

Securing Injury and Workers' Comp Wins for Victims and Their Families

by Sherry Karabin



As a child, Dennis M. Lynch watched old episodes of the legal series *Perry Mason* on television, imagining what it would be like to present a case to the jury and come out on the winning side.

Fast-forward many years later and the drama he once found intriguing is now part of his everyday life as a plaintiff's personal injury and workers' compensation associate at Healy Scanlon Law Firm.

"I always thought the issues lawyers dealt with were interesting, but when I actually started practicing, I was immediately drawn to the plaintiff's side because it is very satisfying to help people in their time of need," he says.

These days, he spends a lot of his time in a variety of negligence lawsuits representing quads, paraplegics and those who have lost limbs.

"If I can negotiate a settlement or win a jury award that provides them with financial security and some quality of life, it is very rewarding.

"I also do a lot of product liability work," says Lynch. "A product liability case can lead to improved consumer safety. I cannot tell you how satisfying it is to learn that a product design has been changed down the road because of the type of work we do at the firm."

While many cases are settled or undergo arbitration, others lead to hard-fought battles in the courtroom.

One of his most challenging cases involved the death of a college athlete, who passed away in 2010 days after being seriously injured in a pole-vaulting accident at a track meet. The incident took place in Morgan County, Illinois, on the property of the host school.

The firm represented the student's mother in the wrongful death lawsuit.

"I was on the trial team, and our goal was to prove two key points," he says. "First, we argued that the people who assembled the landing pad at the school where the meet was held did so incorrectly. Second, we argued that the manufacturer did not provide appropriate instructions on the assembly and warnings about what would happen if the product was not assembled correctly.

"It was a very difficult case because a lot of the evidence made it appear that our client had simply made a bad jump and that no padding would have helped him because he jumped too far to the right and would have missed the mats entirely, no matter how large they were or how they were assembled."

Raising the stakes even higher, the college was the main employer in the area.

In the end, the firm was able to secure a record \$2.5 million verdict after a three-week trial in 2018. The jury found against both the college and the manufacturer.

"We were able to prove that had the pads been assembled correctly, our client would not have died," says Lynch. "The verdict we obtained was substantially higher than others reported in the county."

AN EARLY START

A native of Alsip, Lynch obtained a bachelor's degree in criminal justice and history from Lewis University in Romeoville.

His entry into the legal field began when he was a rising sophomore at Lewis University at the very law firm where he works today.

"I was recommended for a summer law clerk job by a neighbor who had a contact at the firm," he says. "At the time, I did not know much about personal injury law, and I was not necessarily headed in that direction."

However, once he started at The Healy Law Firm (now Healy Scanlon Law Firm), he quickly took a liking to trial work.

"I ended up scheduling the remainder of my college classes in the morning so I could work here in the afternoons," Lynch says. "I initially did a lot of clerical tasks, but I quickly found myself working alongside paralegals and doing a lot of research and writing and even drafting briefs and responses to briefs."

After beginning classes at Loyola University Chicago School of Law, he attended court

hearings, making notes and outlining issues and arguments for cases.

“As a 1L at Loyola, I did all of the initial drafting of a brief for a case in the Supreme Court of Illinois and got an excused absence from class to attend the oral arguments. The resulting opinion in *Forsythe v. Clark USA* looks a lot like the draft brief I wrote.”

When he received his law degree in 2007, the firm officially welcomed him to the team.

Managing Partner Martin Healy Jr. says Lynch demonstrated his talents early on.

“Most of our clerks come to us in law school, but we identified Dennis when he was still in college,” says Healy. “He is an outstanding attorney with tremendous potential.

“He has been involved in many sophisticated cases that require him to master complex engineering and medical concepts,” Healy says. “He has also been heavily involved in a number of appeals before the Illinois Appellate Court and the Illinois Supreme Court. He has a great personality and is very good in front of a jury.”

A WINNING APPROACH

Deciding whether and how to pursue a case is usually a multi-step process, says Lynch.

When a client contacts the office with a potential case, the first thing Lynch does is determine the seriousness of the injury, how it occurred and who is at fault.

“If it is an auto accident, for example, and the plaintiff played a role in the crash, the person may not have a case,” he says. “We also need to be able to link the injury to the accident, so it is important that the plaintiff sought medical treatment within a reasonable period of time.”

The final step is to assess the damages and whether there is a way to recover.

“If the defendant is indigent and does not have insurance, proceeding with the case would not make sense since there would be no way to recover,” says Lynch.

In product liability cases where the plaintiff or plaintiffs have sustained significant injuries, Lynch starts preparing for trial on day one.

“I often sit down with a legal pad and come up with a list of potential problems in the case and then decide how to respond to each issue a defense attorney might raise,” he says.

Expert witnesses are key in proving personal injury cases, especially those involving product liability.

“Often, a case can rise and fall based on your experts,” he says.

If a settlement is on the table or if the case will be arbitrated, Lynch sits down with the plaintiff and family members to discuss their options and his planned strategy.

“Sometimes, the defense will try to pressure the plaintiff into settling for a smaller amount,” he says. “I had a mediation one time where the insurance company tried to get the family of a person killed in a trucking accident to settle for a small amount.

