President's Message

By: Katherine A. Amari O'Dell

As we end the 90th anniversary of the Justinian Society of Lawyers and my presidency, I want to thank my fellow officers and all of our members who have made this year successful. I especially want to thank immediate past President Cristina Mungai for all of her help and guidance as she was always available to answer any questions and provide direction throughout my year.

I also want to thank Judge Celia Gamrath for appointing me secretary of the society. She has been a mentor not only in my career, but also as a fellow mother.

I lastly want to thank the editor of the newsletter, past president, my father, Leonard Amari, for all his assistance in answering every day questions relating to the Society.

I am proud to announce that, with the assistance of First Vice President Gregg Garofalo and our Executive Administrator Nina Vidmer, this year the Justinian Society of Lawyers has come into the 21st Century, launching our new website. The website allows members to make reservations for dinner meetings, pay annual dues, join the Mentor-Mentee program, find a fellow Justinian lawyer, and view photographs of past dinner meetings. We would like to thank Sasso Marketing, Inc. for creating our new website as well as Nina, who now manages and adds to our website on a daily basis. Frankly, I don’t know what the society would do without her, or what I would’ve done if she wasn’t around.

I also want to extend a thank you to Richard Caifano, past president and chair of the Mentoring Committee. Due to the Illinois Supreme Court allowing CLE credits for an organizational-run Mentor/Mentee program, Richard has registered The Justinian Society of Lawyers, and the Supreme Court Commission on Professionalism has approved the Society’s lawyer-to-lawyer mentoring program. We are hoping to launch our program soon as we only need three additional mentees to register and pair with our listed mentors. With Nina’s help, any mentor and/or mentee can log onto the Justinian website and complete an online application through the Supreme Court Commission on Professionalism’s website. Hopefully, we can begin the program soon, either by the end of my presidency, or at the beginning of upcoming President Gregg Garofalo’s term.

We thank Judge Gloria Coco for chairing the Installation Dinner! Unfortunately, this will be the last dinner that she will chair as it is time for our younger members as well as our officers to relieve Judge Coco of her installation duties by creating a committee to plan upcoming installation dinners. With Gloria and Nina’s assistance, we had over 400 people in attendance to honor President John G. Locallo of the Illinois State Bar Association, John G. Locallo, with our Award of Excellence and to honor Justice Mary Seminara Schostok, Appellate Court justice of the 2nd District, with our Helen M. Cerise Award of Recognition.

We had a successful October Scholarship dinner meeting at the Holiday Inn Merchandise Mart. With

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Dear Katherine,
Thank you for publishing the wonderful article written by Tony Romanucci. It is bringing tears to my eyes as I think of the many friends who have become my family through the Justiniants. They are tears of joy, warmth and love that I have for all Justiniants. The memories of our monthly meetings, installation dinners, golf outings, bocce balltournaments, Columbus Day parades, bake offs at Christmas, etc, for over 40 years will never be forgotten. Thank you, Leonard, for sponsoring me on the recommendation of Mike Hennessy and Dominic Faraci.

- Bruno J. Tassone

Dear Katherine,
The last issue was absolutely wonderful. Quite possibly deserving of the Pulitzer Prize! Buono, Buono, Molto Buono!

- Sam Tornatore

Dear Katherine,
Thank you for the Justinian Newsletter and the good wishes. I am sorry I was unable to attend the dinner as I had an appointment I could not reschedule. Best of luck in your tenure as president. I am sure you will do a fabulous job (after all, leadership is in your genes) and I wish you the best.

- Judge Grace G. Dickler

Dear Katherine:
I would like to thank you and the rest of the scholarship committee once again for the scholarship award and dinner last Thursday. As I told Mr. Farace last week, the award is an immense help to me financially and it is always nice to gain recognition for hard work. I had a great time at the awards dinner, and I know my parents enjoyed themselves as well. I look forward to seeing you at another Justinian function soon.

- Vince Oppedisano

Dear Katherine:
Thank you for your kind note of October 5, 2011, with a copy of the most recent Justinian Newsletter. It is nice to know wherever I go, the Justiniants follow. Say hello to Joe and John for me; tell Len that my son started law school in Valparaiso in August.

- Anthony G. Scariano
Scariano, Himes & Petraca, Chtd.
Dear Katherine:

I am in receipt of your letter dated October 5, 2011, regarding the Justinian Society of Italian Lawyers Newsletter. Please extend my sincerest appreciation to my many friends at the JSL, for remembering my beautiful Jorgiana in its newsletter.

Please take notice it is comforting to know I have received the support and heartfelt sympathies and condolences from many friends like you and the JSL at this very difficult time for my Family. Please know I will always remember your kindness and thoughtfulness in the future.

- Louis G. Apostol
Exec. Director & General Counsel
Illinois Property Tax Appeal Board

Dear Ms. O’Dell,

Thanks for sending us the fall 2011 edition of the Justinian Society Newsletter, and thanks for your kind mentions of John Rooney and me and our CBA Award, and even the added nice words about us above and beyond the award.

I will show this also to Olivia Clarke and Patrick Milhizer whom you also mentioned. It’s an honor to be included in your newsletter.

- Jerry Crimmins
Chicago Daily Law Bulletin

Dear Katherine:

Thank you for your kind letter and the inclusion in the Justinian Newsletter. I very much appreciate being associated with your outstanding organization. Please give Len a hug for me.

- Jack D. Franks
Franks, Gerkin & McKenna, P.C.

Leonard,

Congratulations on Katherine becoming President of the Justinian Society. What a great honor for her and her parents. Wishing you all the best.

- Jim Moster
Newsletter contributor

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By: Vincent R. Vidmer

This year’s annual Installation and Awards Dinner proved to be a beautiful event and was again held at the magnificent Palmer House Hilton in downtown Chicago. Each year’s installation dinner has afforded memorable moments showcased by distinguished honorees, the induction of our Society’s officers, and a wonderful feast shared by new and old friends. Especially noteworthy was the swearing in of our new President, Katherine Amari O’Dell by retired Supreme Court Justice Hon. Moses Harrison.

The night’s celebration was vibrant as more than 400 attendees celebrated, reminisced and networked during cocktail and dinner. In addition to President Katherine Amari O’Dell, the following members were sworn respectively by Rev. Mary Milano: Gregg Garofalo, 1st vice president; Judge Robert Bertucci, 2nd vice president; Anita DeCarlo, 3rd vice president; Jessica DePinto, treasurer; and Frank Sommario, secretary.

Katherine is the daughter of Justinian past President Leonard Amari. The Amari legacy now extends onward through Katherine and includes her unique contributions to the legal community as not only a distinguished attorney but also a giving mentor, John Marshall Law School alumnus and community leader. She is the loving wife of Jason and caring mother of four-year-old Jason Jr., who were also in attendance. Katherine’s induction was celebrated not only by the attendees, but documented in the thick ad book filled with many letters of felicitation from members of the legal community, politicians, family and friends. Many of the Society’s leaders and past presidents were in attendance as well judges, Supreme, Appellate and Circuit Court, and various dignitaries within the legal and political communities.

The evening included bestowing the 2011 Justinian Award of Excellence to John Locallo, who serves as ISBA president, partner of Amari & Locallo and Justinian past president (and the seventh Italian American to lead this 34,000 member statewide bar association). John’s involvement with the Society spans several decades and there is no one more worthy to receive the honor. John is a man of integrity, well versed in current events, an accomplished and recognized attorney, and a practiced musician. His brother, Joe, correctly introduced him as “The most interesting man in the world.” John’s leadership in the Italian American and legal communities is enviable. His forward-thinking agenda as ISBA president is to deliver the legal community into the 21st century by providing accessible technology and promote solo practitioners. On a personal note, John is one of my mentors and I learned the ropes of property tax from his vast knowledge of the subject and generous tutelage.

Illinois Appellate Court Justice, the Honorable Mary Seminara Schostok was this year’s recipient of the Helen M. Cerise award. Judge Schostok is a judge in the 2nd Circuit Appellate Court. She currently serves as third vice president of the Illinois Judges Association, and has been active with several civic and legal organizations including the D.A.R.E. program; the Lake County Haven, a homeless women’s shelter; Big Brothers/Big Sisters of Lake County; the Red Ribbon Week at the Lake County Courthouse; and the American Bar Association judicial internship program. She serves as chair of the Criminal Law and Probation Committee of the Illinois Supreme Court. She and her husband Michael have three children. Her daughter, Marisa, a 2L at The John Marshall Law School, delivered a heartfelt introduction, followed by her mother who spoke about the importance of family and made us all proud to be Italian-Americans.

The sense of family and community was very apparent as generations of Justinians strolled around the grand ballroom, including the Amari, Locallo, Caifano, DeCarlo, Tornatore and other families that share multi-generational membership within the Society. The event’s success can be attributed to hard work by the officers, executive board and other members to the Society. A special thanks to Executive Secretary Nina Albano Vidmer and past President Judge Gloria Coco. Judge Coco has served as event chair for many years and again graciously delivered a fabulous event for all of us to enjoy and remember for years to come.
the help of Past President, Sam Tornatore, and Anthony Farace, the co-chairs of the Justinian Scholarship Committee, we gave out 10 scholarships to needy students to defray the high costs of a law school education. Without the help of our generous donors, such as Steven Phillips, First Vice President Gregg Garofalo, and past President Jim Morici, our Society would not be where it is today. We also had a wonderful time at our February bocce tournament dinner meeting as Sam Tornatore ran the bocce game again this year. Sam, words do not express how thankful the Society is for all of your hard work, leadership and dedication throughout this year.

Lastly, I want to thank past president and the Founder of the Children’s Endowment Fund, Antonio Romanucci, for another successful March dinner meeting as the Children’s Endowment Fund gave a $5,000 grant to SLICE, the Sports Legacy Institute, an organization dedicated to the study, treatment, and prevention of brain trauma in athletes. We had over 60 people in attendance and gave away a pair of two night stays at downtown hotels thanks to Robert Cataldo.

I will truly miss being president of this wonderful Society! However, I look forward to assisting Gregg Garofalo in his upcoming year as President. See you all soon and thank you for all of your support during my presidency!

Anyone wishing to share information with their fellow Justinians is encouraged to contact Newsletter Associate Editor Katherine Amari at our Justinian headquarters address: 734 North Wells Street, Chicago, IL 60654; phone (312)255-8550; fax (312)255-8551; kaa@amari-locallo.com.

Please notify Nina Albano Vidmer of any address changes by contacting her at P.O. Box 804; LaGrange, IL 60525-0804; fax (708) 401-0360; e-mail: ninabeana@ameritech.net.
Scholarship Dinner Report

By: Gina Rossi

As a former Justinian Scholarship recipient, I look forward to the Justinian Scholarship Dinner every October. I remember how much receiving a scholarship meant to me, allowing me to take a trip to Peru with my international human rights class, and I am always excited to see the new group of deserving students bestowed with the same honor. This year the dinner was well attended by past Justinian presidents, current officers, and several of the Justinian Society’s most dedicated members, including John G. Localto, President of the Illinois State Bar Association; Mark Hassakis, past president of the ISBA; Richard Pellegrino, president of the Italian American Political Coalition; Ronald A. Oppedisano, Mayor of Norridge; Judge Tom Panichi; and John DeMoss of ISBA Mutual. Also present were a number of past Justinian presidents, including Cristina Mungai, Mauro Glorioso, Lisa Marino, Enrico Mirabelli, Antonio Romanucci, Leonard DeFranco, Thomas Battista, Richard Caldarazzo, Anthony Ferraro, Richard Caiano, Leonard Amari, Anthony Fornelli and Franco Coladipietro.

This year the dinner was held at the Merchandise Mart Holiday Inn for the second year, which again provided a lovely view from its fifteenth floor ballroom. The evening began with some remarks by our wonderful and hardworking Justinian President, Katherine Amari O’Dell. Katherine graciously thanked all of the scholarship donors and congratulated the recipients for all of their hard work throughout the year. The Scholarship Committee Co-Chairs, Sam Tornatore and Anthony Farace, took the stage next to announce the scholarship recipients. They remarked on how far the Justinians have come in the last 90 years in providing these scholarships and reminded us that the event is a celebration of young and old. This year the Justinians gave away $24,000, with The John Marshall Law School matching another $14,000. All of these awards could not have been given without the support of the generous donors who yearly devote their pledges to the society’s scholarship funds.

The scholarship recipients came from several Illinois law schools, including The John Marshall Law School, DePaul, Loyola, Kent, and Northern Illinois. All in total, eleven scholarships were awarded, ranging from $1,500 to $2,500.

Receiving a Justinian Society Scholarship were Matthew Panichi from Northern Illinois, Carlos Vera from Kent, Christina Mermigas from DePaul, and Luke Keller and Vince Oppedisano from John Marshall. The recipient of the Morici-Lobello Family Scholarship was Christopher Cortese from Loyola. Laura Rose Maglio from NIU and Jillian J. Ruggeri from John Marshall both received a John G. Phillips Memorial Scholarship. The Richard Pellegrino Family Scholarship was awarded to Leonard Cannata from John Marshall, and the Ga- rofalo Scholarship was awarded to Anthony Pavone, also from John Marshall. Lastly, the Gattuso Family Scholarship was awarded to Daniel Pellegrino from John Marshall.

Without the generous donors who continue to support these young lawyers our society would not be where it is today. While some may see these scholarships as simply a means to defray the often daunting costs of a law school education, we all know that the thousands of dollars reflect a deeper desire of the scholarship donors to further the education and achievements of the most deserving group of recipients year after year. In attendance at this year’s dinner were many past scholarship recipients, and it is my hope that this year’s scholarship recipients will continue to help our society grow and achieve. The yearly scholarship dinner is one of the great traditions of the Justinian Society, and I think I can speak for everyone when I say that I look forward to welcoming this group of accomplished law students into our profession in the years to come.
Columbus Day Parade Report

By: Angelina Filippo

A bright and clear, blue sky was a superlative backdrop for the 2011 Columbus Day Parade. The typical parade attendees were there embellished with flags and colors – green, white and red – saluting Italian heritage. Even the Justinian float was dressed to impress with a new silhouette of the “boot” and some fresh flocking.

Officers and Past Presidents were on hand to escort the float down Columbus Drive. Several children “regulars” were present including representatives from the Marino, Ball-Reed, Garofalo, and Filippo families. All eager to be on display but possibly more eager to munch on the snacks provided by president Katherine A. Amari O’Dell. A little sugar went a long way that day.

Some of the older boys were recruited by our two past presidents currently running for judicial positions — Celia Gamrath and Lisa Marino. The boys were charged with carrying the enormous (to them) banners down the parade route. With strong will and stubborn minds, they persisted and walked the entire parade without wavering.

