

# JOHN SCANLON

## Seasoned Personal Injury Lawyer Solves Complex Puzzles, Scores Big Client Wins

by Sherry M. Karabin

Healy Scanlon Law Firm partner John P. Scanlon believes putting together a successful plaintiff personal injury or medical malpractice case is much like solving a large jigsaw puzzle.

“Oftentimes my cases involve engineering or design principles, and in some instances medical procedures, in which the answer to why my client was injured is buried within mounds of evidence,” says Scanlon.

“So, I find myself going on a quest to find the answers, which usually involves going through thousands of pages of documents and depositions, or puzzle pieces, to find out how everything fits together.”

Scanlon says one of the most difficult cases he pieced together involved a client who was badly injured and paralyzed in a motorcycle crash when the motorcycle would not decelerate.

Yamaha, which manufactured the motorcycle, argued the crash was due to rider error, but Scanlon believed a defective part was to blame.

“The documents were all in Japanese, and it was prohibitively expensive to translate thousands of pages,” Scanlon says. “Rather than doing that, I needed to find the part number or images of the part so I could cross-reference it and have only those pages translated.

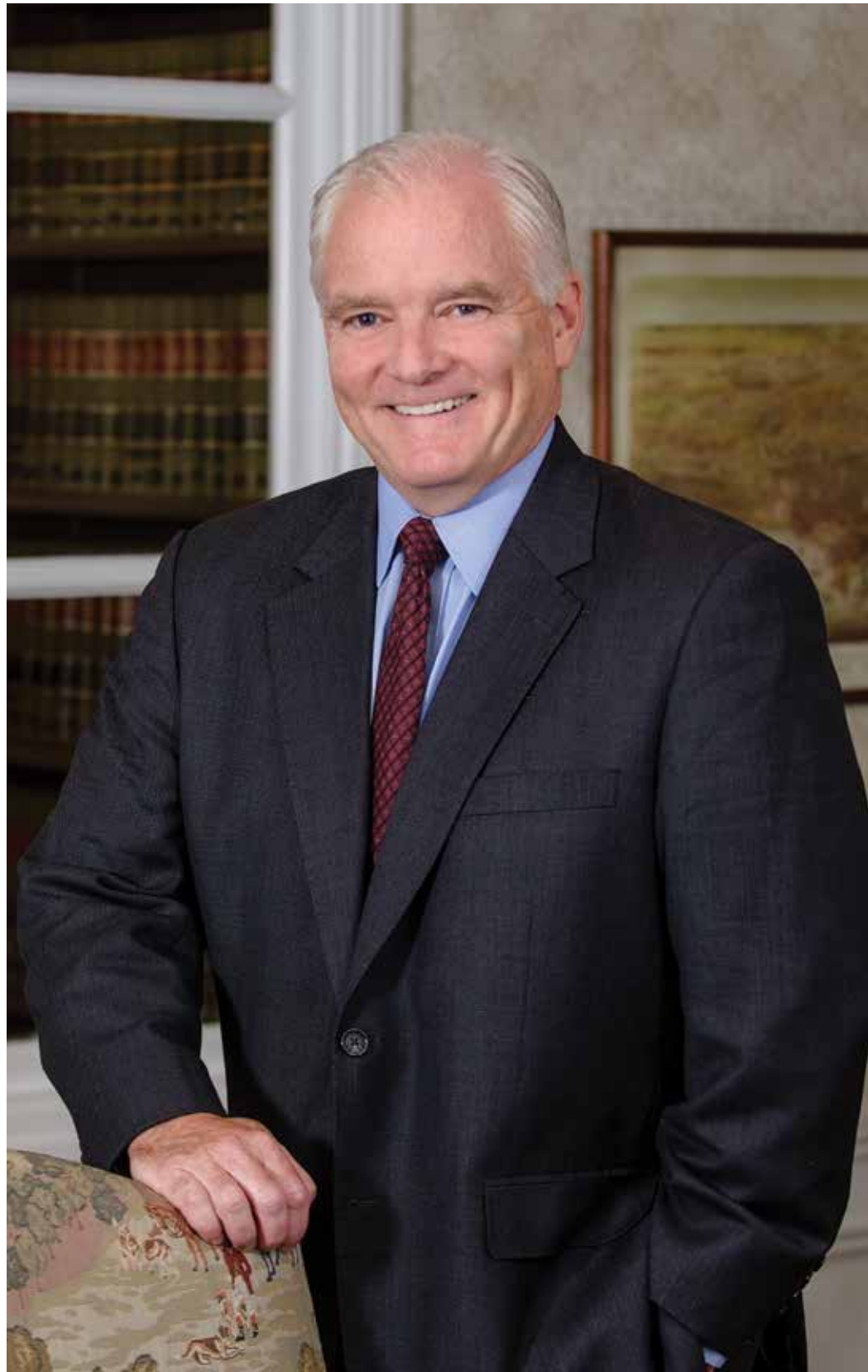
“If the motorcycle is working properly, the speed can be increased by twisting the throttle, which pulls on a cable that opens the carburetor slide and the valve.

