

# INSTANT REPLAY: SIGNIFICANT DEVELOPMENTS IN CASE LAW

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<b>I.</b>	INTRODUCTION.....	I-3
<b>A.</b>	The Litigation Process in Workers’ Compensation Cases.....	I-3
<b>B.</b>	The Current Court.....	I-3
<b>II.</b>	THE YEAR IN REVIEW – 2016.....	I-4
<b>A.</b>	AMA Impairment Ratings.....	I-4
<b>B.</b>	“Arising Out Of”.....	I-4
<b>C.</b>	Credit for Overpayment.....	I-5
<b>D.</b>	Exclusive Remedy Provision & <i>Kotecki</i> .....	I-6
<b>E.</b>	Independent Contractors.....	I-6
<b>F.</b>	Penalties.....	I-6
<b>G.</b>	Permanency Benefits.....	I-7
<b>H.</b>	Reducing an Award to a Lump-Sum Amount.....	I-7
<b>I.</b>	Section 8(a) – Maintenance and Vocational Rehabilitation.....	I-8
<b>J.</b>	Section 19(g) Proceedings.....	I-8
<b>K.</b>	Set-Offs.....	I-8
<b>L.</b>	Traveling Employees.....	I-9
<b>M.</b>	Voluntary Recreational Programs.....	I-9

The cases and materials presented here are in summary and outline form. To be certain of their applicability and use for specific claims, we recommend the entire opinions and statutes be read and counsel consulted.

## **INSTANT REPLAY: SIGNIFICANT DEVELOPMENTS IN CASE LAW**

### **I. INTRODUCTION**

#### **A. The Litigation Process in Workers' Compensation Cases**

Cases are tried before a single arbitrator, who oversees the admission of evidence and issues an initial decision. The decision of the arbitrator may be reviewed before a panel of three Commissioners, who after briefing and argument, issue a written decision. The Commission is considered the finder of fact and deference is given to its fact-findings. The Commission's decision may then be appealed to the circuit court, which is the first step in the judicial review process. The circuit court judge sits as reviewing body and issues an order confirming the Commission's decision or reversing and remanding back to the Commission.

Workers' compensation appeals are heard by a special panel of the Appellate Court referred to as the Appellate Court, Workers' Compensation Commission Division. This panel consists of one justice from each of the five districts and hears all cases throughout the state arising under the Act. The panel meets roughly seven times per year, holding two argument calls in Springfield and five in Chicago.

An adverse decision of the appellate court may be appealed to the Illinois Supreme Court but only after the party seeking further appeal obtains a written statement from at least two members of the appellate court panel stating that the case presents a question of significant importance warranting supreme court review. If that statement is issued, the party seeking supreme court review may then file a petition for leave to appeal (discretionary) with the Illinois Supreme Court.

#### **B. The Current Court**

As we mentioned last year, Justice Bruce Stewart of the Appellate Court, Fifth District, retired in December 2016. He has been replaced on the panel by Justice James Moore. The current panel consists of the following justices:

- William Holdridge, Third District (Presiding)
- Thomas Hoffman, First District
- Donald Hudson, Second District
- Thomas Harris, Fourth District
- James Moore, Fifth District

## **II. THE YEAR IN REVIEW – 2016**

The past year was a busy one for the Appellate Court, Workers' Compensation Commission Division, which handles all appeals throughout the state that arise out of the Workers' Compensation Act. A total of 21 cases were released as published decisions by the court in 2016, an increase over recent years and another 12 civil appeals dealt with workers' compensation-related issues. In this special issue we highlight a few of the more significant workers' compensation decisions from 2016 and early 2017 that might affect your claims handling. Those decisions concerning purely procedural issues are not discussed here.

