Bar Association, to a three-year term. Congratulations to all!

➤ Congratulations to **Nicole M. Onorato** upon joining the family law firm Katz & Stefani LLC as a senior associate. Onorato is a litigator who practiced family law for 10 years. She was previously with Rinella & Rinella Ltd.

➤ **Louis G. Apostol**, executive director and counsel for the Illinois Property Tax Appeal Board and an attorney, was elected chair of the Northern Illinois University College of Law Board of Visitors.

➤ Past President of the Justinian Society of Lawyers, **Antonio M. Romanucci**, (class of '78) received the Fenwick Bar Association annual Accipiter Award on May 9, 2014 at the Union League Club in Chicago. Founded in 1997 in honor of Reverend Joseph Hren, O.P., a longtime teacher of Latin at Fenwick, the Accipiter is a prestigious Award meaning "hawk" which is given to a deserving recipient working in the legal profession.



Many Justinians were there to support our Brother, Antonio, on his receipt of this Award, including Hon. Joseph Casciato, Hon. Bruno Tassone, Richard Caldarazzo, John Sciacotta, Frank A. Sommario, Gina Arquila Deboni, and Lisa Perna.

➤ After 40-plus years of serving Chicago's Northwest Suburbs, the Greco Law Offices has closed. **Joe Greco** has chosen April 30, 2014 as his retirement date. Dan Greco has decided to return to his first career and passion since boyhood: aquaculture. Attorney Nick Beis will be taking possession of and administering their files. He can be reached at (630) 791-9091 or you can email him at: beislaw@gmail.com. Nick is an excellent attorney and if you are a new client seeking representation, the Grecos recommend him without hesitation. To the many clients who have trusted us over the decades, the Grecos thank you and wish you the best.

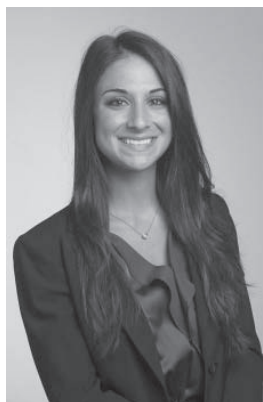
➤ Congratulation to **John J. Tufano** upon his new job with Mount Carmel Health System in Columbus, Ohio, as a Legal and Compliance Manager for the system.



From left, Anthony Casaccio, Gabe Caporale, and John Tufano

➤ In February, **James S. Montana** was appointed by Governor Quinn as a Public Member of the Illinois Medical Disciplinary Board for a four year term. The Illinois Medical Disciplinary Board reviews complaints against Illinois physicians for violations of the Illinois Medical Practice Act. It may recommend probation, suspension, revocation or other measures. He was also appointed to the Board of the Special Olympics of Chicago (SOC). SOC is a not for profit organization dedicated to supporting and raising funds to conduct sports activities of all kinds to benefit adults and children who are mentally disadvantaged. In March 2014, SOC conducted the "Polar Plunge" in which both Mayor Emmanuel and Jimmy Fallon participated. It was a very well publicized and financially successful event. It even made the Jimmy Fallon Show.

➤ Congratulations to **Amanda Bushemi**, (below) upon her new position as an Associate with Bates Carey.



➤ Congratulations to **Justino D. Petrarca**, a partner at Scariano, Himes and Petrarca, who became the chair-elect of the Council of School Attorneys, part of the National School Boards Association, during COSA's annual meeting last week.

➤ Levin & Perconti promoted **Michael F. Bonamarte IV** to partner. Bonamarte has represented clients in nursing home abuse and neglect, medical malpractice, wrongful death and personal injury lawsuits throughout the state.



Michael Bonamarte, Joe Bisceglia and Judge John Allegretti.

➤ Congratulations to **Mark D. Belongia** upon his new position as partner, business and commercial litigation at Duane Morris.

➤ Polsinelli P.C. attorneys **Donald E. Figliulo**, **Anthony J. Nasharr III**, **James R. Asmussen** and **Michael D. Rosenthal** participated in a panel discussion on transaction agreements at the Transaction Advisors Conference on Transaction Structuring on March 27 at the University of Chicago's Gleacher Center downtown. Figliulo moderated the panel, while the other attorneys commented on letters of intent, term sheets and closing documents, risk mitigation strategies and other topics. The half-day conference sought to offer senior corporate executives, business owners and private equity investors perspective and insights on strategies for structuring domestic and international transactions.