“When you release the throttle, it should close the carburetor slide and reduce the speed. That did not happen according to my client.”

Scanlon says a joint inspection of the motorcycle by experts on both sides of the case revealed the carburetor slide was flaking or peeling.

After the inspection, he says, the puzzle began to come together since he was able to search for any mention of this problem in the documents.

“I found discussions in the documents of peeling of plating on the carburetor slide, and while Yamaha argued the issue had nothing to do with the functionality of the motorcycle,



the jury disagreed, leading to a \$24 million verdict,” says Scanlon.

“During the course of our case, Yamaha changed the throttle system. That made us feel like we made a real difference in the lives of other riders who might also have been injured down the road.”

Christopher Dallavo, senior attorney at Schueler, Dallavo & Casieri, says he’s witnessed Scanlon’s puzzle-solving skills firsthand on two major cases in which Dallavo represented the defendants.

“I think John’s mind works in a way that he is both logical and creative, which allows him

to piece together seemingly unrelated concepts and structure them in a way that benefits his client,” says Dallavo.

“The best part is that he does so in a non-contentious manner that is not offensive to the other side,” Dallavo says. “If God decided to mold a lawyer out of clay instead of creating Adam, he would have come up with John Scanlon.

“John is one of the most ethical and trustworthy attorneys I know,” he says. “He zealously advocates for his client in a completely respectful manner such that, even if you lose the case, you still feel good shaking hands with him at the end.”

### SUMMER JOB LEADS TO PASSION

Although Scanlon says he can't imagine doing any other type of legal work, his path was not always crystal clear.

Born in Chicago, Scanlon and his older sister, Kerry, spent their early years living on the South Side in the West Beverly neighborhood. When Scanlon was in middle school, the family moved to the village of Clarendon Hills in DuPage County.

“Many of my family members worked union jobs,” Scanlon says. “My mom and dad were teachers, and my uncles were police officers, firefighters and building engineers.

“My dad always wanted me to pursue an accounting degree and to study business law.”

Scanlon initially attended college at Creighton University in Omaha, Nebraska, but later moved back to Chicago to obtain his bachelor's degree in accounting from Illinois Benedictine College.

After graduating, he worked for one year as an auditor at the now-defunct American Stores, a public corporation and holding company that ran supermarket and drugstore chains across the United States. The experience convinced him that the corporate world was not for him.

At the end of his first year at DePaul University College of Law, he landed a summer law clerk position that solidified his legal path.

Scanlon found himself in an office with several plaintiff personal injury attorneys who were sharing space. One of those attorneys was Martin Healy, Jr., the founding partner of his current firm.

“I was immediately taken with the camaraderie and sense of purpose that these attorneys enjoyed,” says Scanlon. “Attorneys in this practice area deal with people in dire circumstances and do their part to help them get through difficult times.

“I think part of the appeal to me also had to do with the fact that some of my relatives

worked dangerous jobs where people routinely got hurt.”

When Scanlon returned to law school, he immediately shifted gears, taking as many trial advocacy and evidence classes as he could.

“I have never looked back or regretted my decision,” he says.

### LANDING HIS DREAM JOB

While he knew what direction he wanted to take, Scanlon didn't start off at a personal injury law firm.

In fact, after receiving his law degree in 1989, his first job was handling a wide variety of cases at the Deneen & Stone law firm.

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During that time, he kept in touch with Martin Healy Jr., who was no longer a sole practitioner and had several attorneys working for him.

“I was very impressed with John when he was a law clerk,” says Healy, the founding partner of the Healy Scanlon Law Firm. “So, when I was looking for another lawyer to

join the firm, John was the guy that everyone thought was the person to hire.

“John is obviously very smart, but even more importantly he has the ability to handle complicated cases,” says Healy. “He's easy to get along with, fair and a team player.”

Fast forward many years and the two are now both name partners in the Healy Scanlon Law Firm.

Over the years, Healy and Scanlon have joined forces on some difficult cases, including the Yamaha motorcycle case, which Healy says resulted in the largest verdict for a paraplegic in Illinois at that time.

“We share a relationship of mutual respect and support,” Healy says. “There's no question that John is very compassionate toward his clients, but his attention to detail and intelligence also play a large role in his ability to win cases.

“He has a casual, likable way about him that comes out when he's in front of a jury, and that makes him very effective,” he says. “The firm is very fortunate to have him on the team.”

### MAKING A DIFFERENCE

Scanlon says the most enjoyable part of his job is the ability to make a positive difference in his clients' lives.

While the 2002 verdict in the Yamaha case stands out as one of his best outcomes, he has a long roster of successes.

In the late 2000s, he secured a \$20 million settlement against the manufacturers of a defective car part for a family whose vehicle lost power on an interstate highway in the Chicago area. The vehicle stalled, resulting in a crash that killed a young child and left the



At Creighton University 2017 graduation. From left: daughter Maddie, daughter Clare, wife Maureen, son Mike, Scanlon, son Jack, son Joe

mother partially paralyzed.