### **A. AMA Impairment Ratings**

Three cases were handed down in 2016 concerning section 8.1b's AMA impairment rating report provision. In *Corn Belt Energy Corp. v. Illinois Workers' Compensation Comm'n*, 2016 IL App (3d) 150311WC, the appellate court held that section 8.1b did not require the claimant to obtain and introduce into evidence an AMA impairment rating report as set forth in subsection (a) of the Act. The court held that the report was optional and could be offered by either party. Moreover, it held that when a report is offered, it, and the remaining four factors of subsection (b) must be expressly discussed along with the basic facts applicable to each factor. A petition for leave to appeal to the Illinois Supreme Court was filed but denied.

In the fall of 2016, the appellate court issued two additional section 8.1b decisions. First, in *Flexible Staffing Services v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 151300WC, ¶ 22, the court confirmed that whether the Commission has adequately articulated and evaluated the section 8.1b(b) factors will be reviewed under a manifest weight of the evidence standard of review. The court also announced that it would give the Commission's findings "great deference" in its evaluation of the five factors and held that the factors enunciated in subsection (b) are not exclusive. Thus, "[T]he Commission remains free to evaluate other relevant considerations." Also, on the same day it decided *Flexible Staffing*, the appellate court issued *Con-Way Freight, Inc. v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 152576WC, wherein it held that the Commission is not required to treat the impairment rating as the "primary factor," but instead can weigh it in consideration of all other factors.

**For a full discussion of the facts and holdings of these three decisions, please see our December 2016, issue of *Below the Red Line* newsletter available on our website.**

### **B. "Arising Out Of"**

These published decisions concerned "arising out of" analysis in cases involving an accident from what could be considered "normal daily life activities." These cases have reached similar conclusions, but the analysis is quite different. With the retirement of Justice Stewart in December 2016, the court is now evenly split 2-2 on the issue; we will have to await a ruling from the current court before we can resolve this split.

In *Noonan v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 152300WC, the claimant, a clerk, "jammed" his wrist when he was sitting in a rolling chair and reached for a dropped pen. In denying benefits, the Appellate Court, Workers' Compensation Commission Division, held that sitting in a chair and reaching for a pen did not present an employment-related risk. Further, the court held that claimant was injured while performing an act that presented a neutral risk and that the claimant failed to show he was exposed to that risk to a greater degree than the general public.

In *Steak 'n Shake v. Illinois Workers' Compensation Comm'n*, 2016 IL App (3d) 150500WC, the claimant, a manager at a restaurant, injured her thumb wiping down a table. The Appellate Court, Workers' Compensation Commission Division, held that the claimant sustained an injury arising out of her employment because wiping down tables was a risk distinctly associated with her employment. The court determined the first step in analyzing whether the injury arose out of claimant's employment was to determine whether the injury was a result of an employment-related risk and, if so, it is unnecessary to apply a neutral-risk analysis.

In *Mytnik v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 152116WC, the claimant was injured while bending down to pick up a bolt that fell on the ground. The Appellate Court, Workers' Compensation Commission Division, held that the claimant sustained an injury arising out of his employment while performing an activity of daily living when the claimant showed he sustained the injury as a result of an employment-related risk. Although the claimant was performing an activity of daily living, the court held that it was unnecessary to perform a neutral risk analysis when the injury was sustained while performing an integral part of the claimant's job duties.

**For a full discussion of the facts and holdings of *Noonan*, please see our November 9, 2016, Workers' Compensation e-clip, "Recent Decision Addresses What Constitutes 'Incidental to Employment' in 'Arising Out Of' Analysis."**

### **C. Credit for Overpayment**

In *Salisbury v. Illinois Workers' Compensation Comm'n*, 2017 IL App (3d) 160138WC, the appellate court held that a credit given to an employer under section 7(e) of the Act for an overpayment of workers' compensation death benefits made prior to the arbitration hearing was valid and should be used as an offset. The court reasoned that credits are not limited to payments made subsequent to a formal award. The claimant had argued that the Commission was prohibited from issuing the credit because it was not specifically provided for in the Act. The court disagreed and held that the payment was made in anticipation of an award and that public policy encouraged the early payment of compensation where due. Adopting the claimant's argument would thwart that purpose and punish an employer who was doing the right thing.