“I had prepared the family prior to the mediation, explaining what the other side would say and how we could overcome the arguments. I had prepared the family for every issue the defense brought up. As a result, the family was confident in turning down the offer and felt better about me and the firm as a whole.”

Although some motor vehicle accidents are straightforward, Lynch says some contain multiple moving pieces that must be assembled for the case to make sense.

In 2016, Lynch found himself trying to reconstruct a late-night trucking collision that happened on I-39 in Rochelle.

“I have often consulted with him when I have had a complex case. Dennis is always willing to help a legal colleague in any way he can. I have called him to brainstorm, and I always learn something very valuable.”

“My truck driver had rear-ended another tractor-trailer that was in front of him,” he says. “However, there was evidence in the police report that the truck driver was having mechanical problems with his truck and was driving very slowly on the highway when my client hit him.”

The collision ignited a fire, killing Lynch’s client. He represented the driver’s wife in a wrongful death suit.

The first step, he says, was determining why his client was unable to see the other truck in time to prevent the collision. The defendant truck driver, who was from Cook County, told police his hazard lights were on at the time of the accident.

Lynch says the truth was revealed after he tracked down and deposed two Minnesota truck drivers who witnessed the accident. One of the truck drivers recorded the aftermath on his phone. That video clearly showed that the defendant truck driver did not have his hazard lights on.

“The case was heavily disputed when we went to Minnesota. But once we deposed those

witnesses, we were able to turn things around in our favor and settle the case for the limits of the trucking company owner’s insurance policy,” says Lynch. “It was not a great deal of money in the context of the loss, but it did help his wife and the decedent’s five children, two of whom were very young.

“I did an asset search of the company and deposed the owner—the only time I ever deposed an owner on financials—but there was nothing else available.”

Civil litigation attorney Richard Prendergast has served as co-counsel on a few of Lynch’s cases.

“Dennis is a student of the law,” says Prendergast. “I am 30 years his senior. Whenever I have a procedural question, Dennis is likely one of the first attorneys I call because I know he will most likely be able to answer it.

“He stays abreast of the law and even the most mundane procedures. He is also a very skilled practitioner, capable of taking charge and preparing a case for trial. He is a perfect gentleman and a fair-minded and even-tempered professional. Whenever we have worked together, it has always been a good experience.”

A DEDICATED PROFESSIONAL

Although he puts in long hours and sometimes travels extensively, Lynch believes in giving back to the profession and the community.

A member of the Illinois Trial Lawyers Association (ITLA), the Illinois State Bar Association (ISBA), the Appellate

Lawyers Association, the American Association for Justice and the Justinian Society of Lawyers, Lynch has served in a number of leadership roles.

He is a former member of the ISBA Board of Governors and the past chair of the Tort Law Section Council.

Illinois State Bar Association Immediate Past President Judge James McCluskey, who serves on the 18th Circuit Court in DuPage County, says Lynch never hesitates to take on a commitment.

“Dennis is a big supporter of our state bar association,” says McCluskey. “When he gets involved in a project, you never have to worry about him dropping the ball. He always does a thorough job.”

Most recently, Lynch served as chair of a special committee charged with reviewing the ISBA’s internal election procedures.

“Candidates and bar association members have raised a number of issues with how ISBA campaigns are run, and it was time to revisit the issue,” Lynch says.

After a number of meetings throughout the

state, Lynch presented several suggestions to the ISBA Assembly in June 2019. They were approved, and the committee is still working on developing other suggestions.

In addition to his service to the legal profession, Lynch does pro bono work for the Chicago St. Patrick's Day Parade Committee.

"I review sponsorship contracts and coordinate with local government and the Irish Consulate on logistical issues for the parade," he says.

He also serves as a lecturer at Loyola University Chicago School of Law and judges competitions for the mock trial team at DePaul University.

"I participated in mock trial in college, and it definitely helped me when I started doing trial work," he says.

Ken Levinson, a partner at the personal injury law firm Levinson and Stefani, describes Lynch as a lawyer who is "very caring," "diligent" and "fantastic."

"I got to know Dennis professionally about 15 years ago," says Levinson. "We have never worked together on a case, but I have often consulted with him on issues when I have had a complex case. Dennis is always willing to help a legal colleague in any way he can. I have called him to brainstorm, and I always learn something very valuable."

DOWN THE ROAD

At age 37, Lynch's plan for the future is simple: continue to grow his practice and increase the presence of the firm in the community.

"I am very happy where I am," he says. "We are a tight-knit firm, and I've always found that everyone has a pretty equal voice in the way it is run and the type of cases we get to handle."

That said, he is looking forward to making partner, and he plans to become even more involved in the state bar association.

"I am going to run for the board of governors again next year," he says. "I will take on any leadership roles I can. I think the organization is very important for lawyers and for our state."

In his leisure time, the Oak Park resident enjoys cooking and traveling with his wife Amanda.

"I was in law school when we got married. So, on our 10th anniversary, we went to Italy, and I took a cooking class in Tuscany," he says. "I try to keep what I learned current by making my own pasta and various Italian dishes."

"I find cooking relaxing because unlike trial work, which can be chaotic, it is an orderly process." ■