➤ Segal, McCambridge, Singer & Mahoney Ltd. added **Robert M. Campobasso** and **Danielle R. Luisi** as associates.

➤ Busse, Busse & Grasse P.C. attorney **Edward K. Grasse** has been appointed by the executive committee of the Illinois Association of Defense Trial Counsel to serve a three-year term on the organization's board of directors.

➤ Congratulations to our friend, **Daniel A. Cotter**, Fidelity Life Association, who was installed as the 138th President of the Chicago Bar Association at its annual luncheon meeting on Thursday, June 26, at the Standard Club in Chicago. He follows in the very successful footsteps of our friend, Tim Eaton.

➤ **Michael V. Favia** and The Law Firm of Michael V. Favia & Associates, has been named an "Of Counsel" affiliate to the Miami, FL-based, national law firm, Quintairos, Prieto, Wood & Boyer, P.A. QPWB offers a wide variety of legal services in various industries and multiple jurisdictions. They represent clients in professional licensing matters, insurance litigation and in professional liability cases for nursing homes, health care organizations and physicians. QPWB also handles business legal matters including corporate structuring, real estate transactions, commercial liability, asset protection, etc. Michael V. Favia was also elected to the Board of Directors of the Institute of Medicine ("IOMC") of Chicago on June 5, 2014. Favia will serve the board and the IOMC to build new programs and services to support the public health needs of IOMC members and the Chicago area.



Deputy Illinois Secretary of State Tom Benigno and Michael Favia.

➤ Congratulations to our friend, fellow Justinian **Judge Russell Hartigan**, on his successful campaign to be elected 3rd Vice President of the 35,000 member Illinois State Bar Association. Congratulations to him again upon his assuming the presidency of the hardworking and wonderful West Suburban Bar Association.



From left: Russell Hartigan, Rick Felice, and Tim Eaton.

➤ Congratulations to fellow Justinians: **Joseph G. Bisceglia, Stephan D. Blandin, Joseph M. Gagliardo, Antonio M. Romanucci, Patrick A. Salvi, and Donald E. Stellato** upon being selected as members of the Top 100 Illinois Super Lawyers for 2014.

➤ Congratulations to our friend, **Peter J. Birnbaum**, president and CEO of Attorneys Title Guaranty Fund, Inc., upon receiving the 2014 Distinguished Award for Excellence from the wonderful Illinois Bar Foundation.

➤ Johnson & Bell Ltd. shareholder **Joseph R. Marconi** participated in the 2014 Lawyers for Civil Justice membership meeting in Washington D.C. The group is the corporate and defense community's voice for reform of the Federal Rules of Civil Procedure, advocating for changes that would lower the costs and burdens of discovery in modern civil litigation. Marconi serves as an advisor to the Illinois Supreme Court's Committee on Discovery Procedures, exploring possible reform to rules regarding discovery of electronically stored information.

➤ Justinian past President **James J. Morici, Jr.**, is co-chairing the Lawyers Committee for the Retention of Judges in Cook County along with the Honorable Justice Marvin J. Leavitt. The Committee will host an event to present the 75 judges up for retention on the November, 2014 ballot at the Chicago Cultural Center on September 8, 2014 at 5:00 p.m. Also co-chairing the event are many other Justinians, including **Katherine Amari O'Dell, Leonard Amari, John Locallo, Joe Bisceglia, Enrico Mirabelli and Bob Downs**, just to name a few. Proceeds from the event will help to assure the retention of those qualified Cook County Judges and will go toward publicizing the election and encouraging voters to participate on Election Day. Contact Jim Morici at 312-372-9600 for more info.

➤ Congratulations to **Ron Iori** as the new chief communications officer for the Chicago Public Schools. Of course, Ron is the husband of community activist and occasional contributor in these pages, **Robin Iori**.

➤ Congratulations to **Joseph Lupinacci** upon his new position as an attorney with Donohue, Brown, Matthewson & Smyth.



Joseph Lupinacci, left, with Dominic Fichera.

➤ Congratulations to retired Circuit Court Judge, the beloved **Gloria Coco**, upon being elected a member of the Board of Directors of the Sicilian American Cultural Association (SACA). She joins other active Justinians in the association including: President **Sam Cannizzaro**, President-Elect **Katherine Amari O'Dell**, board members **Leonard F. Amari**, retired **Judge Frank Orlando**, and **Ed Manzo**.