#### **D. Exclusive Remedy Provision & *Kotecki***

In *Locasto v. City of Chicago*, 2016 IL App (1st) 151369, the Appellate Court, First District, held that the exclusive remedy provision of Section 5(a), prohibited the claimant firefighter from bringing a civil suit for an intentional tort against his employer where he also filed a workers' compensation claim and collected benefits on the premise that the injury was accidental. Under these circumstances, the court held the claimant was barred from later asserting the conduct complained of was intentional.

**For a full discussion of the facts and holdings of *Locasto*, please see our Workers' Compensation e-clip, "It's No Accident: Workers' Compensation Act Recovery Bars Civil Tort Claim."**

In *Burhmester v. Steve Spiess Constr., Inc.*, 2016 IL App (3d) 140794, the Appellate Court, Third District, reaffirmed that the *Kotecki* Doctrine – providing that limited contribution may be recovered against an employer in a third-party claim – is limited to the amount paid or to be paid in worker's compensation benefits. The court held *Kotecki* was not an affirmative defense that must be plead, but should be viewed as a set-off that the employer could show post-judgment that it was entitled to take against the judgment already entered against it.

#### **E. Independent Contractors**

In *Esquinca v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 150706WC, the claimant, a truck driver for a transportation company in the business of warehousing, yard storage, truck brokering, and intermodal freight transport, was injured in a multi-vehicle accident while delivering a load for the respondent. The claimant argued he was an employee and thus entitled to workers' compensation benefits. The arbitrator denied the claim and the Commission affirmed 2-1. The appellate court upheld the Commission majority decision finding that the numerous factors supported the conclusion the claimant was an independent contractor. The claimant worked under a contract identifying him as an independent contractor; the alleged employer did not have the right to control the claimant's work performance or route; although the claimant had to deliver each shipment on time, he decided his own schedule and where to stop and refuel; the claimant was free to decline jobs; and the claimant owned his own truck and was responsible for all operational expenses associated with the truck, as well as speeding tickets and driving citations. Finally, the claimant was not paid hourly, but received 70-75 percent of each shipment.

#### **F. Penalties**

In *Theis v. Illinois Workers' Compensation Comm'n*, 2017 IL App (1st) 161237WC, the appellate court reversed the Commission's award of penalties under section 19(l) of the Act for late payment because the employer, who had never been presented with a demand or the actual bills, had presented adequate justification for its delay in making payment. The case had been arbitrated and the medical bills awarded to the claimant. However, the claimant never tendered the actual bills to the employer so that a medical fee schedule assessment could be completed.

According to the court, there is no law stating that a written demand for payment of medical expenses contained within a request for hearing form submitted in advance of arbitration constitutes a sufficient written request for payment of medical following an award of medical expenses. The court also held that penalties could not be awarded for a delay in payment of permanent partial disability (PPD) benefits, as section 19(l) covered only medical and total temporary disability (TTD) benefits.

#### **G. Permanency Benefits**

In *Jackson Park Hospital v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 142431WC, the Appellate Court, Workers' Compensation Commission Division, held that the claimant was entitled to a wage differential award even though the claimant was earning the same amount of wages pre-injury as post-injury. The court held that other factors must be considered in determining whether the claimant sustained an impairment of earning capacity including the nature of the employment in comparison to the wages that could be earned in a competitive job market. In considering that claimant would be unable to obtain a job at her pre-injury wages in a competitive job market, the court held the claimant was entitled to wage differential benefits rather than a person-as-a-whole award because she sustained an impairment in earning capacity.

