

Patricia Hogan

A Relentless Force in Construction Law

by Josh Weinhold

Looking around Patricia J. Hogan's office, it doesn't take long to figure out what type of law she practices.

If the model cranes and hunks of metal adorning her desk and file cabinets don't give it away, the pink hardhat certainly does. For the construction law attorney and **Cassiday Schade LLP** partner, these aren't just pieces of memorabilia. They're important tools of her trade.

The miniature cranes are symbolic of her work, but they also represent one of her most significant cases. They help her explain what happened when the full-size version of the giant piece of machinery struck an overhead electric wire, killing one person and injuring another. Hogan defended the general contractor in that case, obtaining a favorable result for her client.

Sitting next to one of those models is a beam skate, a fist-sized piece of steel she bought from a construction company when testing a claim a plaintiff made in a personal injury suit against her client. The plaintiff claimed the beam skates on the job site weren't big enough to fit the beams, prompting the accident that injured him. It would have been a demonstrative exhibit at the trial, if the case hadn't settled instead.

As for the pink hardhat, it's an essential piece of equipment that has nothing to do with her gender and everything to do with the type of clients she represents. On a job site, pink hardhats are loaned to workers who forget their own. Construction workers are more likely, their bosses figure, to return a pink hardhat than mistakenly take it home with them.

The piece of protective gear in her office is merely a backup, though. She's got another one in her car, along with a pair of boots, safety glasses and a vest. They're there, ready and waiting, in case she needs to head out to a job site on a routine visit or for an emergency.

The most important mementos from her successful 24-year career defending contractors, subcontractors and property owners in accident litigation don't stand out as much. But the binders and file folders and bins of documents are the true signs of the quality of her work.

They hold the notes, transcripts and exhibits that helped her win trials, reach

(Continued on page 52)



(Continued from page 50)

settlements and prevail on seven motions for summary judgment in 2014 alone. They also prove how focused and committed she is to her clients' matters — and how concerned her opponents need to be about her presence in a case.

"I work hard," says Joseph P. Sorce, a partner at plaintiff firm Goldberg, Weisman & Cairo Ltd. "And then I remind myself someone like her is out there, so I better work harder."

Finding Straight-Shooting People

Hogan was born in Sumner, Iowa, to a father who worked as a school principal and a mother who was a teacher. In high school, her dad took a job as a school district superintendent in the Chicago suburbs. Going from a town of 6,000 people to a school of thousands of students was quite the culture shock.

As her dad moved between various superintendent jobs, her family moved around Illinois in her final years before college. She stayed in the Land of Lincoln for college and graduate school, majoring in social work at Illinois State, then earning her master's degree in the same area at the University of Illinois.

The first six years of her professional career were spent as a certified social worker, first at a low-income daycare center helping young parents develop child-rearing skills, then at an inpatient drug and alcohol rehab center.

Later, she was a case worker for the Illinois Department of Child and Family Services. That led to frequent court appearances to testify about the need to remove a child from his or her home, then reporting to a juvenile court judge and guardian ad litem on the status of the youth.

That judge, recognizing her intellect, kept telling Hogan she should go to law school. She finally listened when a close friend — an assistant state's attorney she worked with while at DCFS — was struck and killed by a car while jogging one day.

"It was one of those things where you realize that there is mortality," she says. "And I realized if I'm going to take this shot, I'm going to do it now. So I did."

She returned to the University of Illinois to get her law degree, then upon graduation interviewed with a few firms. Cassidy Schade seemed like the best fit, given the connection she made with its people and her respect for its firm culture. She moved to Chicago in 1990 and has been with the same firm ever since.

While she dabbled in medical-malpractice and products-liability defense early on, it didn't take long for her to become intrigued by construction law. The

process of turning imagined designs into physical structures fascinated her, as did the individuals realizing that process from start to finish.

"They're very interesting people. I like them. They're really straightforward people," Hogan says. "And being from Iowa, I like straightforward, straight-talking, straight-shooting people."

Getting Down to Specifics

For Hogan, growing as a construction lawyer meant learning not just everything about the legal side of the business, but everything about the construction side of the business as well.

It required going to clients' job sites and learning about each phase of a building's development — how paperwork is formatted, who the subcontractors are, what a skip hoist or rebar is and how it works, who's in charge of safety on a site, and how safety processes are developed, checked and implemented.

It also meant asking questions. Lots and lots of questions.

"You find the superintendent, the highest-level field person on the project each day, and he becomes your teacher," Hogan says. "He teaches you everything you need to know about how a project is put together."

Figuring out the legal side of the equation was a learning process, too. Those lessons came from Hogan's mentor, longtime Cassidy Schade partner William J. Furey, who she shadowed at meetings and at job sites. While she couldn't bill those hours, she was picking up valuable lessons about what clients were looking for and how their lawyer could deliver it to them.