From left, Dominic Fichera, Judge Gloria Coco, and Antonio Romanucci

➤ Freeborn & Peters LLP elevated attorney **Robert M. Baratta, Jr.** to equity partner. Baratta is in the firm's litigation practice group and is a member of the transportation team. He focuses on environmental law and insurance coverage. Congratulations!

➤ **Mitchell L. Marinello**, a partner at Novack and Macey LLP, has been named to the management committee of the Integrated Advisory Group (IAG), a worldwide association of independent professional firms.

Verdicts & Settlements

By: **Michael F. Bonamarte**

➤ Congratulations to **Michael F. Bonamarte** of Levin & Perconti on a \$1,810,000.00 jury verdict. Michael was also recently named a partner at the law firm of Levin & Perconti. This medical malpractice action involved a then 35-year old plaintiff who had undergone the surgical removal of the right testicle some years earlier because of testicular torsion. The plaintiff maintained that the defendant surgeon, who performed an inguinal hernia repair negligently failed to perform an adequate physical examination prior to surgery. The plaintiff further contended that the defendant removed the plaintiff's left testicle when there was no legitimate medical reason to do so and without obtaining appropriate consent. The plaintiff maintained that as a result of the negligence, he and his wife can no longer have children. The plaintiff further contended that the injuries include a testosterone deficiency resulting in increased fatigue and sweating and a decreased libido. The evidence reflected that the blood flow is such that the plaintiff is capable on engaging in relations to some degree. The defendant maintained that acted in a reasonably careful manner, and that the injury nonetheless occurred because he was given the wrong history. The defendant also contended that the testicle he found was small and in an abnormal location and was therefore at an increased risk for testicular cancer and likely not functioning properly. The defendant also pointed out that the consent form allowed for an extension of the original procedure for the well-being of the patient based on the physician's professional judgment. The jury found for the plaintiff and awarded \$1,810,000, including \$175,000 for disfigurement, \$1,250,000 for disability and \$385,000 for pain and suffering. Judge Thomas Lyons, II presided over the trial.

➤ Congratulations to **Patrick Salvi** on a \$17,000,000.00 settlement on behalf of a toddler who suffered brain damage following surgery to remove a cyst from his throat. In October, 19-month-old David Colcol went to Ann & Robert H. Lurie Children's Hospital of Chicago for treatment of a thyroglossal cyst — a congenital growth in the throat. These cysts are typically removed with the Sistrunk procedure, a surgery that removes the cyst as well as the middle portion of the hyoid bone in the throat. In their complaint filed in Cook County Circuit Court, David's parents Alyssa Colcol and Eddie Lagunas alleged that the surgeon at Lurie Children's Hospital injured their son's thyroid membrane and larynx during the surgery, causing swelling and bleeding in David's throat. When the boy had trouble breathing, the medical staff tried unsuccessfully to intubate him three times. The team then performed a tracheotomy. Patrick A. Salvi who represented the boy's family, said the staff did not act in time to prevent cardiac arrest and brain damage.

➤ Congratulations to **Brian Monico** of Burke, Wise, Morrissey & Kaveny on a \$1.5 million jury verdict in a medical malpractice involving an alleged failure to properly monitor autistic child while prescribing Zyprexa and failure to diagnose tardive dyskinesia that resulted from the medication.

➤ Congratulations to **Antonio Romanucci** of Romanucci & Blandin on a \$2.3 million verdict in a Florida death lawsuit. Antonio represented the family of a man who was shot and killed by Marion County Florida sheriff deputies. The complaint alleged the officers used excessive deadly force and violated the man's constitutional rights. Antonio was asked by a Florida attorney to co-counsel the case because of his experience working similar cases in Illinois and other states. The case was tried by jury in front of U.S. District Judge William Terrell Hodges.

➤ Congratulations to **Joseph DiPino** of Beverly & Pause on a not guilty verdict in a pedestrian/auto accident case. Joseph represented the driver on an eastbound vehicle who struck an elderly pedestrian traveling northbound in an intersection. The defense argued that the plaintiff/decendent emerged from in front of a parked car and failed to yield while crossing mid-block.

➤ Congratulations to **James Farina** of Hoey & Farina on a \$1.8 million verdict in a personal injury case involving a railroad conductor who alleged he developed osteoarthritis and needed bilateral total hip replacements as a result of his job responsibilities over a 32 year career as a conductor.