**For a full discussion of the facts and holdings of *Jackson Park Hospital*, please see our March 2016 *Below the Red Line* newsletter available on our website.**

In *Chlada v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 150122WC, claimant, injured in a work-related accident and unable to return to his pre-injury employment, was awarded wage differential benefits due to an impairment in his earning capacity. After sustaining a second work-related injury which rendered the claimant totally disabled, the Appellate Court, Workers' Compensation Commission Division, held that claimant could collect wage differential benefits and permanent total disability benefits simultaneously because they placed the claimant at his original average weekly wage, subject to applicable max rates. The claimant's wage differential benefits do not terminate unless the claimant's disability is lessened.

**For a full discussion of the facts and holdings of *Chlada*, please see our August 2016 *Below the Red Line* newsletter available on our website.**

#### **H. Reducing an Award to a Lump-Sum Amount**

In *Salisbury v. Illinois Workers' Compensation Comm'n*, 2017 IL App (3d) 160138WC, the appellate court upheld the Commission's refusal to award a lump-sum payout under section 9 of the Act, finding that it was not in the interests of both parties. Lump-sum payouts are the exception to the rule and the burden is on the claimant to establish that it is warranted in a particular case. There was no evidence the claimant was suffering an economic hardship.

## **I. Section 8(a) – Maintenance and Vocational Rehabilitation**

The appellate court, in *Murff v. Illinois Workers' Compensation Comm'n*, 2017 IL App (1st) 160005WC, addressed two issues regarding the availability of maintenance and vocational rehabilitation benefits after a final decision has been entered. There, the case was tried and an award entered in favor of the claimant which included permanency of 50 percent of a person. Neither party appealed. The claimant then filed a timely motion under section 8(a) and 19(h) seeking additional benefits, including maintenance and vocational rehabilitation. In addressing section 8(a), the court held that the statute does not authorize the Commission to award maintenance or vocational rehabilitation benefits following a final decision. The court did find, however, that such benefits could be sought post-final award under section 19(h) if the claimant was able to show a substantial and material change in his disability. The court also re-affirmed that "disability," as used in section 19(h), refers to "physical and mental," and not simply a change in economic circumstances.

## **J. Section 19(g) Proceedings**

Two cases were decided on the scope of a section 19(g) proceeding to enter judgment on a Commission decision. In *Foster v. Mitsubishi Motors North America, Inc.*, 2016 IL App (4th) 160199, the appellate court upheld the circuit court's entry of judgment on a Commission award in a case where the arbitrator had mistakenly made a weekly death benefit award in excess of the statutory maximum weekly benefit amount. The mistake was not caught by the parties and was not appealed. The employer paid the statutory amount rather than the stated award. Years later, when the claimant was trying to resolve her lien in the personal injury claim, the underpayment was discovered. The court entered judgment and found the sole means to attack the award was through a direct appeal to the circuit court or a motion to correct error.

In *Reed v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 130681, the appellate court dismissed the claimant's section 19(g) petition on the ground the Commission's decision was still on appeal. The employer had appealed only a part of the award and was not appealing that portion relating to the award of medical benefits. The court held that the appeal process must be complete before a section 19(g) proceeding may be filed, even though the employer was not contesting the medical portion of the award.

## **K. Set-Offs**

In *Bayer v. Panduit Corp.*, 2016 IL 119553, the Supreme Court held that section 5(b) of the Workers' Compensation Act required an employer to pay 25 percent of the gross amount it obtained in reimbursement, (including the value of future medical services, as attorney fees, absent any other agreement). The Court held that when the employer's obligation to pay benefits is cut off by settlement or a judgment against a third party, the employer receives a benefit from the third-party litigation and is relieved of having to make payments. However, the employer's financial obligations to the employee remain unchanged under the Act and, but for the third-party recovery, the employer would have been obligated to pay future medical.