"I'd learn how he ran a meeting, what questions he asked, what was important," she says. "After the meeting, I'd ask him about why that was important. Now, I'm doing that for the people who work for me."

Furey saw her develop, and he developed quickly. Construction litigation is a complex beast, he says, with high-stakes cases, hyper technical statutes, difficult procedural elements and a layer of insurance issues that further complicates matters — so much so that even some defense attorneys and judges seemed unable to grasp the way such questions could impact a case.

And in a field that had few women in it, Hogan didn't take long to prove she belonged, Furey says.

"For what she lacked initially in an understanding of the construction process, she had an aggressiveness to get competent in that area," he says. "She can talk mechanics and engineering and construction processes with seasoned veterans — in the field, not

just with lawyers."

That level of understanding proves crucial, Furey says, when a lawyer is summoned to a job site where something has gone wrong and the attorney is expected to make sense of it all.

"She has had many, many a time where you're called to the scene of an accident, and she has developed the technical skills, the self-confidence, to be able to go out and control and initiate the investigation and have it concluded before the job even resumes working the next day or the next week," Furey says.

The intricacies of construction law aren't taught in textbooks, Hogan says, so she knew her craft would have to be honed on the job, through constant study and attention to detail.

Thankfully, she had plenty of people willing to help her — she just had to know who to ask.

"You've got to be willing to learn and not think you know everything, and be willing to ask the questions about things a young lawyer doesn't know," she says. "You have to be willing to learn information, but your clients have it. So if you're lucky like I am and work for really great clients, they have the things you need to learn."

Everything in Its Place

It's not all know-how for Hogan, though. While confidence in her knowledge is one of her strongest attributes, Furey says, the demeanor she displays in her daily work is equally remarkable.

It's not something only her colleagues appreciate, he says. Her opponents recognize it, too, as do judges, insurance carriers and safety professionals.

"In a business which is inherently aggressive in nature and sometimes brings out an awful lot of hostility, she understands a little bit of grace goes a long, long way," he says. "She treats everybody with a measure of respect which then comes back as a return on investment multiple times over."

Grace, however, doesn't necessarily mean nice. When it comes to a deposition, negotiation or court proceeding, Hogan says she always means business. She knows what she needs to do and knows what it will take to get there.

"I'm intense, prepared and relentless," she says. "Then after the deposition, I'm pleasant. I do flip the switch. I have friends who are plaintiffs' attorneys who, when we're in a deposition, we're not friends. They're the enemy. Then after deposition, we can be very cordial and have really nice, friendly conversations."

(Continued on page 190)

HOGAN

(Continued from page 52)

It's a mentality her clients appreciate. Having such a dogged, determined defender on your side is a major benefit.

"The big plaintiff firms, they know her, they respect her," says Patrick Duggan, who handles risk management for Power Construction. "They know if they're going to come after Power, they're going to have to deal with her. And that helps us."

Duggan, with Power since 2008, says Hogan is the "utmost advocate," who approaches matters not to get "another trophy on the wall," but to help her client achieve the most desirable end result.

Her bond with a client extends beyond in-house counsel and officials, too. On-site employees get to know her and value her expertise as well.

"Our safety guys have nothing but good things to say about her and the fact that she's spent time building that rapport with them," he says. "She's their ally, she's their advocate. She's able to simplify the contents about exposure from legalese into their world."

Plaintiff attorneys, meanwhile, might not necessarily welcome her presence on a case, but they do respect her presence.

Sorce, the Goldberg Weisman Cairo partner, says Hogan is the quintessential professional, a zealous advocate who always puts her client first. In every case, he says, it seems like Hogan is defending her best friend.

And that desire to achieve the best outcome means Hogan won't let an angle go unexplored or a question go unasked.

"She never makes it easy," he says. "I have to prepare my clients' witnesses five times harder. She's the most thoroughly prepared lawyer I know. She doesn't miss an issue."

And after one outing with Hogan on a bike trail — her favorite recreational activity — Sorce can vouch for her competitive spirit outside the courtroom, too.

"I'll never bike with her again. I'm not going to eat her dust," he says with a hearty laugh. "She slowed down a couple of times to let me catch up, adding insult to injury."

For Hogan, an extremely involved member of the Illinois Association of Defense Trial Counsel, all her work means nothing if it's scattered about and out of order. That's why those binders and files dotting her office are so important. Great litigation, ultimately, comes from great organization.

"I'm a stickler on that," she says. "If I'm taking a deposition, I want to be able to go right to the folder where the accident reports are, where the witness statements are, where the evidence is. I can't be looking. It's huge for a litigator." ■