The smaller children held tight to their seats as the float started and stopped along the way. The snacks were becoming a tactical maneuver to calm and redirect. Past president Antonio Romanucci and second vice-president Judge Robert Bertucci sat with the littlest ones at the front of the float.

While the wait-time to begin walking bordered on eternal, the actual walk felt the opposite - swift and infinitesimal. The parade route was filled with observers from beginning to the very end, improved from prior years’ attendances. The cool air and warm sun made a perfect day, better. Smiles were a mile wide as all parade attendees and participants watched or walked with pride.

Just as we adult members became friends by virtue of our membership, the Justinians-to-be renewed and made new friendships along the route. With a knowing grin, they said good-bye to each other hoping and maybe knowing they will see each other again soon.

Celebrating Italian Heritage Month

By: Katherine Amari O’Dell

Every year, Italians throughout the United States mark October as the month to honor their heritage. The purpose of Italian-American Heritage Month is not just celebratory, but also educational in nature, because it is vital to inform the public of contributions made by Italians and Italian-Americans to our society.

On October 14, 2011, the Circuit Court of Cook County hosted its Italian Heritage Month Courthouse Tour. This endeavor was co-sponsored by our Justinian Society of Lawyers and the Joint Civic Committee of Italian Americans, otherwise known as the JCCIA. The tour offered the public a sense of the day-to-day operations in one of the nation’s largest unified court systems. On that morning, the large audience, comprised of 35 students ranging from 5th to 8th grades from Johnny Coleman Academy, 25 students from Powerhouse High School, and other proud Italian-Americans, was treated to a presentation by four law professionals from the Italian-American legal community.

First to address the audience was The Honorable William G. Pileggi from the First Municipal District Circuit Court of Cook County. Judge Pileggi spoke candidly about growing up as a first generation Italian American on the west side of Chicago, about the struggles that Italian Americans faced both then and now. He also spoke about the positive impact that his Italian heritage has on his life and the importance of appreciating the significance of continuing that legacy. Congratulations to Judge Pileggi’s parents for recently celebrating their 65th wedding anniversary!

The Honorable Celia Gamrath from the Domestic Relations Division followed, speaking about how she was the first in her family to have a formal education. Judge Gamrath also discussed that through her hard work and dedication to the law, by clerking for the appellate court and by working in private practice Continued on page 8
for many years, she was then appointed to be a judge. Judge Gamrath focused on the importance of staying in school and completing homework assignments.

I also spoke on behalf of the Justinian Society of Lawyers, explaining to the students that staying in school and obtaining good grades will help them choose a career and be successful in life. I also emphasized that by being involved within the school and within the community will help the students achieve self accomplishment and pride in themselves.

Lastly, Antonio Romanucci, president of the Joint Civic Committee of Italian Americans, addressed the audience. He discussed the importance for the students to contribute to the community. Romanucci explained that his way of giving back to the community was when he represented citizens in the Public Defender’s Office. He also stated that through hard work, he is now a partner in his law firm and now the President of the Joint Civic Committee of Italian Americans.

A sincere thank you is due to Judge Pileggi, Judge Gamrath and Antonio Romanucci for their participation in the Italian Heritage Month Courthouse Tour. We had a wonderful turnout; the courtroom was almost filled to capacity. Finally, thank you to immediate Past President, Cristina Mungai, and our executive administrator, Nina Albano Vidmer, for attending the event as well.

Past Presidents Dinner Report

By: Anthony Casaccio

The November dinner meeting, recognizing past presidents of the Justinian Society, was held at Restaurant Al Teatro on November 17, 2011. With multiple dining rooms, outstanding food, and one of Chicago’s most historic landmark’s (Thalia Hall) just a few floors above us, I cannot think of a better location.

The past presidents dinner exemplifies why I chose to be a part of the Justinian Society. Whether you are a recent law school graduate or an accomplished legal professional with 50-plus years of experience, there’s always an opportunity to interact with and seek guidance from some of Chicago’s most successful and accomplished legal professionals. Without fail, like other Justinian event’s I have attended, there was a genuine affection and level of respect amongst everyone in the room.

For this year’s event, six past presidents were recognized for their outstanding work as a legal professional, specifically: John G. Spatuzzo, Anthony Gregorio, Victor Cacciatore, Anthony Fornelli, Vito DeCarlo, and Bernard B. Rinella. When President Katherine Amari O’Dell presented Mr. Spatuzzo with the award for Practicing Law for over 50 years, Mr. Spatuzzo addressed the room with:

“I am so grateful to all of you for honoring me tonight, though I recognize many of your faces, there are many of you I have never met.”

Though Mr. Spatuzzo and other Justinian’s of his generation may not know some of the younger members, what is important is that men and women like Mr. Spatuzzo can appreciate how much us younger Justinian’s look up to them. It is these past presidents that have laid the foundation for what is now considered one of the most prestigious legal societies in Chicago.

The ability of younger generations to learn from and emulate the generations of those before us, is often the key to a successful future. I am reminded by a famous quote that has long carried little to no meaning for me, “Every generation revolts against its fathers and makes friends with and learns from its grandparents,” by Lewis Mumford.

As always, I was impressed by the continuous dedication, support and attendance of countless past presidents, Justinian officers and prominent judges.

To name a few past presidents in attendance:
Hon. Celia Gamrath, Rich Caldarazzo, Antonio Romanucci, Bruno Tassone, Mauro Glorioso, Mike Favia, Tom Batista, Cristina Mungai, Mike Monico, Jack Cerone, Jim Morici and Lisa Marino.

All of the current officers were in attendance, additionally, several prominent Illinois and Cook County judges were in attendance: Judge Patrice Ball-Reed, Judge Frank Castiglione, Judge Celia Gamrath, Judge Sophia Hall, and Judge Cheryl Cesario.

In addition to the past presidents, officers and judges, we had an excellent turnout of what looks to be the next generation of motivated and dedicated Justinian members. In attendance were recent law school graduates, young associate attorneys and various new members.

January Dinner Report

By: Melissa Taormina

The Justinian Society of Italian-American Lawyers held its annual Joint Chapter Dinner Meeting on January 19 at Rosewood Restaurant in Rosemont. This event, which is always well attended by our colleagues from the surrounding collar counties, was again a success this year. President Amari-O’Dell welcomed our chapter officers and provided each of them with a bottle of wine, and a Justinian mug and pin. The DuPage County officers in attendance included President, Todd Scalzo and Treasurer, Elizabeth Pope. The Lake County officers in attendance included President Joann Fratianni, Immediate Past President Caryl Barone, Vice President Evan Winer, and Secretary Joseph Zeit.

Justinian Officers in attendance included First Vice President Gregg Garofalo, Third Vice President Anita DeCarlo, Treasurer Jessica DePinto, and Secretary Frank Sommario. Past presidents included Leonard F. Amari, Tom Battista, Lisa Marino, Cristina Mungai, Len DeFranco, Jim Morici, Jack Cerone, Bruno Tassone, Michael Favia, Joe Gagliardio, Joe Bisceglio, Enrico Mirabella, Anthony Ferraro, Sam Tornatore, Anthony Fornelli, and Jim Allegritti. Also in attendance in numbers were officers and members from our Lake and DuPage chapters – as can be seen by some of the photos accompanying this article.

Steven Phillips and his late father, John, were thanked for their generous contributions to the Justinian Scholarship Fund for more than 20

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years. Also in attendance was Tom Jaconetty, deputy assessor of valuation and appeals and his wife Judith, grant writer of the John Marshall Law School Foundation. Retired Judge Frank Orlando attended as a guest of Leonard F. Amari. Long time Justinian Society member Lou Cairo was also in attendance with his family. His daughter, Deanna, is our law student executive committee member, and son, Lou, recently completed his first semester at The John Marshall Law School successfully.

As always, Rosewood Restaurant provided a wonderful dinner and evening, and it goes without saying that this dinner should be continued for years to come. A great time was had by all.

The Justinian Society officers, from left: Gregg Garofalo, Katherine Amari O’Dell, Frank Sommario, Anita DeCarlo and Jessica DePinto.
Bocce Tournament

By: Bill Davy

The 2012 Annual Bocce Tournament was once again a great success, that is, of course, if you were a member of Team Romanucci. The tournament took place at the Mazzini Verde Club in Franklin Park on February 9, 2012.

This being my first experience at the club, and also my first experience on a bocce ball court, I take great pride in my 2nd Place paper weight that I share with fellow first timers, Judge Thomas Panichi, his son Matt Panichi, and bocce sensation Michael Pisano. With Pisano as our guide, Team Panichi quickly learned that bocce is a very delicate game that merges skill with wits. As the underdog team, we found ourselves in the championship match by winning four consecutive matches against some very worthy competition. All the while, the focus was on Team Romanucci, a group of veteran bocce ballers who from the beginning proved to be the team to beat. Though we were able to make the match competitive, in the end, all of our efforts were not enough to dethrone the defending champions.

Congratulations to Dino Romanucci, his son Gabe Romanucci, Frank A. Sommario, and Lou Siracusano, the members of Team Romanucci on a well-deserved title. With any good fortune, we will have an opportunity to come face to face again next year and humbly accept another 2nd Place paper weight.

All officers were in attendance at this year’s tournament, Katherine Amari O’Dell, president; Greg A. Garofalo, 1st vice president; Hon. Robert W. Bertucci, 2nd vice president; Anita DeCarlo, 3rd vice president; Jessica DePinto, treasurer and of course Frank A. Sommario, secretary. The tournament was also attended by a host of past presidents including, Sam Tornatore, Christina Mungai, Lisa Marino, Richard Caldarazzo, Umberto Davi (3rd Vice President Elect of the Illinois State Bar Association), Mauro Glorioso, Judge Bruno Tassone, and Hon. Michael Pope.

This year the bocce tournament began with a field of 8 teams, Team Romanucci, Team Panichi, Team Angelo, Team Cataldo, Team Zamparo, Team Monico and Team Vidmer. We hope to see you all and more at next year’s event. Thank you to the Mazzini Verde Club for being a gracious host for this year’s tournament and for providing a wonderful dinner.

March CEF Report

By: Michael D. Pisano

In March the Justinian Society gathered at Ristorante Quartino’s for its annual fund-raiser for the Children’s Endowment Fund. This year the Justinian Society was joined by members of the Sports Legacy Institute, an organization dedicated to the study, treatment, and prevention of brain trauma in athletes. A very important part of that organization is the Sports Legacy Institute Community Educators (SLICE). SLICE is specifically dedicated to educating children, youth coaches, and youth athletic programs of the seriousness of concussions. Consistent with the Children’s Endowment Fund’s mission to assist disadvantaged and disabled children in the Chicagoland area, the Justinian Society presented SLICE with the Children’s Endowment Fund (CEF) grant. Dr. Len Messner of SLICE was present to accept the grant. The Justinian Society is proud to support a worthy cause and wishes SLICE continued success in its efforts to educate youth athletes and make youth sports safer.

SLICE joins the growing list of organizations to receive the CEF grant. The Fund was started by past President Antonio Romanucci and has since been able to help various organizations. Last year the CEF provided a grant to the Otis Wilson Foundation, which is dedicated to promoting physical activity and healthy nutrition for children. In previous years the grant has helped provide eye glasses to disadvantaged youths through the Illinois Eye Institute, and through the Bear Necessities Pediatric Cancer Foundation the Fund provided support to those affected by pediatric cancer. Through the CEF, the Justinian Society continues to help better our community at large.

The food at Quartino’s was, of course, outstanding. Quartino’s family-style dinner was a great way to spend the evening—each table was as loud as the next. Past presidents Joseph F. Locallo Jr., Michael Favia, Mauro Glorioso, Cristina Mungai, Antonio Romanucci, Bruno Tassone, Anthony Ferraro, and Jim Morici were present. It was also great to have new faces from The John Marshall Law School Justinian student chapter attend this event and witness how the Justinian Society goes beyond the legal profession. The Justinian Society officers did an excellent job organizing a fundraising raffle, which proved to be a great source of revenue and entertainment for the evening. Even for those who did not win prizes, the night was truly one to remember. Overall, the event was a great success.
Election Results

By: Leonard F. Amari

AND THE RESULTS ARE IN...

Our community was very successful in the recently concluded primary election, especially the judicial elections. For example, two past Presidents were successful.

Celia Gamrath was the top vote getter in the Democratic 8th sub-circuit, out of four candidates, winning by a substantial margin. Endorsing our beloved past president, the Chicago Tribune said of her: “Lawyers and judges gush over the legal ability, integrity and commitment of Judge Celia Gamrath, who hears cases in domestic relations. She has been active in her Near North Side community, very involved in judicial education and could go on to leadership in the courts. Gamrath, who was found “highly qualified” by the Chicago Bar, is enthusiastically endorsed.” Celia says, “Words cannot express my appreciation for your support. I am incredibly grateful for your advice, time, energy, generous contributions and love this past year. I never could have won without your help, and I will never forget the promise I made to validate your choice to elect me a Circuit Court Judge. Rest assured, I will continue to work hard every day to fulfill that promise and serve the people of Cook County in the best way I can.”

Our beloved Past President Lisa Marino led the ticket against three other candidates in the Democratic primary in the 11th sub-circuit, outdistancing her closest opponent by a two to one margin. Of her success, Justinian President Katherine Amari O’Dell says: “Lisa winning, after such great efforts in attempting to ascend to the bench, is a tribute to her tenacity, her genuine warmth and charisma, and her motivating our members and all the constituencies of the Italian American community to coalesce behind her in her candidacy.”

Regina Scannicchio was also successful in the Democratic primary, but without opposition (good for her!) in the 14th sub-circuit.

Also, people who are extensions of our Italian American community, supporters of our agenda, dear friends and Justinian members to some degree, were also successful, including the wonderful Justice Mary Jane Theis for the Illinois Supreme Court; our pals Jesse Reyes and Terry Lavin for the Illinois Appellate Court; Russell Hartigan, unopposed for a full circuit court judgeship; Diann Marsalek winning out over four candidates, county-wide; Lorna Propes, Jessica O’Brien, and Andrea Schleifer were also successful in the Democratic primary.

Past President Sam Tornatore won the primary for the DuPage County Board, District 1. Unlike Cook County candidates, he will need our help in the general election.

Of course, let us not forget an individual that our entire community rallied behind, a first timer in the political firmament, and a gentleman we will be hearing a lot about for many years to come with a bright political future, Michael Cabonargi. He was successful in being reelected, after his appointment, to the three panel-Cook County Board of Review.

