

BRIAN J. HICKEY, Esq.

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EDUCATION: University of Illinois – Champaign/Urbana
1985 B.S.
DePaul University – College of Law
1988 J.D.

LICENSURE: State of Illinois, 1988
U.S. District Court Northern District of Illinois, 1989
U.S. District Court Northern District of Indiana, 1995
U.S. District Court Central District of Illinois, 2007
Member Federal Trial Bar

EMPLOYMENT: Associate, Cassiday, Schade & Gloor
1988 – 1995
Partner, Cassiday Schade LLP
1995 – Present
Managing Partner – Naperville Office
2000 – Present

LAW FIRM COMMITTEES:
Executive Committee
2009 – Present
Business Development Committee
2009 – 2016
Hiring Committee
1990 – 1998
Associate Training Committee
2016 -- 2018

CURRICULUM VITAE OF BRIAN J. HICKEY, Esq.

ORGANIZATIONS:

American Board of Trial Advocates (ABOTA)
Leading Lawyers 2014 – Present
Illinois Superlawyers 2006 – Present
DuPage County Bar Association
DuPage County Panel Arbitrator (Chairman)
Council for Litigation Management (CLM)
Defense Research Institute (DRI)
Themis Advocates Group
Chicago Volunteer Legal Services

TRIALS:

- *Winters* (Cook County, 2020) – Medical Malpractice, podiatrist. Plaintiff asked \$800,000. Jury reached verdict in 2 hours. 12 – 0 in favor of Defendant.
Specialty: Podiatry
- *Hudnut* (Cook County, 2019) -- Medical Malpractice. Bilateral leg amputation. Plaintiff asked \$8.8 million. Jury reached verdict in 1.5 hours. 12 – 0 in favor of Defendant.
Specialty: Emergency Medicine
- *Taylor* (Cook County, 2018) – Medical Malpractice. Wrongful death of 47-year-old. Plaintiff asked \$15 million. 11 – 1 in favor of Defendant, Court declared mistrial. Case settled at low end of high/low agreement following mistrial.
Specialty: Gastroenterology
- *Walker* (Cook County, 2016) – Podiatric Malpractice. Alleged Achilles cut during surgery. Plaintiff Verdict. Plaintiff asked \$1.5 million. High-low agreement, Verdict \$300,000.
Specialty: Podiatry
- *Steele/Koenig* (Kankakee County, 2016) – Medical Malpractice. Wrongful death of 18-year-old. Retrial of case originally tried in 2010, Verdict reduced from \$1.5 million to \$752,000.
Specialty: Emergency Medicine

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- *Guerra* (Cook County, 2016) – Medical Malpractice. Wrongful death of 45-year-old mother of four teenagers. Plaintiff asked \$7.5 million. Defense Verdict. Plaintiff appealed and appellate court affirmed.
Specialty: Anesthesiology/Pain Management
- *Rizzo* (DuPage County, 2016) – Medical Malpractice. Defense Verdict.
- *Mayer* (Kane County, 2015) – Medical Malpractice. Defense Verdict.
Specialty: Dermatology
- *Kononowicz* (DuPage County, 2015) – Podiatric Malpractice. Defense Verdict.
Specialty: Podiatry
- *Davidson* (Kane County, 2013) – Medical Malpractice. Alleged failure of appendectomy. Defense Verdict.
Specialty: General Surgery
- *Smith* (Kane County, 2013) – Premises Liability. Defense Verdict.
- *Glynn* (Kane County, 2013) – Medical Malpractice. Wrongful death of 1-month-old infant. Plaintiff asked \$3 million. Defense Verdict.
Specialty: Neonatology
- *Akens* (Kane County, 2012) – Medical Malpractice. Wrongful death of 58-year-old. Plaintiff asked \$8 million. Plaintiff Verdict -- \$2 million.
Specialty: ICU Nursing Staff
- *Pfeiffer* (DuPage County, 2012) – Medical Malpractice. Leg amputation case. Plaintiff asked \$2 million. Defense Verdict.
Specialty: Internal Medicine, Nurse Practitioner