## **L. Traveling Employees**

In *Allenbaugh v. Illinois Workers' Compensation Comm'n*, 2016 IL App (3d) 150284WC, the claimant, a patrol police officer employed by the City of Peoria, was injured in an auto accident while *en route* to the police station for mandatory training. The officer's normal shift began in the mid-afternoon, but his training required him to report at 8:00 a.m. The arbitrator found the claim compensable on the basis that the officer was ordered to perform mandatory training outside his normal work hours. The Commission reversed and its decision was upheld on appeal. The appellate court found that the claimant was not under the control of the employer at the time he was injured and the fact that the training occurred outside his usual hours of employment had no impact on the analysis. Moreover, the court rejected the claimant's contention that he was a traveling employee, finding that he was merely commuting to work at the time of his accident. The court held that the traveling employee doctrine should not be extended to include any claimant who is in an accident while on their way to work, driving a personal vehicle, without any further compensation for his time and travel, and while not performing any duties incidental to their employment solely because the claimant's regular work shift was different for that particular day.

In *United Airlines, Inc. v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 151693WC, the claimant was a flight attendant who worked a route out of LaGuardia in New York, but lived in Colorado. The claimant departed Colorado for New York dressed in her flight attendant uniform, which she used to get preferential boarding, and was injured while on the flight. She was not working as a flight attendant at the time, but was utilizing the airlines free leisure travel standby status. The claimant was not paid for this travel and was not reimbursed for any expenses. The Commission's decision to deny benefits, although reversed by the circuit court, was affirmed on appeal. The appellate court concluded that the claimant was merely commuting to work and was not a traveling employee at the time of her accident. United had no control over where the claimant decided to live and derived no benefit from her choice to live in Colorado.

## **M. Voluntary Recreational Programs**

In *Calumet School District #132 v. Illinois Workers' Compensation Comm'n*, 2016 IL App (1st) 153034WC, the appellate court upheld the Commission's decision to find a school teacher's injury while playing basketball after school a compensable accident. The teacher testified that he was not required to participate and was not compensated for participation in the after-school games, but due to the fact he had not yet had his contract renewed or his employment review, he felt compelled to participate. The employer had presented testimony that the teacher was not required to participate and that his refusal to participate would not have adversely affected his job or review. The appellate court found that the claimant was not engaged in a voluntary recreational program under section 11 of the Act and concluded that the claim was compensable.



## Brad A. Elward

- Partner

Brad's legal work concentrates in appellate practice and he has a significant sub-concentration in workers' compensation and procedure-related appeals. He has been with the firm since 1991 and became a partner in 1999. Brad handles all aspects of civil appeals, ranging from preparation of initial appeal documents through the drafting of appellate briefs and oral argument. He has handled a number of procedural-related appeals, with issues ranging from venue to *forum non conveniens*. He has also tried several cases, including jury trials.

Brad handles workers' compensation cases before the Workers' Compensation Commission, the circuit court, and the Appellate Court, Workers' Compensation Commission Division, and focuses much of his workers' compensation practice on understanding and handling complex jurisdictional issues, both at the circuit court and appellate court level. Brad's extensive experience in handling judicial reviews of Workers' Compensation Commission decisions has given him statewide recognition and he is regarded as one of the leading authors on jurisdictional issues.

Brad has authored more than 325 appellate briefs and argued more than 225 appellate court cases, resulting in more than 100 published decisions, and numerous unpublished appellate court orders. He has appeared before every Illinois Appellate Court District, the Illinois Supreme Court, the Missouri Appellate Court, the Seventh Circuit Court of Appeals, and has significant experience handling interlocutory appeals, in particular those under Supreme Court Rules 306 and 308. He also handles administrative reviews.

He has authored several *amicus curiae* briefs before the Illinois Supreme Court on behalf of the Illinois Association of Defense Trial Counsel. His most recent *amici* were filed in *Fennell v. Illinois Central R.R. Co.*, 2012 IL 113812, involving interstate *forum non conveniens*, and *Folta v. Ferro Engineering*, 2015 IL 118070, involving the workers' compensation exclusive remedy provision and asbestos claims.