Congratulations to all of our members, friends of our community, and successful candidates in the March 20th primary election.
The 2012 Justinian Mentoring Program started by welcoming 13 new students. The program is led by past President Leonard Amari; coordinator Diana Bosnjak; and co-chairs, Lily Strumwasser and Katie Hegarty. The program also consists of several 2L and 3L mentors who have donated their time to helping new law students adapt and succeed in law school to follow their aspirations of becoming law students and someday, attorneys.

Mentors are making names for themselves in the legal world. Alex Norlander, a second year law student, was recently accepted as staff editor of The John Marshall Journal of Computer & Information Technology. Dionte Durham is a member of the Frederick Douglass Moot Court Team. Currently, Michael E. Hastings, a second year law student and program mentor, is in the running for the 2012 state senate election.

The Mentoring Program and its leaders continue to generate successful law students and attorneys. Several of these law students and attorneys are devotedly searching for legal jobs. Those seeking interns, law clerks, or attorneys, are asked to keep Justinian members in mind and check out our website for a listing of resumes.

As a past mentee, current mentor and on behalf of program, I would like to thank Mr. Amari and Ms. Bosnjak, as well as the co-chairs for their dedication. With their help as mentors and role models, I am pleased to report that I had a successful first year at JMLS. More good news: every one of the 26 Fall admittees fared very well in their first semester. Not one of them was unsuccessful and the overall GPA for these newbies was, about, 3.25 (keep in mind that, for the most part, these students were admitted at risk). For the most part, they were admitted because of Mr. Amari and their participation in this program. We will pay it forward, like the others before us, in helping the next group get into law school.
"Congratulations Umberto on your win, and Mauro for being the gracious and classy guy you are." Jim Allegretti.

"Caro Umberto (Calovornese/Siciliano): Congratulations! Very happy for you, your family and for us, who are fortunate to have you!" Judge Robert Bertucci.

"Your mother must be very proud, as are we!" Anthony Fornelli

"Congratulations Umberto! You are going to make a great ISBA President!" John G. Locallo.

"Umberto, congratulations! You will be a great President. We look forward to your leadership." Joseph Gagliardo.

"We are all so happy for you Umberto. You will be a great Mr. President." Antonio Romanucci.

"Congratulations, Umberto. As always, you have our support. Auguri!" Richard Caifano

"Wonderful news! Heartiest congratulations. "President Davi" sounds good." Michael Monico.

"Great news! Umberto, congratulations. We all admire you so much in all you have accomplished while at the same time being a wonderful friend and ambassador to everyone you meet. You will be another great ISBA President." Anthony Ferraro.

"Congratulations Umberto. We look forward to your leadership." Bruno Tassone

"Congratulations, Umberto. My very best wishes as you head out on this voyage. And Len, thanks for the update." Tim Bertschey

"We are all so happy for you Umberto. You will be a great President." Anthony Fornelli.

"The ISBA is in good hands! Best wishes!" Jessica DePinto.

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### Rosinia Donation

On November 21st, 2011, the past Presidents and officers of the Justinian Society received the following e-mail communication from the Trustee of our Scholarship Committee, Sam Tornatore:

Good afternoon all,

I recently concluded a telephone conversation with the Arizona attorney for Anthony "Jack" Rosinia, who bequeathed the sum of $25,000.00 to the Justinian Society. The bequest was to be used as an "Anthony and Anne Rosinia Scholarship Fund for Italian-American needy students who wish to study law."

I explained the Scholarship Foundation to the attorney and he was of the opinion that the bequest was very general and we may use it for the purpose set forth, in amounts that we desire. The check will be coming to me as Trustee around the first of the year.

The Trustees of the Trust are the nephews of the deceased. They are Anthony Pipitone, an attorney in Glenview and James Pipitone, who lives in Aurora. Perhaps, upon receipt of the check, Katherine can send them a letter, acknowledging the contribution and recognizing Mr. Rosinia, in some fashion.

The attorney stated that Mr. Rosinia was 96 years old when he died and moved to active duty during the Korean conflict.

Happy Thanksgiving (and thanks to "Jack" Rosinia!)

- Sam Tornatore

This caused past President Franco Coladipietro to recall an article that he had written about this most generous and highly respected career Justinian in a long ago written newsletter article. This article appeared in the December 1997 newsletter and we repeat the article herein verbatim.

We thank the Rosinia family for their generosity and the late Anthony W. "Jack" Rosinia is in our morning prayers.

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### Justinian Awarded Purple Heart & Bronze Star

By: Franco A. Coladipietro

On November 18, 1996, Lt. Col. Anthony W. “Jack” Rosinia was awarded the Bronze Star and Purple Heart in a ceremony at Luke Air Force Base, Arizona, for meritorious conduct and for injuries sustained in combat during World War II. Lt. Col. Rosinia received the Purple Heart for injuries he suffered when the bomber he was flying in the Pacific was hit and disabled by Japanese anti-aircraft fire, forcing him into a crash landing. He spent three and a half months in a military hospital recovering from the resulting injuries. He received the Bronze Star for the 56 search missions he flew over the New Guinea jungles, including five in a PBY Catalina seaplane, for three missing pilots from his squadron who had been shot down in a combat mission. Although the pilots were never found, the Bronze Star citation was awarded because of “the courage and resourcefulness of Lt. Col. Rosinia genuinely assisted our country’s battle against the Japanese aggressors. By his heroic actions and unselfish dedication to duty, Lt. Rosinia has reflected great credit upon himself and the United States Army Air Force.”

In 1935, Lt. Col. Rosinia received his B.S. in economics from DePaul University and later received his J.D. from DePaul Law School in 1938. He has been a member and active supporter of the Justinian Society of Lawyers since his admission to the bar. Of particular importance to Italian American lawyers, Rosinia traces his family line to his uncle Michael Rosinia, who was the first Italian American to be appointed as Chicago’s city prosecutor by then Mayor Kelley. He is admitted in both Illinois and Indiana and handled civil litigation matters for over 50 years prior to his retirement. He was an adjunct professor at Chicago Medical School where he taught medical jurisprudence and also authored a book on New Deal economics and law entitled “The New Deal Under the Microscope.” In addition to his combat service during WWII, he was also recalled to active duty during the Korean conflict for several years. Rosinia currently resides in Fountain Hills, Arizona.

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Judge Anthony A. Iosco

By: Leonard F. Amari

During 2011, Northern Illinois University announced that this month’s subject, Judge Anthony A. Iosco, was appointed to the prestigious position of Trustee, a member of the governing board of this highly respected university and law school. The press release set out:

“Illinois Governor Pat Quinn has announced that Anthony A. Iosco is one of four appointments to the governing board of Northern Illinois University.

Iosco, a member of the NIU College of Law’s first graduating class (1978), currently serves as a judge in the Circuit Court of Cook County, sitting in the Rolling Meadows courthouse, the 3rd municipal district. Prior to his election to the bench in 2000, Iosco spent nearly 20 years in private practice and in state and local government in Chicago, e.g., as an assistant attorney general for nearly four years, with the Illinois Department of Professional Regulation and the Illinois Department of Commerce and Community Affairs.

He also has been an adjunct faculty member at the highly respected John Marshall Law School, and has taught classes for the NIU MBA program and the NIU College of Engineering and Engineering Technology.

Judge Iosco is an active member of the NIU community, currently serving as president of the NIU Alumni Association and as a member of the NIU College of Law Alumni Council and providing leadership and direction as a member of the Board of Visitors. During the past year alone, he has represented the university at events in New York, Detroit, Boise, Idaho and Phoenix.”

Of course, those of us who know Tony and are familiar with his professional accomplishments and the esteem in which he is held in our legal community, are not at all surprised with this significant appointment in his distinguished career. Of his fellow colleague during their earlier career positions in the office of the Illinois Attorney General during the mid 1980s, past president of the Justinian Society of (Italian) Lawyers, Joseph F. Locallo, Jr., says: “Judge Iosco’s whole career has been the pinnacle of professionalism; he was always a diligent lawyer and student of the law, who took those quality characteristics to the bench. When we worked together for years at the AG’s office, Tony could always be relied upon. His diligence and tenacity made him a tremendous asset to that office – as the attorney for the people of the State of Illinois.”

While Iosco was an assistant attorney general from 1983 to 1987, his responsibilities included the investigation and litigation of civil and criminal matters. This position entailed the conduct of jury and non-jury trials, grand jury proceedings and administrative proceedings – including substantive matters in taxation, financial fraud, health care, public utilities, personal injury, civil rights, medical practice and criminal.

Another significant step in Tony’s distinguished career was his service for a period of years in the State of Illinois Department of Professional Regulation as chief of general prosecutions. In this role, he supervised and directed a staff of seven attorneys in the statewide investigation and the non-medical (business) licensing and regulatory statutes administered by that office.

Also, during the late 1980’s, Judge Iosco held the position of commercial loan attorney for the State of Illinois Department of Commerce and Community Affairs, where his responsibilities included the negotiation and preparation of commercial and real estate loan documents, including the negotiation and structuring of the underlying collateral packages.

Tony also practiced general law over the years with particular emphasis on mortgage, real estate, criminal, traffic, personal injury and bankruptcy matters. He was respected and successful as a private attorney but, obviously, was always called to work in the private sector, usually, as this article clearly shows, being a voice and watchdog for the general public.

These diverse and eclectic career experiences as a lawyer over the years well prepared Iosco for his ascending to the bench, when he was elected from the 13th sub-circuit as a Circuit Court Judge.

Iosco has also been an adjunct faculty member at the highly respected John Marshall Law School in Chicago, a prolific author and lecturer, is active in all the judge and lawyer organizations, and is a recognized leader in our ethnic bar association, the Justinian Society.

Tony traces his Italian ancestry to Umbria. His family came through Ellis Island in the early 1900s to the near north side Grand Avenue area, the traditional neighborhood for immigrants from Bari. His hobbies include scuba diving and aviation. He is a resident of Elk Grove Village with his lovely wife Debra, a special education teacher.

Another example of the best our community has to offer.

Thomas M. Battista: A Born Leader

By: Leonard Amari

Rarely has Thomas M. Battista joined an organization, professional, social, or community, and did not become a leader in its governance: President of the Justinian Society of Lawyers and the Italian-American Political Coalition; board member and legal advisor to the Italian-American Human Relations Foundation; an elected delegate of the assembly of the 32,000 member Illinois State Bar Association, its supreme governing body; chief counsel to the Chairman of the U.S. Railroad Retirement Board; Deputy Director of the Illinois Property Tax Appeal Board.

Raised initially in Elmwood Park, Battista and his family then moved to the nearby Galewood area of Chicago (Grand and Harlem).

Battista attended Lane Tech High School in Chicago and received his B.A. in political science, with a minor in business, from Western Illinois University, where he also completed graduate studies in American Government. Graduate school lead to an internship in Washington, D.C. with the then Congressman Henry J. Hyde. He received his Juris Doctorate from Loyola Law School in May of 1983.

As to why he became an attorney, Battista says: “I gravitated toward the law as a young person. I think my father would have been a lawyer – a great one, had his family been able to support such a vocation.”

Obviously, Tom’s father had a profound effect on him as a young man and influenced his innate leadership traits. “I developed a perception of government that was honorable and decent because of my father.” Tom’s respect for government and government service is evidenced by some of his career choices: Service in the office of the Illinois Attorney General, Special Litigation Division (1981-1987); Chief of Prosecutions for the Illinois Department of Professional Regulation (1987-1989), senior policy advisor and chief counsel to the chairman of the U.S. Railroad Retirement Board (1989-1996), and deputy director of The Illinois Property Tax

From left, Thomas Battista, Justice Bob Thomas, and Retired Supreme Court Justice Moses Harrison.

Because of his Dad’s political involvements, he was a role model for Tom and his brothers Jim and Mark. Tom served as a leader, not only in the Justinian Society but in his leadership role of the political voice of the Italian-American community in the Chicagoland area and the State of Illinois, our wonderful and hardworking Italian-American Political Coalition, where he has served as a board member and officer climbing to president, where he served ably from 2006-2008. “I especially enjoyed my IAPC leadership opportunity because it allowed me to serve my fellow Italian Americans in the government and political arena.”

Battista was president of the IAPC from 2006-2008. His IAPC presidential successor, Ferdinand Serpe, says of his career friend and colleague Tom Battista: “Tom set the agenda of the IAPC, for the benefit of our ethnic community for the foreseeable future. He emphasized inclusion and participation, emphasizing greater election opportunities for Italian Americans in all branches of government, and especially the judiciary, where our community substantially lags in this area.”

Tom also served as the first president of the Justinian Society Children’s Endowment Foundation, a charity focused on the needs of children.

Battista was one of the more respected presidents of the highly regarded Justinian Society of Lawyers (2003-2004) where he provided leadership for over 11 years serving ten as a member of its Executive Committee and six as an officer moving through the executive positions. Of his Justinian Presidency, distinguished Past President and another giant of our legal and ethnic community, Michael V. Favia says: “Not only did Tom Battista serve as a wonderful role model as president of the Justinians, he also spent his year focusing on the rudimentary things that never seem to get the attention of (usually ceremonial) presidents of these types of organizations. He focused on, among other more visible things, updated the decades-old and out of date by-laws; a renewed attention to the treasury and fund raising; increasing scholarship dollars to assist needy Italian-American law students; greater integration of this ethnic bar association with the traditional legal organizations, such as the Illinois State and Chicago Bar Associations.”

Battista entered the private practice of law in 2002 where he serves as senior associate with the highly respected Chicago law firm of Rock, Fusco and Associates, concentrating in the real estate assessment process, professional licensure and regulatory matters.

A resident of Chicago, he is married to the beautiful Cynthia and has two children: five year old daughter Mia and son Michael, 21 who is a student at DePaul University.

Battista, Continued

Michael M. Cabonargi:
A New Political Star From Our Community

By: Leonard F. Amari

In this issue, we introduce you to Michael M. Cabonargi, a bright, articulate first generation Italian American from our community who is at the end of the beginning of what appears to be a brilliant political career. His family emigrated to this country from the Emilia Romana region of Italy and have provided Michael, as our parents and grandparents have provided to us, the opportunity to fulfill the American dream.

Michael M. Cabonargi was sworn-in on February 10, 2011 as the appointed Commissioner of the Second District on the Cook County Board of Review by Cook County Chief Judge Timothy Evans.