Obituaries

† Carol Barango

Our deepest sympathies go to the family of Tony Barango. His wife, Carol Barango, passed on Easter Sunday.

† Ashley Haws

We regret to inform you of the recent passing of Ashley Haws, one of our young Justinian lawyers.

Ashley Haws, age 26, Chicago, Illinois, died in a boating accident on Sunday, June 1, 2014. She was born on June 19, 1987 to Gary and Sharon (Peterman) Haws in Green Bay.

Ashley graduated from Valparaiso University School of Law in May 2012 and was admitted to the Illinois Bar in November 2012. She began working for the Davi Law Group in October of 2012 and was made an associate attorney on January 2, 2013. Prior to working for the Davi Law Group, Ashley worked for a non-profit organization, with offices in Chicago and New York, where she assisted in the creation of a published article focusing on ethics and international laws and constitutions giving rights to nature with the purpose of transforming humanity's relationship with nature. Additionally, Ashley spent one year with the Lake County, Indiana Public Defender's Office where she represented clients in juvenile defense matters. Immediately

following law school, Ashley spent her time as a law clerk, where she worked extensively with high profile felony cases, negligence and tort matters, and family issues, among others. It was in the family law area that she found her true calling.

Ashley was actively involved in several bar associations and community organizations. On May 29, 2014, she was sworn in for the second year of her term as Treasurer of the DuPage Association of Women Lawyers. Ashley was also a member of the DuPage County, Kendall County, Kane County, and Illinois State Bar Associations, as well as the Justinian Society of Lawyers.

Dion Davi describes Ashley as "...beautiful and brilliant rising star in the legal community. Ashley brought a warm smile and very positive outlook to every situation. She was loved by all that met her. The law profession and the world have lost someone that was destined to do great things. Ashley was a driving force in the initial and continued growth of our law firm. She will be greatly missed by me, our staff, and everyone that she came in contact with. Our sincerest heartfelt thoughts go out to her mother Sharon, father Gary, brother Matt, family and friends."

Because of Ashley's love of children and generous nature, her family has asked that in lieu of flowers, please make a donation to one of the following child's charity funds:

- Justinian Children's Endowment Fund
- The Young Lawyers Division of the Illinois State Bar Association Children's Assistance Fund

Please keep the Haws Family in your prayers.

† Elfriede Kuegel

Elfriede Kuegel, mother of Michele Jochner, passed away on May 18th from heart failure after a prolonged bout of pneumonia. Those of us who had the pleasure of knowing Michele's mom, know she was a vivacious, outgoing and loving individual who lived life to its fullest.

† Anthony J. Rossetti

Anthony J. Rossetti, Age 86. Beloved husband of Angela (nee Cozzi). Loving father of Honorable Victoria (Douglas) Zeit, Louis (Rinda), Toni Marie (Bryant) Stuart, Juliann (Robert) Brooks, Michael (Judi) & Rocky (Lori). Fond grandfather of 16. Dear brother of Angeline (the late Robert) Cepek. Brother-in-law of John A. (the late Helen) Cozzi and the late Alphonse (the late Christine) Cozzi.

UPCOMING EVENTS

2014

Wednesday, Sept. 10

Installation & Awards Dinner
Palmer House Hilton
17 E. Monroe St., Chicago
5 p.m. Cocktails, 6 p.m. Dinner

Thursday, Oct. 23

Scholarship Awards Dinner
Riva Restaurant
700 E. Grand Ave., Chicago

Thursday, Nov. 20

Past Presidents Dinner
Mass at Assumption Church,
followed by dinner at
Gene & Georgetti's
500 N. Franklin St., Chicago

2015

Thursday, Jan. 22

Joint Chapter Dinner
Rosewood Restaurant
9421 W. Higgins Rd., Rosemont

Thursday, Feb. 19

Annual Bocce Tournament
Mazzini Verdi Club
9230 W. Belmont, Franklin Park

Thursday, March 19

CEF Dinner Meeting
Maggiano's
516 N. Clark St., Chicago

Thursday, April 23

Nomination of Officers
Dinner Meeting
Carmine's
1043 N. Rush, Chicago

Wednesday, May 13

Installation of Officers
Dinner Meeting
Gibsons Bar & Steakhouse
1028 N. Rush St., Chicago

All events, with the exception of the September 10 Installation Dinner, will start with 6:00 pm Cocktails, followed by 7:00 pm Dinner.



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