In addition to the practice of law, Brad has been active in a number of professional organizations and activities. He is a past President of the Illinois

Appellate Lawyers Association (2013-2014) and past Chair of the Peoria County Bar Association CLE Committee. He has published dozens of articles in numerous prominent journals and magazines, including the *Illinois Bar Journal*, *Southern Illinois University Law Journal*, *Northern Illinois University Law Journal*, *Illinois Defense Counsel Quarterly*, and *DRI's For the Defense*.

Since 2015 he has been the co-editor-in-chief of the IICLE volume on *Illinois Appellate Practice: State and Federal*, for which he authored or co-authored eight chapters, including the chapter on workers' compensation appeals. He has also authored the IICLE chapter on procedures and appeals for the Workers' Compensation Practice volume.

Brad writes frequently on appellate and workers' compensation issues, has taught courses on workers' compensation law for Illinois Central College, and has lectured on appellate practice before the Illinois State Bar Association, Peoria County Bar, Illinois Institute for Continuing Legal Education, and Southern Illinois University School of Law. He is the current co-editor of the firm's workers' compensation newsletter, published monthly, past Editor-in-Chief of the Illinois Association of Defense Trial Counsel publication *The IDC Quarterly*, and Editor-in-Chief of the *IDC Survey of the Law for 2016*.

Brad is also a published military aviation author with over 40 articles and 11 books on various aviation-related topics and has lectured at the Naval Aviation Museum in Pensacola.

He is a member of the drone law practice group, which advises clients on issues relating to drone operations, and a member of the aviation and airports, governmental, civil rights, and the military law practice groups.

Brad is the chair of the firm's Attorney Skills Program, which is an internal skills training program for the firm's associates.

He has been named as an Illinois *Super Lawyer* for appellate practice since 2008 and an Illinois *Leading Lawyer* since 2014.

### Significant Cases

- *Weaver v. Illinois Workers' Compensation Comm'n*, 2016 IL App (4th) 150152WC - A section 19(h) petition to modify permanency benefits must be filed within 30 months of the Commission's decision, irrespective of whether the Commission's underlying decision is appealed. An appeal does not toll the time for filing.
- *Bowman v. Ottney*, 2015 IL 119000 - Successfully defended circuit court ruling to deny the plaintiff's motion for substitution of judge in a refiled case, when same judge had made substantive rulings in prior litigation that had been voluntarily dismissed.
- *Hartney Fuel Oil Company v. Hamer*, 2013 IL 115130 - Suit was filed by a retail sales taxpayer against our client, The Regional Transportation Authority (RTA), the Illinois Department of Revenue, and a Cook County municipality contending that the assessment of back sales taxes of \$20+ million was incorrect. Ultimately, the RTA's position was upheld in the Illinois Supreme Court. While the taxpayer was not required to pay back taxes pursuant to the Taxpayer Bill of Rights, the Illinois Supreme Court invalidated existing regulations in adopting a "multi-factor test" as argued for by the RTA, a decision which had statewide application to sales tax sourcing favoring governmental entities such as our client.
- *Glass v. DOT Transportation, Inc.*, 393 Ill. App. 3d 829 (1st Dist. 2009) - In the *forum non conveniens* setting, deference may be given to the selection of forum by a representative plaintiff, who is also a beneficiary under the Wrongful Death Act.

### Publications

- "A Primer on Recent Cases Impacting Workers' Compensation Defense," *Illinois Defense Counsel Quarterly Monograph* (2016)
- "Workers' Compensation: Never Pay Judgment Interest if You are Not Facing a Section 19(g) Judgment," *Illinois Defense Counsel Quarterly* (2016)

### Public Speaking

- "Insights into Appellate Practice 'Danger Zones'" Central Illinois Women's' Bar CLE Luncheon (2016)
- "Preserving Error for Appeal" HarrisMartin's Midwest Asbestos Litigation Conference (2016)
- "Review of Significant Appellate Decisions of the Past Eighteen Months" Heyl Royster's 31st Annual Claims Handling Seminar (2016)

### Professional Recognition

- Named to the Illinois *Super Lawyers* list (2008-2017). The *Super Lawyers* selection process is based on peer recognition and professional achievement. Only five percent of the lawyers in each state earn this designation.
- Selected as a *Leading Lawyer in Illinois* in the area of Civil Appellate Law. Only five percent of lawyers in the state are named as Leading Lawyers.