Prior to his swearing-in on February 10, 2011, Commissioner Cabonargi served as a senior attorney and prosecutor in the Chicago Regional Office of the United States Securities and Exchange Commission (SEC) from 2005 to 2011. Commissioner Cabonargi investigated and litigated cases involving insider trading, offering fraud, pay-to-play, and pyramid/Ponzi schemes. In 2008, Commissioner Cabonargi received the SEC Director's Award for Excellence for combating financial fraud targeting seniors and in 2007 he received the Chairman's Award for bringing the largest private offering fraud case filed by the Commission in the amount of $2.8 billion.

Prior to joining the SEC, Commissioner Cabonargi was an attorney with the prestigious Bell, Boyd and Lloyd, LLC from 2004 to 2005 and with Gardner Carton and Douglas LLP, another major firm, from 2002 to 2004, with a concentration in complex commercial and regulatory litigation. Among other matters, Commissioner Cabonargi represented the City of Chicago in the federal and state litigation arising out of the closing of Meigs Field.

From 2000 to 2002, Commissioner Cabonargi served as law clerk to United States District Court Judge William J. Hibbler in Chicago. During his clerkship, he initiated and helped to establish the court's first help desk for pro se (self-represented) litigants, for which he received the Award for Excellence in Public Interest Service from the Federal Bar Association and the U.S. District Court in 2005.

Commissioner Cabonargi served as an aide to United States Senator Richard J. Durbin in 1997 and served as an aide to United States Senator Paul Simon from 1993 to 1997.

Commissioner Cabonargi received his J.D. in 2000 from the University of Illinois College of Law in Champaign and a B.A. in Political Science and a B.A. in Foreign Affairs from Miami University in 1993. He is a previous recipient of a law student scholarship from our Justinian Society of (Italian) Lawyers.

Michael has demonstrated through his brief political career that, in no small part, a significant item on his political agenda is to improve the condition of Italian Americans in the Chicagoland area. He has already become a member of the Justinian Society, and has and will continue to attend our community functions. Of this outstanding young professional, past president of the Italian American Political Coalition, the political voice of our community, and past President of our Justinian Society of lawyers, Tom Battista says of Michael M. Cabonargi: “Mike embraces his ethnicity, wears it on his shoulder, and has demonstrated in his brief political career that he vouchsafes all of the values of the Italian American community: integrity, diligence, family and patriotism. We will be hearing a lot about Mike, politically, in the years to come.”

Commissioner Cabonargi lives with his wife Erin Lavin Cabonargi, executive director of the Public Building Commission of Chicago, and their sons, William, and Jack in Chicago’s Logan Square community. Commissioner Cabonargi’s previous community service includes serving as a member of the Local School Council for Brentano Elementary School in Chicago from 2006 to 2008; and as a member of the 35th Ward’s Zoning Advisory Committee from 2007 to 2009. He also served on the Illinois Comptroller's Ethics Commission from 2003 to 2005.

The Cook County Board of Review, formerly the Board of Appeals, consists of three members elected from individual districts. The Board is a quasi-judicial body that is charged with fairly and impartially reviewing the assessments of all property to the extent authorized by the Property Tax Code, correcting all assessments which should be corrected. It is empowered to raise, lower, and or direct the Cook County Assessor to change, correct, alter, or modify assessments as justice may require, and to do all acts necessary within the authority provided by the code to procure a full, fair and a full, fair and impartial assessment of all property. The Second District includes Chicago’s downtown, north, northwest and southwest communities.

An example of the best our community has to offer.
Reboletti Remains a True Prosecutor

[Editor's Note: This article, written by Bethany Krajelis, originally appeared in the Chicago Daily Bulletin and is being reprinted here with permission.]

It's not hard to tell that Rep. Dennis M. Reboletti was a prosecutor before he became a lawmaker.

While he's probably most known for his recent efforts to reinstate the death penalty, Reboletti has spent much of his career in the Illinois General Assembly focused on improving the criminal justice system from the perspective of a prosecutor.

In fact, the first bill he introduced as a lawmaker was born out of his experiences on the drug unit at the Lake County state's attorney's office. After a stint at the Illinois Attorney General's office, he was an assistant state's attorney in Lake County from 1999 to 2007, the year he joined the legislature.

Drawing on his past career, Reboletti was able to successfully convince his new colleagues to approve his first bill, which added Salvia divinorum, a drug with the appearance of marijuana and the effects of LSD, to the state's list of banned substances.

Since then, the 42-year-old Republican lawmaker from Elmhurst has continued to use his legal background to introduce a bevy of legislation intended to not only improve the criminal justice system, but to provide his former colleagues with the tools they need to do their jobs.


Durkin, a former prosecutor himself, is one of the handful of lawmakers who have joined Reboletti in his opposition to Gov. Patrick J. Quinn’s decision last week to abolish the death penalty and commute the sentences of the 15 inmates on death row.

Reboletti has introduced several measures to undo Quinn's historic move, including one that would reduce the number of aggravating factors that warrant capital punishment.

Durkin said Reboletti provides a strong voice for prosecutors throughout the state and doesn't shy away from controversial issues like the death penalty.

"Dennis is a good lawyer and he's someone who is his own person," he said. "He's not afraid to speak his mind."

Reboletti said he considers it a privilege to serve as a voice for prosecutors and an honor to be recognized by them. He said he was given an award last week by the Illinois State's Attorneys Association.

"State's attorneys are aware of the work I'm doing and that's very humbling for someone who thinks of himself as a prosecutor and now has the opportunity to make some decisions that will affect them in the legislature," Reboletti said. "It's great to be a voice for all the men and women in the courtrooms."

Although Reboletti has spent more than a decade practicing law, politics was always his first love.

He said his interest came from his father and grandfather, both of whom were involved in unions and frequently discussed government. A high school class about government and the law only furthered that interest.

By the time he graduated from Eastern Illinois University in 1990 with a political science degree, Reboletti said he decided he would run for elected office one day.

At that point, however, he wasn't exactly sure what he wanted to do in the meantime. He briefly went to graduate school for political science and worked as a deputy assessor in Addison before coming to the conclusion that law school would give him the background he needed and wanted to become an elected official.

It didn't take long after he started at Valparaiso University School of Law for Reboletti to realize he wanted to use his degree to become a prosecutor.

But, not even weeks before he graduated from law school, Reboletti's love for politics came calling. Some of the local politicians he had campaigned for as a volunteer approached him about running for alderman in Elmhurst.

"It was one of those surreal experiences where you think about it and all of sudden the opportunity comes up and you're thrown into it," he said. "Finishing law school and campaigning was difficult, but it was something I wanted to do." Reboletti was elected and served as an Elmhurst alderman from 1997 to 2001.

A year after he began his career as an elected official, Reboletti took the next step in his legal career by accepting a position with the Illinois Attorney General's office.

He was responsible for representing the Illinois Department of Corrections in lawsuits filed by inmates. Reboletti said it was an interesting position that gave him insight into the state's prison system, something that has been useful in his legislative career.

He was at the AG's office for about a year before taking a position with the Lake County prosecutor's office. Reboletti, who unsuccessfully ran for a seat in the House in 2003, stayed there until was elected to represent the 46th District.

Since then, Reboletti's colleagues say he has grown into a confident and well-spoken lawmaker.

Rep. Jim Sacia, R-Pecatonica, has been sitting near Reboletti in the House Criminal Law Committee since 2007.

He said he considers Reboletti to be one of the state's three finest lawmakers. The other two lawmakers — Bill Black and Art Turner — have retired, Sacia said.

"Each of them have character and attitude and for me, that's everything," Sacia said, explaining that Reboletti has an "I'm not going to let you push me around" kind of attitude.

"He's very comfortable in his own skin," Sacia said. "He's not going to let politics affect his convictions."

From left, Franco Coladipietro, Leonard Amari, Retired Chief Justice Thomas Fitzgerald, Dennis Reboletti, and Umberto Davi.
One of the more highly respected publications in the Illinois legal community, Chicago Lawyer, recently highlighted the distinguished careers of 10 successful and esteemed trial lawyers. Joseph W. Balesteri was included in this notable group. They chose this month’s subject out of a potential 90,000 lawyers licensed to practice law in the State of Illinois.

Balesteri, 37, estimates that the cases he has worked on, some litigated, many settled, exceed $200 million.

Joe has been an associate with the highly prestigious Power, Rogers & Smith P.C., whose practice is confined exclusively in representing individuals and families as victims of medical malpractice, product liability, premises liability and automobile accidents. Year after year his prestigious and highly respected catastrophic injury firm ranks at the top of the profession in gross settlements, judgments and verdicts for victims of the negligence of others.

A 1992 Indiana University undergraduate, Joe cut his teeth after graduation from DePaul College of Law in 1995 working the other side of the courtroom at Hinshaw & Culbertson LLP, representing sued physicians, nurses, hospitals, and HMO’s as well as other general liability defense.

“He does a very nice job of explaining a case to the jury,” said Joseph A. Power, Jr., founding partner of the firm. “Joe is a very bright individual, and he is very tenacious. He has a good grasp of the medicine, and he gets to the bottom of every problem.”

Growing up as the son of a cardiologist, Balesteri knew in high school that he wanted to be a lawyer. But he never thought he’d end up suing doctors for a living. He first worked as a law clerk for Power, Rogers & Smith just to “learn from the best people who do it.” His five years there turned out to be a “great training ground” for what would come in 2000. That’s when he was asked to sign on to the plaintiff’s firm of Power, Rogers & Smith. He accepted the offer, but not before checking with his dad. “I got clearance from the tower,” Balesteri said. “It was an offer I would never refuse. They have the best cases in the country and they’re great trial lawyers, so I’d be insane not to work here. But if it was going to embarrass my dad, I wouldn’t have switched.”

A prolific author and lecturer in legal publications, locally and nationally, in his area, Balesteri has received numerous prestigious awards and honors including: being selected by a survey of peers conducted by the Law Bulletin Publishing Company as a Leading Lawyer in Personal Injury Law in 2004. This honor was earned by fewer than 5% of all lawyers licensed in Illinois. Other prominent younger Italian-American lawyers that have been chosen to the elite 40 Under 40 grouping include Franco Colalampi, Celia Guzaldo Gamnath, John Sciaccotta, Gregory Conforti, Anthony Misciapinto, David Bonomo, Colleen Scimeca, Anita Ventrelli, John M. Spesia, and most recently, Katherine Amari.

Balesteri was also selected by a poll of all active lawyers across Illinois as a Super Lawyer in medical malpractice litigation in 2005 as well as being selected by a survey of veteran trial lawyers, law firm partners and judges as a rising star of the trial bar in the featured article in Chicago Lawyer Magazine, 2008. Joe follows in the footsteps of many Justinitians and successful Italian-American plaintiffs’ trial lawyers, from the late John Phillips, to the highly respected Angelo Mirstetta, Joe Curcio, Fred Lambruschini, and Dominic Fichera, among others; to the “younger” members, such as Steve Phillips, John’s son, Mike Monroe, Jim Morici, Tony Romanucci, Joe Marconi, Lou Cairo and Joe Bosco, among others.

Joe Balesteri is a member of all the traditional bar associations, including the Illinois and American Trial Lawyers Association, the Illinois State and Chicago Bar Associations, and treasures his involvement in the Justinian Society and the Fenwick Bar Association. Balesteri traces his Italian roots to San Nicola, Sicily. As was often the case with immigrants coming to America, the family name BALESTIERI was shortened upon arrival by an unknown U.S. Immigration officer. Joe was married to Peggy Balesteri, an attorney with Laner, Muchin, Dombrow, Becker, Levin & Tominberg, Ltd. On his docket:


Sun-Times and Tribune for general news; DailyWhale.com “for articles on the business side of government;” “Chicago Magazine” “for substantive features about Chicagoans and restaurant reviews;” and “Today’s Chicago Woman” for who has been promoted or switched firms; I might want to send a note of congratulations.”

Anthony Lewis’ “Gideon’s Trumpet” inspired him to become a lawyer. “It’s all about the Supreme Court case granting indigent defendants the right to counsel. It showed me that a lawyer could have a significant impact on society.”

In progress: “Soulsville USA” by Rob Bowman, about the impact of Memphis-based Stax Records on ’60s music and culture. “The company’s house band was integrated, which was very unusual back then. I’m fascinated that music had an impact on race relations.”

Music ‘zines include “Rolling Stone,” “Bass Player” and “No Depression” (for all-country and roots music); to find additions to his extensive record and CD collection “Goldmine”. “I don’t know what they’re worth; their treasure is the music.”
By: Leonard F. Amari

Every year, the Chicago Daily Law Bulletin, a highly respected daily newspaper for the Illinois legal community, accepts nominations for its prestigious 40 lawyers under the age of 40 recognition. Every year, our community sees many of its younger attorneys recognized for their accomplishments. Three of this year’s individuals recognized, among other Italian American attorneys: Karie J. Giganti Valentino, Claudia Gallo, and Patrick Salvi. We highlight their careers, adopting, in part, the article about them from the Law Bulletin.

As an Ironman triathlete and an ultra marathon runner, Karie J. Giganti Valentino brings a unique level of energy and dedication to her practice. At Anderson, Rasor & Partners, LLP, Valentino represents and manages individual and corporate clients in issues ranging from medical malpractice, personal injury, product liability and commercial law.

Valentino attended The University of Iowa before enrolling at The John Marshall Law School. She showed her commitment to her practice early on, completing an externship with the Honorable George M. Marovich of the U.S. District Court for the Northern District of Illinois during law school. She then gained trial experience working in the Cook County State’s Attorney’s Office Misdemeanor Jury Division. There, she used her 711 (internship) license to prosecute bench trials and negotiate plea agreements.

After being admitted to the Illinois Bar, Valentino joined Jesmer & Harris, where she worked as associate in-house counsel, defending personal injury and construction liability cases.

In 1999, Valentino went to work for Bollinger, Ruberry & Garvey, where she became a litigation partner after four and a half years. There, she handled matters involving medical malpractice, product liability, premises liability, personal injury, and commercial law – always focusing on protecting the rights of injury victims.

In 2008, she moved to Anderson Rasor & Partners as a partner and her success as litigator has followed her there as well. She already has achieved significant results for clients at her new firm. In addition to her work in the courtroom, Valentino has conducted presentations for physicians and nurses at numerous hospitals and medical facilities. Valentino is a member of the Society of Trial Lawyers and she is an officer for The John Marshall Law School Alumni Association. She also serves as an officer for the Women’s Bar Association of Illinois.

Karie traces her Italian ancestry to her father’s side of the family. Her great-grandparents were from Montevago, Italy and they immigrated to the United States around the turn of the 20th century. Her great-grandmother, Euphrosyne, was a seamstress who came through Ellis Island. Here grand-grandfather Giuseppe immigrated to New Orleans with his family. Both of their families moved to Springfield, IL because of the coal mining industry. They met in Springfield and married in 1906.