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- *Sayles* (Kane County, 2011) – Medical Malpractice. Breast implants. Defense Verdict.
Specialty: Plastic Surgery
- *Sharbono* (LaSalle County, 2011) – Medical Malpractice. Failure to diagnose breast cancer in 37-year-old. Defense Verdict.
Specialty: Radiology
- *Fuentes* (Kane County, 2009) – Medical Malpractice. Hand fracture complications. Defense Verdict.
Specialty: Emergency Medicine
- *Conrades* (Kane County, 2009) – Medical Malpractice. Wrongful death of a 49-year-old mother of three teenagers. Plaintiff asked jury for \$7 million, pretrial settlement offer of \$150,000 was rejected by plaintiff. Defense Verdict.
Specialty: Emergency Medicine
- *Weigel Broadcasting* (Cook County, 2007) – Declaratory Judgment Action.
- *Aurora Township* (Kane County, 2007) – Medical Malpractice. Complex regional pain syndrome, excessive steroid injections. Defense Verdict.
Specialty: Pain Management
- *Granda* (Will County, 2007) – Medical Malpractice. Alleged excessive Indocin caused ulcer perforation and death of 88-year-old. Plaintiff Verdict. Asked jury to award \$600,000, Verdict recovered \$75,000.
Specialty: Internal Medicine
- *Campbell* (Kane County, 2006) – Medical Malpractice. Misdiagnosed appendicitis. Defense Verdict.
Specialty: Urgent Care
- *Carranza* (Kane County, 2004) – Medical Malpractice. Death of 16-day-old infant. Plaintiff Verdict.
Specialty: Emergency Medicine

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- *Crawford* (Kane County, 2003) – Medical Malpractice. Wrongful death of 62-year-old with abdominal aortic aneurysm. Defense Verdict.
Specialty: Nephrology
- *Meyer* (Cook County, 2003) – Auto. Defense Verdict.
- *Wapinski* (Cook County, 1995) – Rear-end Auto. Injury herniated C6-7, disc with surgery and knee arthroscopy. Admitted Liability. Plaintiff asked \$625,000, offered \$250,000. Verdict \$330,000.
- *Iantorno* (Cook County, 1995) – Dental Malpractice. Claim of trigeminal neuralgia. Defense Verdict.
Specialty: Oral and Maxillofacial Surgeon
- *Prudential Ins. Co.* (Cook County, 1993) – Auto. Defendant settled case and pursued non-settling defendants on counterclaim for contribution. Directed Verdict for Defense on Counterclaim, Reversed on Appeal. See Appellate Court Decisions.
- *Miller* (Cook County, 1992) – Premises Liability. Defense Verdict.

PRESENTATIONS:

Avoiding Malpractice (2019)

- Presented to physicians' group

Insurance Industry (2019)

- Social media in litigation

Elmhurst Emergency Medical Services (2016)

- Liability for mid-level providers

Illinois Emergency Medicine Specialists, LLC (2015)

- Most common emergency room litigated cases

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Kane County Bar Association

- Supreme Court Rule permitting juror questions during trials (2014)
- Voir Dire (2015)

Rush Copley Medical Center (2013)

- Mock trial for physicians and nurses CME

ISMIE (2010, 2011, 2012)

- Preventing medical Misadventures program

Illinois Provider Trust Annual Meeting (2009)

- Impact of history & physical and charting in malpractice claims

Construction Defect Seminar (2007)

- Toxic torts
- Mold contamination

Delnor Community Hospital (2006)

- Nursing presentation on electronic charting, communication with physicians and litigation issues for nurses

SUPREME COURT and APPELLATE COURT DECISIONS:

Illinois Supreme Court:

Tedrick v. Community Resource Center, et al., 869 N.E.2d 421, 235 Ill.2d 155 (Ill. 2009)

Illinois Appellate Court:

Guerra, 1-17-1857 (Ill.App. 1 Dist., 2018)

Martin, 2-18-0022 (Ill.App.2 Dist., 2018)

Davidson, (Ill.App. 2 Dist., 2015)

Sharbono, (Ill.App. 3 Dist., 2013)

McDonald, 2011 Ill.App. Unpub. Lexis 1187

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Conrades, 2011 Ill.App. Unpub. Lexis 646

Spence v. GATX, 3-10-0057, Third District (2010)

Tedrick, 869 N.E.2d 421, (Ill.App. 5 Dist., 2007)

Pageloff, 849 N.E.2d 1086, (Ill.App. 3 Dist., 2006)

Compton, 811 N.E.2d 1225, (Ill.App. 2 Dist, 2004)

DeBonnett, (Ill.App. 1 Dist, 2000)

Miller, (Ill.App. 1 Dist, 1994)

Prudential Ins. Co., 612 N.E.2d 24, (Ill.App. 1 Dist., 1993)