### Professional Associations

- Appellate Lawyers Association (President, 2013-2014; Director 1997-99; Rules Chairman, 1999-2001; Rules Committee, 2005-06; event coordinator; past moot court competition judge)
- Illinois State Bar Association (Workers' Compensation Section Council, 1998-2000)
- Peoria County Bar Association (Chair, CLE Committee, 2013-2014; Winter Series Chair, Appellate Practice, 2012, 2014, 2015)
- Illinois Association of Defense Trial Counsel (IDC Quarterly – past Editor-in-Chief; columnist) (Chair, Appellate Committee)
- Defense Research Institute (Member)

### Court Admissions

- State Courts of Illinois
- United States Court of Appeals, Seventh and Eighth Circuits
- United States District Court, Central and Southern Districts of Illinois

### Education

- Juris Doctor, Southern Illinois University (*magna cum laude*), 1989
- Bachelor of Science-Economics, University of Illinois, 1986



## Lindsey D'Agnolo

- Associate

Lindsey focuses her practice on the defense of civil litigation, including medical malpractice, nursing home/long term care, workers' compensation, employment and labor litigation and counseling. She has handled all aspects of litigation including initial assessment, pleading, discovery, motion practice, and trial preparation. Lindsey's practice is focused on defending physicians, healthcare workers and employers in all aspects of litigation.

Lindsey received her J.D. from California Western School of Law in San Diego in 2011. While in law school, she gained significant litigation experience when she spent her last semester interning in the Winnebago County State's Attorney's Office as a 711 intern. Lindsey also gained valuable research and writing skills when she served as judicial extern for the Honorable Judge Frederick J. Kapala in the U.S. District Court, Northern District of Illinois.

Lindsey received her bachelor's degree from the University of Illinois – Urbana Champaign in 2008. She is a member of the Illinois State Bar Association and Winnebago County Bar Association. Lindsey is currently serving as Treasurer of the Winnebago County Bar Association, Young Lawyers Division.

### Publications

- "Recent Appellate Court Decisions Provide Guidance on Analysis of Injuries Resulting from Everyday Activities," *Illinois Defense Counsel Quarterly* (2017)
- "OSHA's Final Rule on Recording and Reporting Workplace Injuries," *Employer's Edge*, Heyl Royster Employment Newsletter (2017)
- "The Year in Review – 2016," *Below the Redline*, Heyl Royster Workers' Compensation Newsletter (2016)
- "Recent Decision Addresses What Constitutes 'Incidental to Employment' in 'Arising Out Of' Analysis," *Workers' Compensation E-clip* (2016)
- "Guidance for Compliance: New EEOC Resource Document Aids Employers in Complying with the ADA When Leave is Requested," *Employer's Edge* – Heyl Royster Employment Newsletter (2016)

### Public Speaking

- "Drug and Alcohol Policies and Issues" OrthoIllinois Occupational Health (2016)
- "Sexual Harassment Awareness and Prevention" Heyl Royster Employers' Day Seminar (2016)
- "Drug and Alcohol Policies and Issues" Heyl Royster Employers' Day Seminar (2016)

### Professional Associations

- Winnebago County Bar Association (Vice Chair, Trial/Appellate Section; Vice President, Young Lawyers Division, 2016-2017)
- Illinois State Bar Association
- Workers' Compensation Lawyers Association
- IGNITE Rockford, Young Professionals Association

### Court Admissions

- State Courts of Illinois
- United States District Court, Northern District of Illinois

### Education

- Juris Doctor, California Western School of Law, 2011
- Bachelor of Arts-Economics, University of Illinois, 2008