For the success young Patrick A. Salvi has already enjoyed, it is hard to believe that he has been practicing law for only a little more than four years. He joined Salvi, Schostok & Pritchard in 2007, and concentrates his practice on cases involving personal injury, medical malpractice, product liability and commercial litigation. Examples of the talent of this young professional and reasons he was so recognized for this prestigious accolade include: during just his first trial as lead attorney, Salvi secured a $1.28 million injury verdict for a teenage client who sustained a broken leg and knee cap. Furthermore, he has also obtained a $91.1 million verdict in a medical malpractice case brought in federal court and a $33.2 million jury verdict in a Lake County injury case. In that case, Salvi, along with his lawyer, was trial counsel for a young man who suffered catastrophic injuries in an automobile collision resulting in the client being left as a quadriplegic. The trial resulted in the highest verdict ever achieved in Lake County, Illinois.

Salvi received his B.A. from the University of Colorado in 2004 and earned his J.D. cum laude from the University of Notre Dame Law School in 2007. While in law school, he received the award from the International Academy of Trial Lawyers for excellence in trial advocacy.

Salvi is a member of the Lake County Bar Association, the Justinian Society of Lawyers (Lake County Chapter), the Chicago Bar Association, and the Illinois State Bar Association, where he is a member of the Standing Committee on Judicial Evaluations. Salvi is involved with and a member of the American Association for Justice as well as the Illinois Trial Lawyers Association, where he serves on the Board of Advocates and co-chairs the seminar planning committee. He has judged ABA and AAJ trial competitions for the past four years, and this year was a judge in the ABA Moot Court competition. In addition, he has also been a speaker at the MBA business law class at Kellogg’s School of Management and for the class “Personal Injury Litigation” at the Notre Dame Law School.

Salvi was formerly the chairman and currently sits on the Board of Advisors for St. Agnes of Bohemia Elementary School in the southwest side of Chicago.

His great-grandfather, Alberto Salvi, came to the United States in the early 1900s and was a famous harpist. He emigrated from a small town outside of Venice. After arriving in the United States, he had a son, Albert. Albert, Patrick’s grandfather, went to Notre Dame for his undergraduate studies and Northwestern Law School. He started his own firm, Salvi, Salvi & Wifler, located in Lake Zurich, IL. Five of his nine children are lawyers, including Patrick’s father, Patrick.

Claudia Gallo, 36, is a highly respected, mature beyond her years attorney is a very difficult area of practice. A partner at the highly respected family law firm of Berger Schatz, she represents clients in family and matrimonial law, including divorce, paternity, and custody matters. Her work includes every aspect of representation necessary in family law matters such as contested court proceedings, complex negotiation, and financial analysis. Throughout it all, Gallo remains calm and dependable.

One reason why Gallo excels is because she has some of the best analytical skills in her area of practice, a prominent Chicago attorney interviewed for the article said. “Claudia is extremely bright, hardworking, and unfailingly ethical. She has an excellent understanding of financial and trust law that most family lawyers lack. Claudia gets to the heart of financial issues in a divorce quickly and shows an insight into how and why the numbers work (or, more importantly, don’t work) in negotiating settlements.” “She also empathizes with her clients in a personal way, making them more comfortable during a very difficult time in their lives.”

Claudia’s maternal great great grandmother, Josephine D’Allessandra, and great grandmother, Victoria D’Allessandra Camarata, were born and raised in Genoa, Italy.

Gallo attended Loyola University of Chicago, graduating with Honors and a bachelor’s degree cum laude. She earned her J.D. from Illinois Institute of Technology Chicago-Kent College of Law with high honors, Order of the Coif in 1999. In law school, she was a member of the editorial staff of the Chicago-Kent Law Review and served as notes and comments editor. In 2004, Gallo completed the American Bar Association Family Law Trial Advocacy Institute, an intensive trial and litigation program.

Gallo is a member of the Chicago Bar Association (past co-chair, Young Lawyers Section Family Law Committee), the Illinois Bar Association, the Illinois Women’s Bar Association, and for The John Marshall Law School Alumni Association. We continue on page 19.
Joe Marconi: a Lawyer’s Lawyer

By: Leonard F. Amari

The press release received stated: “Illinois Supreme Court appoints Marconi to advise discovery committee.

Effective January 1, 2012, the State of Illinois’ Supreme Court appointed Johnson & Bell, Ltd. Shareholder Joseph R. Marconi as advisor to the Judicial Conference Committee on Discovery Procedures. Mr. Marconi is the chair of the Business Litigation/Transactions group at the firm.

The Committee is comprised of circuit and appellate court judges from around the state and is chaired by Justice Maureen E. Connors of the First District Appellate Court. This year’s primary project is the development and drafting of proposed rule amendments and guidelines for the management of electronic discovery in Illinois. According to Mr. Michael J. Tardy, director of the Illinois Judicial Conference, Mr. Marconi was appointed because of his "experience in complex civil litigation" which "evidences a level of competence in the area of e-discovery that will greatly aid in the committee's work."

Of course, the press release doesn’t tell us much about this highly respected lawyer, Justiniian and friend. Named to the first academic team All Big Eight Conference Team in 1971 at Iowa State University, Joe graduated from JMLS thereafter. Piccolo mondo, Joe was named, while at Marian Catholic, to the all-area Italian American high school football team by Fra Noi.

Marconi has been very active in the Illinois State Bar Association, the statewide 37,000 member lawyers’ organization. He is currently a member of the Judicial Evaluation Committee. He was the editor of its highly respected newsletter, Tort Trends, from 1991 through June 1995. He is currently the central region editor of the Business Suit, a nationally published newsletter of the Commercial Litigation Section of the Defense Research Institute. Joe serves as General Counsel of the ISBA/Mutual Insurance Company.

He is a member of the Chicago, Illinois, Wisconsin, and American Bar Associations and was an active member of the significant Torts Sections Council of the ISBA from 1990 to 1994. He was also general counsel for the ISBA/Mutual Insurance Company from 1990 to 1996.

Marconi joined the prestigious Chicago law firm of Johnson & Bell in 1988 and is the current head of its commercial litigation department, which includes the handling of the defense of attorney and accountant negligence/malpractice matters. He has substantial experience in both transactional and litigation matters and has extensive trial experience including jury and chancery trials.

Marconi has had, among his various commercial clients, insurance companies, financial institutions and many prominent local and national companies. He is proud to have been chosen as defense counsel for so many good lawyers in Illinois.

Joe’s family ran a well-known bakery in Chicago Heights for almost a century, his paternal grandparents having emigrated from the Marche region of Italy and his mom’s parents, the Pagoria family, from “a little town just outside of Palermo,” called Caccamo.

Very active in the Italian American community both through activities with the National Italian American Foundation and as general counsel for the National Italian American Sports Hall of Fame, he is a proud Justinian, a mentor to younger lawyers and a major influence in the firm of Johnson & Bell. Joseph R. Marconi is a quality example of lawyers from the Italian American experience. He is married to the lovely Micki, and they are the parents of Laura, Sam and Allie, residing in Western Springs.

Five Romanucci & Blandin Attorneys Make 2012 Super-Lawyer® Status

Five attorneys at the Chicago injury firm of Romanucci & Blandin, LLC have been named a SuperLawyer for 2012, including Antonio M. Romanucci, a top 100 Illinois SuperLawyer®, and Stephen D. Blandin, SuperLawyer®; and attorneys Michael E. Holden, Frank A. Sommario, and managing attorney Gina Arquilla DeBoni, 2012 SuperLawyer® Rising Stars.

In addition, Antonio Romanucci has been appointed by the Supreme Court of Illinois to the Rules Committee effective January 2, 2012 thru December 2014.

SuperLawyers is a nationwide rating service of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. The selection process is multi-phased and includes independent research, peer nominations and peer evaluations. Selections are made on an annual, state-by-state basis.

Established by Antonio M. Romanucci and Stephan D. Blandin, Romanucci & Blandin is a Chicago-based personal injury law firm dedicated to providing injured clients with aggressive representation in a diligent, professional, skilled and caring manner. The firm has recovered more than $200 million for its clients, including a record $23 million medical malpractice verdict against a hospital and a record $17 million verdict against the city of Chicago. Dozens of those verdicts and settlements were $1 million or higher.

Romanucci & Blandin, LLC, is located at 33 N. LaSalle St., Suite 2000, Chicago, IL 60602. Further information about the firm is available at www.rblaw.net or by calling 312-458-1000.
Dan Bellino:  
He calls ‘em like he sees ‘em

By: Leonard Amari

In this issue, we introduce these Dan Bellino, licensed Illinois practicing attorney and professional Major League Baseball umpire. Quite a combination. Upon graduating from Northern Illinois University, Dan thought that his career path would be law school, in the Intellectual Property field, patents, copyrights, and the like, and then a practice in patent law, perhaps a litigator. With that in mind, Danny Bellino distinguished himself as an outstanding student at The John Marshall Law School. A funny thing happened, however, upon his graduation in 2002. He decided to put all of his efforts into being an umpire in professional baseball. He gave it his best shot and, finally, has succeeded.

“Eight years of toiling as a minor league umpire hardly seems like fast tracking,” Danny said when asked about this transitional period in his young life. Yet in a profession that employs only 68 full-time members, one in which the odds are heavily stacked against ever making it to the major leagues, Dan Bellino’s rise was near meteoric.

The 32-year-old resident of Crystal Lake got the call in February 2009, just before he left for spring training. It was the call of a lifetime as he learned he was being promoted to full-time major league umpire. His wife, Katie, recalls they both shed tears of joy over the news. Now at the major league level, Bellino gets more time at home during the summer with Katie and their three sons – Anthony (4), Grant (21⁄2) and Andrew (8 months).

Their pictures are smattered all over the inside lid of Bellino’s traveling trunk. Bellino admits he didn’t totally know what he was getting into when he embarked on this journey to become a major league baseball umpire.

He found himself drawn to umpiring school, even though his officiating experience to that point was limited to basketball. “I came into the system and I honestly had no idea how difficult it was,” Bellino said. “I had no concept there was five different levels of A ball, then Double- and Triple-A. I learned how difficult it was once I was into it. Once you realize how difficult it is, then you do start to put certain limits on yourself.”

Bellino said it’s only natural for umpires to consider other possible options. While he had a better fallback than most, he also kept his foot on the accelerator. In 2008, he made his major league debut with one game. While working the Triple-A Pacific Coast League in 2009, he was called up for 31 major league games.

Bellino knew he was closing in on the majors last year when he umped 112 games as a replacement. In February, he was promoted to full-time status in the majors. Minor league umpires start off making about $1,800 a month, while major league umpires make approximately $84,000 to $300,000 a year.

Italian Americans have distinguished themselves over the years as major league umpires. Presently, according to Bellino, there are nine, including himself, Tony Randazzo (son of the executive director of the Italian American Sports Hall of Fame, George), Chris Guccione, crew chief Ed Rapuano, Mike Dimuro, Dan Iassogna, Tim Tschida, Phil Cuzzi and Brian O’Nora.

Here is Dan’s history of his Italian ancestry in his own words, “My family is from Tuscany on one side, and Sicily (Palermo) on the other. I remember talking to my grandmother about this years ago, she said we still have relatives there. Growing up, I remember vividly when my Nona would get upset with me; she would always get angry in Italian. I wish some of that would have stuck with me. But, believe it or not, my grandmother, being first generation, felt that it was more important for us to speak English all the time. My family has always been based in Chicago. My Grandfather was a high ranking officer in WWII, who distinguished himself, as did many Italian Americans.

Of his current career status, Bellino says, “Last year I got a really good taste of what it would be like to be full-time. The difference between full-time and a minor league umpire is full-time you have your schedule. You know where you’re going to be. I’m here before the All-Star break and it’s a perfect transition. I can drive home and it’s a regular day of work. I was home for the Fourth of July for the first time in 10 years.”

Another example of the best our community has to offer.

Jaconettys Awarded for Service

[Editor's Note: One of our more respected members, Thomas Jaconetty, chief deputy assessor of the Office of the Cook County Assessor, has been asked repeatedly over the years to permit this editor to highlight his distinguished career in Fra Noi and, again, in our Justinian Newsletter. Tom keeps promising to get around to it, as does his wonderful wife, Judith. However, neither seems to get around to it. My opinion is that the reason for non-attentiveness is sheer humility. For that reason, we reprint herein an article about these two wonderful people that appeared in “Faith & Community,” the Fall 2011 edition of the Regina Dominican magazine.]
By: Richard Caifano

Legacy has been defined as: something inherited from a predecessor; a heritage.

We, the sons and daughters of Italians, appreciate the perfection of a Puccini aria, the lush taste of the grape fresh from the barrel at Easter, the tantalizing aroma of lasagna bubbling in the oven and the warmth that is family. These inseparable parts of our heritage define who we are and draw us to others who hold those senses dear.

For more than two generations we, the sons and daughters of immigrants, have realized the dreams of those who bravely made their way into the legal profession planting the seed of success, we strive to share that success with children. However, because we have achieved those dreams of those who bravely made their way into the legal profession, we were rewarded with an embrace and support that is family. These inseparable parts of our heritage define who we are and draw us to others who hold those senses dear.

As Italian-Americans, we are not alone in being drawn to the legal profession as an ethnicity. Nor are we unique in seeking success for our children. However, because we have achieved success, we strive to share that success with those we nurture. We look with pride upon the accomplishments of Italian-Americans in the legal profession. And we draw from those accomplishments to allow for its continuation in those who dare aspire to it.

We were born in Chicago and attracted to legal careers. Upon entering the profession, we were naturally drawn to those who shared our heritage. We were rewarded with an embrace from a generation of lawyers who had set the standard and who gave us good counsel in our formative years. The warmth of that embraceingers in we who have grown from it and in turn seek to pass it on.

So many great men and women of that influence come to mind: Allegretti, Barbara, Cirese, DiGrazia, Quilici, Sorrentino, Gallo, Sbarbaro, Bosco, Coccia, Chippori, Fornelli, Scottilo, Sicacusa, Barbaro, Stillo, Pusateri...who inspired Amari, Cerone, Pope, Pocellino, Rinella, Tassone, Bisceglia, Caldarazzo, Monico...who in turn gave counsel to the current Justinian Society leadership. The beat goes on.

In seamless progression, we were schooled by those who came before us to guide those who have chosen to follow. Who among us does not rise to applaud the work of Len Amari in the formation of our student mentoring program? Justinian student mentoring has meant so much to those who have succeeded in the study of law who, but for the dedication of their mentors, may not have been able to attain that dream.