"We believed the fuel pump failed," says Scanlon. "It took numerous inspections to replicate the stall.

"I figured there had also been other incidents, which the manufacturer denied. Fortunately, we live in an age where it's possible to check the National Highway Traffic Safety Administration website that lists recalls, investigations and complaints about particular products.

"We found approximately 50 similar events, and ultimately the manufacturer agreed there were other instances but still argued there was no defect," Scanlon says. "Nonetheless, they agreed to a large settlement."

Although he prefers cases that involve product liability, Scanlon also enjoys the challenges of medical malpractice claims.

"Medical malpractice cases are harder to win because I believe there is a built-in bias among juries that favors medical professionals," says Scanlon.

One of his most challenging cases involved a 72-year-old woman who suffered a stroke and permanent brain injury following an angioplasty procedure.

The medical malpractice suit was filed by the woman's guardian against the physician. It alleged a mistake caused internal bleeding that brought on the stroke. In the end, the jury awarded the plaintiff \$4.6 million.

"One of the aspects of the practice that I enjoy is that I learn new things all the time," says Scanlon. "My cases usually involve a lot of research, which is necessary for me to understand the technical or medical issues in the case.

"In this instance, I learned a great deal about the surgical procedure my client underwent, which I used to prove that a mistake had been made."

## LEGAL AND PERSONAL CONNECTION

Scanlon's practice clearly plays a major role in his everyday life, but ironically it also led him to meet the woman he would later marry.

"My father was actually in a car accident with my future wife Maureen in 1986," he says. "My dad hit her car, and she came back to the house so they could exchange information.

"We met, and one thing led to another," he says. "It was a match made in tort heaven."

Maureen Scanlon now teaches math at Benet Academy in Lisle. The Scanlons have been married for 28 years. They live in Downers Grove and have five children.

Their oldest child, Clare, is a nurse at a Chicago-area hospital, and their youngest child, Maddie, is in middle school.

The couple's youngest son, Joe, is majoring in computer science at Benedictine University;



At Chicago's 2017 St. Patrick's Day Parade. From left: Jack, Joe, family friend Matt Lewitke, Clare, wife Maureen, Scanlon, Maddie, Mike

their son, Jack, is a 2L at The John Marshall Law School; and their son, Mike, is a 2L at DePaul University College of Law.

"All my siblings and I watched our dad work very hard and realized that he helped a lot of people with his work," says Mike, a law clerk at the personal injury law firm Taxman, Pollock, Murray & Bekkerman, LLC.

"My dad really cares about people, which is apparent the moment you meet him," says Mike. "He puts a lot into his work, but his family is very important to him."

Jack Scanlon, a member of the *John Marshall Law Review*, says he has attended depositions and a mock trial involving one of his father's medical malpractice cases.

"I saw the amount of time my father spent preparing for trial, and his work ethic generated a verdict that had a life-changing impact for his client," Jack says. "Seeing this was the main reason I decided to go to law school."

## EVOLUTION OF THE PRACTICE

Scanlon says he's witnessed many changes in the type and way in which cases are handled since he began practicing in 1990.

"When I first started working in the area of plaintiff personal injury, many of the cases I handled involved automobile collisions," says Scanlon. "Today, my cases are much more complex.

"Technology has also had a major impact on the way I present my cases at trial," he says. "I rarely use big poster boards. Now, everything is mainly multimedia presentations, which does improve the jury's attention."

Many of his new clients now find him via the Internet, but he still receives quite a few cases from former clients, friends and family.

"Social media and other electronic evidence is now a part of many of my cases, and it has proved helpful in a number of instances."

## IMPROVING THE PROFESSION

Scanlon's dedication to the legal profession doesn't begin and end with his practice.

He's also held a variety of leadership positions in various organizations, including serving as vice chair of the Illinois Supreme Court Committee on Jury Instructions in Civil Cases, chair of the Tort Law Section of the Illinois State Bar Association and as president of the Illinois Trial Lawyers Association from 2017 through 2018.

During his time as ITLA president, Scanlon worked closely with Margaret Battersby Black, who was the first chair of the newly created Women's Caucus.

"John was among those who worked to get the caucus up and running," says Battersby Black, a partner at Levin & Perconti. "The goal of the caucus is to get more women involved in the organization.

"The work he did to create and promote the caucus is no different than what he does in his everyday practice in that he always seeks to promote fairness and justice," says Battersby Black, whose term as chair ended in June. "Less than 20 percent of ITLA members are female, and John advocated for us to make sure we get our voices heard."

## LOOKING AHEAD

At age 56, Scanlon has no plans to retire anytime soon. However, he does expect to have more free time in the next few years when his youngest daughter goes off to college.

"I enjoy reading and exercising. Beyond that, the rest of my time right now is spent at work or with my family," says Scanlon. "But I expect I may do a few more things down the road, including spending more time out on Lake Michigan and on Green Bay with my wife while in Door County, Wisconsin." ■