Mentoring is the most important element in the legacy that has come to define the Justinian Society of Lawyers.

With extreme parental pride, Justinian legal professionals continue to grow from one generation to the next. Dedicated to the rule of law and to our inherent need to see its preservation, we serve as a beacon to those that follow. Within the Justinian Society, the families of Allegretti, Amari, Sorrentino, Bosco, Spatuzza, Fornelli, DeCarlo, Ori, Dave, Monico, DePalma, Cerone, Locallo, Caifano, Erbacci, Pope, DiBella, Phillips, Coco, Fichera, Vitell, Ansani, Banks, Curielli, Luaciconni, Scottilo, to name a few, have witnessed a succession of attorneys from one generation to the next.

It is our legacy; nothing is more worthy of celebration!

From left, Antonio Romanucci, Gregg Garofalo, and Richard Caifano.

[Editor’s note: Of all the actual or perceived leaders of our Italian American community, no one, individually, has done more to better our condition than brother Richard Caifano. In no small part, he was a motivating factor in the creation and early success of the Justinian chapters, the National Italian American Bar Association, the Italian American Political Coalition, and not to mention as a true heart and soul of our society. And all very subtly. And no one is more respected or beloved.]

By: Richard Caldarazzo

“A Tavola Non Si Invecchia”

During the tenure of John Locallo as president of the Justinians, we used that “old timers” dinner to also serve as a meeting of the nominating committee. For a short number of years, we even called it the “Game Dinner” because Jack and other folks in his network were hunters and we would have a game dinner where venison and other such entrees were prepared, usually on Grand Avenue at a restaurant called “Il Jack’s.”

For whatever reason, over the last several years, we stopped having this wonderful annual event. Thanks to Richard Caldarazzo and Mike Pope, two of our more respected past presidents, the tradition was reinstated in the year 2011. Attached hereto is Dick’s report of a recently held dinner.

On Tuesday, October 11, 2011, the second meeting of the Saggi (“Wise Ones”) was called to order at Danny’s Café in Melrose Park. The order of business was sharing wine, food, and fellowship. The motto of our organization is one given to us by the beloved Anthony Scariano: “A tavola non si invecchia” (at the table, when we share food and fellowship, we we don’t age).

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Those in attendance at the meeting were Tony Romanucci, Michael Pope, Bruno Tassone, Richard Caifano, Umberto Davi, Joe Bisceglia, Richard Caldarazzo, Angelo Mistretta and Michael Monico, who arrived fashionably late. Several of our members who were unable to attend, were dearly missed. We hope that they will join us at our next meeting.

When we first sat down, we were greeted by Paula, our gracious hostess, who presented us with two large bowls of neck bones as a complimentary appetizer. She then followed that with a new appetizer, stuffed meatball (a large meatball stuffed with asiago cheese and peas)
and the traditional sausage and peppers (the favorite of Frankie Five Angels). After that, we had a large salad and various dinners were shared, including giambotta, linguini with broccoli aglio olio, eggplant Parmesan, and lemon chicken.

The dinner was followed by espresso, cappuccino, and gelato.

And of course, the evening was filled with old stories of Justinian events of the past, including many memorable evenings at the Palmer House and at the Como Inn. We also shared experiences that are common to Saggi, such as loss of memory, inability to sleep late, etc. If our motto above is correct, we may never leave that table at our next meeting, which will be in January.

[Editor's note: Since the October 2011 dinner, another “Saggi Dinner” occurred. Unfortunately, it was the last public event for our revered past President Hon. Angelo Mistretta—who passed away shortly after this event. It made us realize how fleeting life is and to be sure to schedule these wonderful dinners, regularly and far into the future.

Again, on February 20, 2012, another “Saggi Dinner” took place, again with Dick and Mike arranging the invitation list and restaurant arrangements — this time at, arguably, the best Sicilian restaurant in the Chicagoland area, Fiorentino’s, 2901 N. Ashland. Run by the wife and son of career Justinian Steve, we were treated like royalty. We ate like kings, the entrees, appetizers and desserts were delicious and the wine, selected by past President Len DeFranco, to die for. Dick and Mike even extended the invite to include some of our “younger” distinguished members, Antonio Romanucci and Franco Coladipietro.

The warmth and camaraderie in the room was heartfelt. With our senior past President in attendance to make the welcoming toast, the beloved Anthony Fornelli, all of us embraced one another, figuratively and actually. These events are truly heartfelt, welcomed, and, with Caldo and Mike’s continued leadership, will extend well into the future.]

The Honorable Gino L. DiVito received the 2011 Justice Leadership Award at the TASC (Treatment Alternatives for Safe Communities) Leadership Awards Luncheon in Chicago on December 6. DiVito, chairman of the Illinois Sentencing Policy Advisory Council and retired justice of the Illinois Appellate Court, was recognized for his leadership and support of evidence-based sentencing practices.

In accepting the award, Justice DiVito acknowledged the collective efforts involved in providing supervised drug treatment and recovery support for defendants with non-violent offenses.

“We are inspired by the stories of those who have recovered and those who are in recovery,” he said. “And we are grateful for those who dedicate themselves to their recovery—the people of TASC, the people inspired by TASC, and all of those who work to serve others.”

DiVito Receives Leadership Award

Crisis Management

Attorneys fight for murder victims family

[Editor's Note: The following article, written by Nyssa Gesch, appeared in the 2012 edition of Super Lawyers and we republish it here for obvious reasons, since it includes the efforts of two of our most senior members, Enrico Mirabelli and Antonio Romanucci, and our dear pal, Jack Carey.]

From left: Jack Carey, Judge Nello Gamberdino, and Franco Coladipietro.

On May 5, 2009, Sheri Coleman and her two young sons, Garett and Gavin, were found strangled in their Columbia home. Exactly two years later, a jury convicted Chris Coleman of killing his 31-year-old wife and their 11- and 9-year-old sons.

While the former Marine is now serving a life sentence, a related civil case remains unresolved. The day before the verdict in the criminal trial, Sheri’s mother and brother filed a wrongful death suit against Joyce Meyer Ministries, a Missouri-based Christian organization where Coleman worked as the evangelist Joyce Meyer’s bodyguard. The suit accuses the ministry of failing to investigate the source of emailed death threats and failing to warn the victims that their lives were in danger. Defendants also include Coleman, Joyce Meyer, and her son, Dan Meyer.

“This really is an extremely significant theory: You’re going after a religious organization to impose corporate liability,” says Enrico J. Mirabelli, a family law attorney with Beermann Pritikin Mirabelli Swardlove who became involved in the case because he is Sheri’s cousin. Mirabelli used a similar claim of corporate liability in 1986 when he filed a suit for a woman who was bitten by an HIV-positive airline-ticket agent after being told she couldn’t board.

Shortly after the Coleman murders, Mirabelli called his friend Jack Carey, a Belleville civil litigator, to join the case. They later

Continued on page 23
brought in Chicago personal injury attorney Antonio M. Romanucci, with Romanucci & Blandin.

“I was in the home within a day or two of the murders and it was overwhelming,” says Carey. “It is an absolutely beautiful, upper-middle-class home, a home that any American would be proud to own, would be blessed to live in. I was in the boys’ bedrooms and there are their toys; just as they left them - banners on the wall: Chicago White Sox, other sports teams. I mean, it was just so queer to know that these children had been strangled in their beds in this lovely setting. … I walked out of the house after seeing that, and the news reporters were outside—they had their big dishes up and everything—and I could not say anything. It was just too surreal. I just could not respond to their ‘What’d you see?’”

At the criminal trial, prosecutors argued that Coleman killed his family rather than divorce Sheri to be with a girlfriend in Florida because he feared he might lose his $100,000-a-year job with the evangelical Christian organization. The civil suit says the ministry knew—or should have known—that Coleman posed a threat to his family.

Carey says it is his understanding that Coleman told some co-workers about emailed threats he had received against himself and his family. It was later discovered that the emails came from an account Coleman had created on a ministry-owned computer. Carey believes the ministry’s webmaster tries to trace the source of emailed threats with the evangelical Christian organization. The civil suit says the ministry knew—or should have known—that Coleman posed a threat to his family.

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counsel in 1979. At 32, she was the Fortune 500’s first-ever woman general counsel.

Since her successful tenure with CCH, Hynes has held a number of GC positions at respected global companies, including IMC Global Inc. and Wolters Kluwer. Since 2007, Hynes has stood at the helm of the legal department of Corn Products, a global agricultural company based in Illinois.

Q: Tell me about being named the first woman GC of a Fortune 500 company.

A: CCH had on its board some very distinguished individuals who knew what they were doing when they appointed me as GC.

I was not aware that I was the only woman in this category, but when I joined the ABA’s GC committee, I was an unusual person in the room. There were less than a handful of women and none were at Fortune 500 companies.

My superiors surprised me by actually taking that action—making me a part of the executive team. Not only was I the only female, but I was also 20 years younger than everyone else. Many companies were not used to seeing a woman in law, but as GC? It was almost unheard of.

People have been tremendously supportive. Being in-house is a wonderful experience.

Q: What obstacles did you encounter on your way up?

A: I always joke that I attribute my success to having an older brother who never cut me any slack.

You have to be a negotiator. I wanted a family. My CEO said you can have it all. He was just perceiving what the circumstances were. He wasn’t someone who spoon-fed you, but enabled you.

I’ve learned in my career not to be afraid. The biggest limitations can be self imposed. You have to be fearless and have your compass in the right spot, but don’t limit yourself.

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**Giuseppe Tornatore of Bagheria**

**What do Sam Tornatore, Nina Albano Vidmer, Vincent Vidmer, Dominic Fichera, Joe Gagliardo, Len DeFranco, Lou Cairo, Jack LaBrasco, Steve Phillips, and other prominent Justiniians and members of our ethnic community have in common? They all trace their roots to one of the larger “small” towns “just outside of Palermo,” in Sicily, the town of Bagheria. For that reason, we republish in part, herein, the story of Giuseppe Tornatore, (cousin of Sam, Nina and Vincent), prominent Sicilian movie producer, that appeared in the December 2011 edition of Fra Noi.**

By: Jeannine Guilyard

Giuseppe Tornatore was born on May 27, 1956, in Bagheria, in the province of Palermo, Sicily. He started his career at the tender age of 16, making his directorial debut in theater.

Tornatore worked in theater for years, and also did some freelance photography before he dived into cinema. His first cinematic effort was with the documentary “Le minoranze etniche in Sicilia” (The Ethnic Minority in Sicily.) The film was well reviewed and opened doors for him to make his first feature in 1985, “Il Camorista.” Just three years later came his epic effort, which is now considered a contemporary classic, “Nuovo Cinema Paradiso” (Cinema Paradiso). The film, which won an Academy Award, is still loved to this day by audiences all over the world. Starring Marco Leonardi and Philippe Noiret, the story focuses on an unlikely but lifetime friendship between a boy who loves cinema and a projectionist at the local movie theater. The film was shot in Tornatore’s hometown of Bagheria and is a visual and poetic love letter to cinema itself. The soundtrack was done by legendary Italian composer Ennio Morricone, and is the perfect accompaniment to a sentimental and beautiful coming-of-age film.

Tornatore has spent the last decade making socially conscious films that mirror the issues of the citizens of Italy in general and Sicily in particular. In 2009, he released “Baarìa,” an autobiographical epic spanning three generations in his hometown of Bagheria. It’s a moving story with equal amounts of comedy and drama that revels in the idiosyncrasies of the people he grew up with and the rich ironies of life in this teeming southern town. Just as “Nuovo Cinema Paradiso” is a love letter to cinema, “Baarìa” is a love letter to Tornatore’s land, and celebrates the strong connection he has to his roots.

Giuseppe Tornatore is very private and rarely does interviews. He has been firm in letting his work speak for itself. Many of his films are considered modern masterpieces, so audiences and critics all over the world are indeed listening and watching, and because of that worldwide appeal, many of his films are readily available for rent and purchase on this side of the Atlantic as well.
By: Leonard F. Amari

“Success at any age is impressive. But to achieve it at an early age is even more of a feat.”

For the eleventh straight year, the 40 Under 40 Committee at the Law Bulletin Publishing Company sifted through hundreds and hundreds of nomination forms to select 40 of the most talented young attorneys in Illinois. This is the preeminent legal publication in the state of Illinois.

The standards applied in the selection process include: intelligence, passion, success in the office, a desire to help the community, and, most importantly, a willingness to work hard at one of the country’s most important professions. These standards absolutely apply to Michael F. Bonamarte.

As an active law student participant and product of our wonderful Justinian Society law student mentoring program, it is especially pleasing that Michael F. Bonamarte received a 2010 40/40 recognition. At age 31, he was the youngest so recognized this year and one of the youngest so chosen in the history of this achievement. Michael F. Bonamarte IV, a personal injury lawyer at Levin & Perconti, is a product of our wonderful Justinian Society. As an active law student participant and a 2010 40/40 recognition, he was named after him, the Michael F. Bonamarte Jr. Public Safety Center. His grandfather, Michael, Jr., was born in New York and ended up in Highland Park where he became a sergeant and fireman. His great-grandfather Luigi’s side and Naples on his great-great grandmother Antonia Marsicana’s side. Bonamarte’s father was also an attorney. After the elder Bonamarte unexpectedly died from a stroke in 2006, the son founded the Michael F. Bonamarte III Foundation to raise awareness and money for stroke prevention and research.

Michael comes from a well known and highly respected Lake County, Illinois family. His grandfather, Michael, Jr., was the Police Chief of Highland Park for nearly 40 years – the last five as the head of the police and fire department. The newly renovated Highland Park police station is named after him, the Michael F. Bonamarte Jr. Public Safety Center. His great-grandfather, Michael Sr., was born in New York and ended up in Highland Park where he became a sergeant and finger print expert with the police force.

When he is not working on behalf of his clients, Bonamarte mentors law students at John Marshall Law School, where he earned his law degree in 2005. Bonamarte also writes a regular column for the Justinian Society Newsletter, and he has given speeches at seminars sponsored by the Illinois Trial Lawyers Association, the Chicago Bar Association, the Illinois Institute of Continuing Legal Education, the National Academy of Elder Law Attorneys, as well as several senior citizen groups in the Chicago land area.

Michael joins many bright professionals from our community who have been honored with this 40/40 recognition, including John Sciaccotta, Gamrath (both Celina and Rob), Franco Coladipietro, Gregory Conforti, Anthony Masciopinto, David Bonoma, Colleen Scimeca, Anita Ventrelli, John M. Spesia, Katherine Amari O’Dell, John Storino, Kenneth C. Apicella, Peter M. Spingola, and Christopher Carani.

Another example of the best our community has to offer.

Michael F. Bonamarte IV

Brian Monico, Jon DeMoss, and Michael Bonamarte.

“He is genuinely concerned with the clients he represents, feeling their pain, understanding their misery and ... compensating them as best he can,” says Katherine O’Dell of Amari & Locallo and previous recipient of this 40/40 recognition (2007). O’Dell says Bonamarte has succeeded in these cases because of his work ethic. “Rarely is there an early evening or weekend when Michael is not working on files, preparing for depositions, and putting 100 percent of his heart and soul into his being an outstanding contributor to the firm,” Amari says.

The ability to relate to people plays a big role in achieving success in the practice area of personal injury law. Those who have seen Bonamarte at work say his personal touch with clients is a big reason for his success. Successful in just about everything he has attempted, Michael was a three sport varsity athlete of Highland Park High School – being the starting quarterback and captain of his football team, achieving All Conference and Chicago Sun Times All Area recognition. Michael was recently married to Julia Bonamarte (née Sawma), and traces his Italian roots to the Piedmont region on his great-great grandfather Luigi’s side and Naples on his great-great grandmother Antonia Marsicana’s side. Bonamarte’s father was also an attorney. After the elder Bonamarte unexpectedly died from a stroke in 2006, the son founded the Michael F. Bonamarte III Foundation to raise awareness and money for stroke prevention and research.

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Another example of the best our community has to offer.

HELP WANTED!

We always have a number of resumes of young lawyers and law students at local law schools seeking law clerk positions.

There are also individuals looking for secretarial or assistant positions in a law firm setting, most with previous experience in a law office.

Interested parties can contact the Editor, Leonard F. Amari at 312-255-8550 or lfa@amari-locallo.com.

A listing of those seeking positions are also listed on our website, along with their resumes. View them at www.justinians.org.
By: Leonard F. Amari

In this issue, we highlight the distinguished career of leadership and accomplishments of Fred Serpe – the leader of the political voice of our ethnic community in the State of Illinois – the president of the Italian American Political Coalition.

From the time he graduated from The John Marshall Law School in 1984, Serpe has demonstrated leadership skills, successes and accomplishments in numerous positions. His first role as a lawyer was as an assistant Illinois Attorney General in the Revenue Litigation Division. An example of his demonstration of leadership was as executive director of the Illinois Transportation Association from 1987 to 2001, involving himself in lobbying, legislation and related responsibilities. He presently is the senior partner of the law firm of Serpe, Dizonno, Reboletti & Associates, Ltd, a general practice and very successful and respected law firm with offices in Maywood, Itasca, and Arlington Heights.

Evidence of Fred’s leadership is demonstrated by the professional organizations in which he participates and exerts leadership. He is a senior statesman and influential member of The Justinian Society of (Italian) Lawyers, impacting in its direction for almost 30 years. He presently serves as Secretary of the West Suburban Bar Association, where he also served on its Board of Governors from 2003 to 2007. He has been active in the 32,000 member Illinois State Bar Association, where he served by presidential appointment to its Banking and Regulatory Section Council and Public Utilities and Transportation Law Committee.

Serpe also gave back to his law school, John Marshall, having served as a director of its Alumni Board for a decade – 1984-1994.

To list all of Fred’s public service efforts and contribution during his distinguished career would be a daunting task, but some are compelling to be mentioned, including: special counsel to Addison Township, the municipality of Calumet City and the Westchester Park District. He compliments Illinois Secretary of State Jesse White’s office as chairman of its Merit Commission. For Cook County Clerk Dorothy Brown, he serves on an Industry Advisory Committee. He serves the Cook County court system as a volunteer arbitrator in the 1st and 4th Municipal Districts as well as a hearing officer for the village of Norridge.

Richard Pellegrino, president-elect of the IAPC, says of Serpe: “Fred is indefatigable. After having served as a board member since the inception and now as its president, he has had a full agenda. Every event he promoted during his tenure, every activity, has been an overwhelming success – such is its annual Judges’ reception. His social activities, monthly board meetings, annual bocce tournaments, etc., have all been well attended. His will be a difficult act to follow.”

In addition to lecturing to lawyers and businessman in his areas of experience and expertise, Serpe has published numerous learned treatises: Illinois Workers Rights (2002), A History of Trucking in Illinois (co-author, 1988), The Illinois Lobbyist Registration System (for the Illinois Secretary of State’s Index Department). Of his roots, Fred says: “After fighting in the pacific theater as a Marine 1st division, my father Ferdinand (whose family came from Cosenza, Calabria, in 1904) opened his first flower shop on Taylor and Halsted called Flowers by Ferdinand. My father met and married my mother Elizabeth Natale (whose family came from Potenza, Basilicata) and began a fifty one year love affair and partnership of floral design and raising two children, me and my sister Elizabeth. Of the many memories of Taylor Street, the one that stands out the most is how ALIVE the street was with vendors and people shopping and walking. Ladies yelling down from second floor windows. Life was beautiful. In 1960, Flowers by Ferdinand relocated to Chicago Avenue. In 1970, the third relocation of Flowers by Ferdinand was in Elmwood Park.

Growing up in the family business was hard work and richly rewarding. We would open presents on Christmas morning in our home in Galewood, and then all go to the shop to make funeral flowers arrangements for the many wakes that evening. When I was 16, my parents said that they were finally taking a vacation together. As they handed me the keys my father just said, smiling, ‘don’t burn the place down.’ I then learned what it took to run a business successfully, to deal with customers, employees, and wholesalers. It was an incredible experience that I carry with me today in my own storefront legal shops – quality product and service at a fair and reasonable price. And most importantly, to give of yourself to others and those organizations that help our Italian American community.”

Another example of the best our community has to offer.
as vice president. This was followed by two terms as Chairman of the Board of the National Confectioners Association.

Nello Ferrara’s devoted efforts and agile, inventive mind have accomplished miracles in every field of endeavor: business, civic and fraternal, bringing success to those projects which share his interest.

Among one of Nello’s most cherished awards is the coveted “Knight of Malta,” bestowed on him by the late Pope John XXIII. He also cherishes the National Confectioners Association “Distinguished Service Award,” received in 1970 for outstanding leadership and devotion of time, talent and energies in the development of NCA programs and services on behalf of the NCA and the confectionery industry. In June 1975 he was honored to receive the annual “Kettle Award” and named “Candy Industry Man of the Year” for his dedicated activities on behalf of the confectionery industry, with special emphasis on his achievements as chairman of the board of NCA.

Davy goes on to say about his grandfather: “He was the ultimate role model. He was successful, he was fair, he was honest, he gave credit where credit was due, his integrity was unmatched, but most of all he was fun and people loved him for that. I never met anybody who had a bad word to say about Poppie.”

In 1961, due to his successful efforts in establishing a home for the aged, namely Villa Scalabrini in Northlake, Illinois, Nello was honored by the president of the Italian Republic and knighted as a “Cavalier to the Order of Merit of the Republic.” His humanitarian efforts and deep interest in the economic development of the State of Israel resulted in his being awarded the “Israel Prime Minister’s Medal” in June of 1971. In June 1980, he was presented the “Human Relations Award” by The American Jewish Committee.

In spite of his numerous accomplishments, Nello Ferrara remained a humble, unassuming individual, never seeking to be recognized or singled out for praise or honor.

Grandson Bill went on to say “I was and always will be proud to be his grandson, but not just because of his success in the candy industry. His generosity with his money, his time and his talent, has transformed the lives of so many people. When I meet someone who was a recipient of that open hearted kindness and they tell me their story, that is when I am most proud to be his grandson.”

It was fitting that only a few months before his passing, Nello V. Ferrara was installed in the elite Executive Hall of Fame at Casa Italia, our Italian-American community headquarters in Stone Park, Illinois.

Nello and his wife, Marilyn, are parents of three children: Serajeann Alioto, Salvatore II and Nella Davy. They have eight grandchildren and two great grandchildren.

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**Italian American Studies Program**

**By: Dominic Candeloro**

Italian American history and culture is at risk of being lost. As we move into the 21st Century, we are more than 100 years away from the original emigration, two generations removed from thriving Little Italies – their churches, businesses and other institutions, 2 generations from widespread fluency among Italian American. Today, there are few formal institutions for the systematic collection, dissemination, and preservation of information about Italian American culture. If we don’t do something bold soon, for all practical purposes, it will be lost.

Up to now, the “market” for Italian American studies has drawn widespread support. There are Italian American Studies programs at Queens College (Distinguished Professorship), CUNY, SUNY Stony Brook (D’Amato Chair), Seton Hall (LaMotta), John Carroll (Bishop Pilla), Cal State at Long Beach (Graziadio), Brooklyn College, Monclaire State (Inserna), among others. With some very notable exceptions, most of the programs focus more on Italian language and culture than Italian American material. In any case, there is precedent for Italian American individuals and organizations (especially Unico National) to raise funds to support endowed programs in the field. Most of the campaigns took five years to collect the necessary funds – usually some $2 million.

Our proposal is to establish a campaign to raise $1 million to create an Italian American studies tenured endowed professorship with the stipulation that the material being treated consist of the history and culture of Italians in the migration process and the subsequent body of material that relates to the experience of the transplanted immigrants in the United States. A further stipulation is that the holder of the professorship cooperate closely with the Casa Italia, Inc., in a mutual relationship regarding libraries, language instruction, publishing, music programming, AP exam preparation, language immersion events, film festivals and other public programming.

There are some 350,000 Italian Americans in the Chicago area and about that many in the rest of Illinois. The vast majority can be classified as middle class or better. There are over 200 clubs and organizations of various sizes in the Chicago area. Major institutions in the community include the Casa Italia, the Joint Civic Committee of Italian Americans, a half dozen Italian Catholic Churches run by the Scalabrini Fathers, the Justinian Society of Lawyers, the Columbian Club, the Italian American Chamber of Commerce, and a score of other city-wide organizations of substance.

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**Reconstructing Italians in Chicago: Thirty Authors in Search of Roots and Branches**

**Book edited by Dominic Candeloro and Fred L. Gardaphè**

**Book Review**

**By: Jessica DePinto**

The anthology features short stories, autobiographical sketches, and historical accounts of growing up Italian-American in Chicago. It is the first publishing venture by the Italian Cultural Center since the 1970s and an impressive effort to capture the memories and ambitions of a distinct sub-culture within Chicago’s diverse history.

Divided into five sections, including the introduction, the editors weave historical, sociological and fictional accounts to arrive at a common experience for Sicilian, Calabrese, Pugliese, Napoletani, Modenesi e Lucchesi.

Section Two explores the Italian immigrant experience of the early 20th century, when many of our ancestors came to Chicago. In Chicago’s Little Sicily, professor Robert Lombardo, recounts the history of an area that no longer exists, except in the hearts and minds of its former residents. Little Sicily or Little Hell, as it was also known, was on the Near North Side. While the area was stricken with poverty and crime, Professor Lombardo explains that the “Little Hell” moniker actually derived from the flames of the gas house furnace that created the “Dantesque” landscape. The area was razed by poorly executed public housing programs. All that remains of the Little Sicily era is the former Saint Philip Benizi School.

Chicago is fortunate to have one of America’s best fiction writers, Tony Romano. He is the author of the novel, When the World Was Young. His stories recount the Italian-American experience of the Grand and Ashland Avenue neigh-
The story in the anthology, When the Rains Come, tells the story of a young, university-educated man who returns to his Italian village, San Salvatore. He falls in love with Lucia, a girl from the village. Because of the girl who loves him and his hope for a more inviting future—he is in conflict between two worlds: roots and soaring branches.

Leonard Amari recounts the stories of his youth, his perspective on education and what it meant (still means) for a generation of young men and women who strive to elevate their lives yet retain their fidelity to the neighborhoods and the people that formed them. My favorite line in My Father was a Damon Runyon Character is: “when I go through the names at the end of the movies, I look for Italian Americans.” My dad and I really started to like Woody Allen when we noticed that his cinematographers were Dante Ferretti and Carlo Di Palma.

In Researching Taylor Street: Chicago’s Little Italy, journalists Kathy Catrambone and Ellen Shubart, were both editors of specialized publications for Crain Communications, Inc. Their essay recounts their strategies for conducting comprehensive research in libraries and live interviews. Kathy Catrambone is a native of the Taylor Street neighborhood.

**Tort Notes:**
*

**Court upholds Common Fund Doctrine for attorneys fees. Wajnberg v. Wunglueck, 2011 IL App. (Second) 110190**

By: James J. Morici, Jr.

*Illinois law reflects the long standing general rule that the prevailing party bears the cost of litigation, unless otherwise provided for in a statute or by agreement between the parties. The Common Fund Doctrine, which is an exception to the general rule, allows an attorney who “creates, preserves, or increases the value of a fund in which others have an ownership interest to be reimbursed from that fund for litigation expenses incurred, including counsel fees.”* Morris B. Chapman & Associates, Ltd. v. Kitzmann, 193 Ill.2nd 560, 572-73 (2000). The Doctrine is based on the Court’s inherent equitable powers and the rational that fees and expenses incurred in creating the fund be apportioned among those who benefit from its creation (citations omitted). Wajnberg v. Wunglueck, 2011 IL App. (Second) 110190, Page 5.

That general rule and its application to the Court’s jurisdiction to adjudicate a medical payment’s lien was the subject addressed in Wajnberg. The Appellant, Erie Insurance Company, paid benefits to its insured under the medical expenses portion of its automobile insurance policy. Subsequently, the insurance company sought reimbursement from a tort feasors insurer through intercompany arbitration. During that same time, Plaintiff filed an action against the Defendant, settled for an amount which included the medical payments made by Erie, and then moved to adjudicate Erie’s lien. The Trial Court granted Plaintiff’s Motion to Adjudicate pursuant to the Common Fund Doctrine and reduced the insurer’s lien by one-third. The Court found that Erie never gave the Plaintiff, his attorneys, or Defendant’s insured notice that it intended to collect its subrogation amount. Ritter v. Hachmeister, 356 Ill.App.3d 926, 930 (2005).

The Appellate Court found the central question to be whether or not Erie promptly and unequivocally notified Plaintiff and/or his attorneys that it desired to represent its own subrogation claim. The Court stated that that inquiry was critical because the Common Fund Doctrine applies where the insurers notification is equivocal in that the insurer requests payment from the Plaintiff upon settlement of its claim against the Defendant, citing Ritter. Wajnberg at. Page 6

The Court found that Erie, in writing asked Farmers, the tort feasors insurance company to protect its interest at the time of settlement. The Court stated that that showed that Erie was aware that there was a claim pending or one that would be made by the Plaintiff. The Court noted that the letter in question may also reasonably be interpreted as reflecting Erie’s desire to assert a lien for its medical payments to Plaintiff at the time of any settlement. The Court held that Erie’s letter was not an unequivocal instruction such as a proper Tenney letter. Tenney v. American Family Mutual Insurance Company, 128 Ill. App.3d 121 (1984). Id. at Page 8. Further, Erie was on notice of the filing of Plaintiff’s suit after the Inter-Insurance Company Arbitration Forum had granted the tort feasors insurance company’s deferment request. Even then Erie did not send a proper letter to the parties, but instead sent a letter only to the arbitration forum claiming that it was protected under the arbitration agreement and requesting that the attorney not include its recovery in any suit and that the tort feasors insurance carrier directly pay Erie for its medical payments subrogation amount. Id. Page 8.

It was only after Plaintiff moved to adjudicate the lien that Erie argued to Plaintiff and his attorneys that it desired no part in the settlement proceeds. Finally, at no time did Erie act in meaningful participation in the creation of the settlement nor did they argue such before the Trial or Appellate Court, thus the Court did not err in applying the Common Fund Doctrine.

*Editor’s Note: James J. Morici, Jr. is a partner in the firm of MORICI, FIGLIOLI & ASSOCIATES, and represents Plaintiffs in personal injury, workers’ compensation, and construction site related injury suits. Read all prior issues of “Tort Notes” at www.MoriciFiglioli.com.*
By: Anthony B. Ferraro

As we are all painfully aware, life happens and life changes. So, must your estate plan. For example, the things we discussed with our doctor at age 35 are quite different than the matters we discuss with our doctor at age 75. So too it is with your estate plan. Simply put, the estate plan that you created for yourself at age 35 should be substantially different than the the estate plan you need at age 75. How so, you ask?

There are three phases to planning for life and three types of planning to address those phases. See the table below. If you already have done a traditional estate plan, it is very likely that as you approach retirement age, your traditional estate plan needs to be modified into what we call a “senior” estate plan.

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<th>TODAY</th>
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<td>Estate Planning</td>
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<td>Asset Protection Planning</td>
<td>Long Term Care Planning</td>
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<tr>
<td>Tax Planning</td>
<td>Pre-Active Plan, “Wait and See”</td>
<td>Crisis Plan</td>
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This is where the GAP in most people’s planning occurs. You see, most traditional estate plans provide for death only, but as we have seen with many of our friends and family, life is not always predictable. For example, between now, when all is manageable, and the time of our death, there could be a long period of time (a GAP) during which long-term care is needed. It is this period of time, or GAP, that “senior” estate planning could be a long period of time (a GAP) during which long-term care is needed. It is this period of time, or GAP, that “senior” estate planning could be needed. It is this period of time, or GAP, that “senior” estate planning could be needed.

What does this mean for you? It means that you need a “senior” estate plan that will consist of one of the following:

1. A Pre-plan - When you or your spouse have at least five years to protect assets;
2. A “Wait and See” plan - When there is a recent diagnosis of a debilitating illness where some legal work must be done now, but other legal work can be deferred, or
3. A Crisis plan - When you must immediately have in place all the tools to protect you, your family and your assets from a long-term care spend down crisis either due to the devastating cost of care in your home, assisted living, or a nursing home.

In short, you must consider solutions for that stage of your life during which you require long-term healthcare. It does not matter where you choose to live. And these long term care concerns are probably not addressed in your existing traditional estate plan at this time. Until next month, please be well.

By: Angelina Filippo

President Obama signed the America Invents Act on September 16, 2011. The Act is the culmination of years of squabbling within the Houses of Congress on how to revamp the Patent Office. The most significant reform of the Patent Act since 1952, it makes many changes to Patent Office operations and some rather significant changes to the practice of patent law.

One of the biggest changes is that the United States is now aligned with the rest of the patent world in becoming a “first to file” country. The United States has always been a “first to invent” country regarding priority of patent applications. The “first to invent” philosophy allowed a first inventor to conceive a design, work diligently at refining it and then receive a patent on his application ahead of a second inventor filing the same application before him.

As long as the first inventor was diligent throughout his inventive process, conception to application, this first inventor beat the earlier-filed application of the second inventor of the same invention since he began inventing first. The first inventor would “swear behind” the second inventor’s application. Issues regarding who invented first were resolved with interference proceedings.

Beginning March 16, 2013, the “first to file” rule will make application priority a physical (or electronic) race to the Patent Office. There will no longer be claims to prior inventing; swearing behind will be gone and the second applicant will lose the race. Patent litigators will have a new song and dance to master called a derivation proceeding (replacing interference proceedings). Attorneys may have to look to foreign case law for tips on how to argue the “we got there first” point.

Solo inventors should take serious note of the following change — the creation of the “micro-entity.” Currently in effect, an inventor qualifying for “micro-entity” status receives a 75% discount on some Patent Office fees. Large- and small-entity classifications still exist; those qualifying for “small entity” status receive a 50% discount. The micro-entity discount is offered to inventors who are named on four or fewer patent applications, did not have a gross income exceeding three times the median household in the previous year, qualify for small entity status, and have not nor are obligated to assign, license or convey same patent rights to an entity earning more than three times the median household in the previous year.

Also in effect is a provision creating incentive for applicants to file electronically. E-filers will not pay the $400 ($200 for small entity) paper filing fee. There are some exemptions to this fee; details are found on the Patent Office website.

Many more provisions were passed, some presently in effect, others on a rolling effective date. Please see the Patent Office website www.uspto.gov for more information on the Act and its implementation.

[Editor’s Note: IP Corner provides insight to the world of intellectual property law. Angelina M. Filippo has a B.S. in Mechanical Engineering and an LL.M. in Intellectual Property Law. Her practice concentrates on intellectual property law and small business/entrepreneurial matters. Contact her at 4filippo@gmail.com or 312.307.3910 or see her profile on www.linkedin.com.]
Proof without a “Proof of Loss”

By: Gina M. Rossi,
Johnson & Bell, Ltd.

Any insurance policy you come across these days will contain a suit filing deadline, but in Illinois, that deadline is more often than not tolled by section 143.1 of the Illinois Insurance Code. 215 ILCS 5/143.1 (West 2006). Section 143.1 is a statutory restriction on contractual limitation provisions that was designed to prevent insurance companies from depriving an insured of her day in court by sitting on a claim and allowing the limitation period to run out. Trinity Bible Baptist Church v. Federal Kemper Insurance Co., 219 Ill. App. 3d, 156, 160-61 (1991). Section 143.1 provides that “the running of such [limitation] period is tolled from the date proof of loss is filed, in whatever form is required by the policy, until the date the claim is denied in whole or in part.” 215 ILCS 5/143.1 (West 2006).

Section 143.1 seems simple enough, but where things get tricky is when there is no specific “Proof of Loss” form filled out by an insured. The Illinois Appellate Court recently addressed this issue in American Access Casualty Company v. Tutson, 409 Ill. App. 3d 233 (1st Dist. 2011). In American Access, the defendant was a passenger in a vehicle that was involved in a hit-and-run car accident. Id. at 234. Following the accident, the defendant filed a claim with the driver of her vehicle’s insurer, American Access. Id. American Access received a lien notifying it of the defendant’s claim from the defendant’s attorney approximately 3 months after the accident. Id. American Access then sent an “Accident Report Form” to the defendant’s attorney seeking basic information about the claim. Id. The defendant never completed the form. Id. About a year later, American Access notified the defendant that it was in possession of the police report from the traffic accident. Id. at 235. The defendant then sent American Access her medical bills and records and a written demand for the policy’s $20,000 limit. Id. The defendant then sat for an examination under oath at American Access’s request. Id. Following the examination under oath, American Access requested some additional documentation so that it would be “in a position to evaluate your client’s personal injury claim.” Id. The defendant provided the requested documentation, but never heard from American Access regarding her demand. Id.

After the expiration of the policy’s two-year limitation period, the defendant made a demand for arbitration under the policy. Id. American Access filed a complaint for declaratory judgment arguing that the arbitration demand was untimely. Id. at 236. The defendant claimed that the two-year limitation period was tolled by section 143.1 either when she sent her medical bills, gave her sworn statement, or provided additional records following her sworn statement. Id. at 237. American Access claimed that the defendant never filed a proof of loss because she did not return the “Accident Report Form.” Id.

The court agreed with the defendant and held that at the very least the period was tolled when the defendant supplied the additional documents following her sworn statement. Id. at 238-39. At that time, American Access had sufficient information to satisfy the notice provision of the policy and the limitation period was tolled until American Access denied the claim. Id. at 239. American Access never denied the claim, and thus, the defendant’s demand for arbitration was timely. Id.

The court noted, however, that the notice provision in the policy did not describe a specific form or reference the “Accident Report Form.” Rather, it merely required that a claimant provide “written notice containing particulars sufficient to identify the insured and also reasonable obtainable information with respect to the time, place and circumstances thereof...” Id. at 237, 239. This suggests that the court’s analysis may have changed had the notice provision described a specific form that the claimant was to submit. The other caveat to this case is that American Access was held to have waived compliance with the proof of loss requirement because it never denied the defendant’s claim and it failed to raise the defendant’s failure to complete the “Accident Report Form” as a ground for relief in its declaratory judgment action. Id. at 239. Regardless, American Access holds that where a claimant provides sufficient information to satisfy a proof of loss provision, without necessarily providing a specific form supplied by the insurer, section 143.1 will toll the limitation period from the date the claimant satisfied the provision until the date the claim is denied.

[Editor’s Note: Gina M. Rossi is an attorney at the law firm of Johnson & Bell, Ltd., where she concentrates her areas of practice in general negligence, premises liability, and insurance fraud and coverage. Ms. Rossi has experience in all phases of trial litigation and has successfully tried, as first chair, bench and jury trials to verdict. She also has considerable experience representing clients at arbitration.]
firms, you are in a better position to define your brand or refocus it a bit. You may be surprised at what you learn. For example, are the messages you have been using in your marketing materials actually what the lawyers, including yourself, are using when you talk to prospects or clients face-to-face? Are the messages you are using truly aligned with needs and wants of your clients?

Do Away with Disconnects

Disconnects can occur here. You don’t want the branding to stop with your marketing tools – the brochures, the website, the articles. Your branding should reflect what you are saying in one-on-one meetings with clients. In fact, every time a client has contact with your firm – from your receptionist to your secretary to other lawyers – your brand should be top of mind and communicated to the client.

You might want to incorporate some CBE – Continuing Brand Education – into your firm. It is intended first for you, the lawyer, and then for other lawyers in your firm and finally, for your staff. CBE includes reviewing the firm’s messages, what industries your firm targets and what’s happening in those industries. It can also involve a look at the composition of the firm’s client list. How much information to share about the work the firm does for the clients should be decided on a firm-by-firm basis. It is basically a chance to remember and refresh what your firm is doing to market its strengths and to whom it is marketing.

Are Changes Needed?

It may be time to make a few changes. Perhaps your messages need some massaging. Maybe you need to focus more on some other legal services that are more lucrative right now, and that may require revisions to the marketing brochures or Website. You may have found that your revenues are coming from areas you weren’t expecting, so decisions need to be made about resource redeployment.

Generally, doing a marketing/business development house cleaning or analysis is a good step any firm should take. Introducing some other concepts, such as CBEs or a review of your marketing materials can also help to educate everyone. Staying on top of your brand is a continuing effort in the same way that staying on top of your game is essential in the legal community.

[Editor’s Note: Robin Iori, principal of Iori Communications, has been providing marketing and media relations services for law firms for 20 years. Contact her at 312-772-5564 or iori@aol.com.]

A Taxing Endeavour:

Understanding How to Apply Illinois Sales Tax

John J. Tufano, Jr.

As businesses wade through the trenches of a stagnant economy, balancing budget sheets becomes that much more testing. Aside from calculating costs, compensation, and pricing structures, Illinois companies, now more than in years past, are paying closer attention to ways in which changes in state taxes dictate their viability. In early 2011, Illinois businesses absorbed tax legislation that, beginning on January 1, 2011, increases corporate income tax from 4.8 percent to 7.0 percent. While the state attempts to cover budget deficits by deepening its tax pool, companies subject to the increase may require significant financial adjustments to remain profitable. For those believing that the new state income tax was a deterrent to doing business in Illinois, beware, because a second tax is gaining steam: enter the peculiar Illinois sales tax.

Illinois is among a handful of states in which sales tax applies where an offer is accepted, rather than where a product is delivered to the customer. Since a sales transaction can occur at a location entirely different from a company’s corporate office, this quirk in the law arguably creates an opportunity for companies to redirect the site of these transactions to satellite locations. While one-person offices outfitted only with a computer and telephone might seem more punishment than paradise, for a number of businesses, these satellite offices may offer competitive havens away from counties with higher tax rates.

The Illinois sales tax is a combination of “occupation” taxes that are imposed on sellers’ receipts and “use” taxes that are imposed on amounts paid by purchasers. A component of the sales tax, the retailers’ occupation tax (“ROT”), is a significant source of local and county revenue. Illinois code provides that “home rule unit” counties may impose a local ROT on all persons engaged in the business of selling tangible personal property in that county. Counties apply the ROT on gross receipts from sales made in the course of such business. Illinois law states that a seller’s act of accepting a purchase order to make a sales contract, and not merely soliciting orders, is the central factor that determines whether a seller is engaged in the business of selling tangible personal property. For most neighborhood supermarkets and big-box electronic stores, a buyer accepts an offer at the point of purchase. At such cash-and-carry retailers, a person enters the store, pays for items, and leaves with the goods purchased. The seller and buyer conduct a sales transaction at the register, exchanging money for goods. Concerning products ordered through phone, fax, or email and delivered later, the sale can be accepted elsewhere, morphing the cash register in a brick and mortar store in to a sales representative with an internet connection or a phone line in a satellite office.

A series of cases appearing this year in Cook County highlight the challenges of determining what constitutes a sale and in which county a sale occurs for sales tax purposes. Two complaints filed recently are grabbing headlines at a frequency that will likely increase as more cash-strapped counties scramble for new revenue sources.

The Regional Transportation Authority (“RTA”) and the city of Chicago are suing the city of Kankakee, the village of Channahon, and other parties, challenging tax incentive programs that benefit Kankakee and Channahon by attracting companies to conduct sales transactions away from their Cook County bases. The RTA and Chicago claim lost tax revenues in the tens of millions of dollars per year, tax pools allegedly siphoned away from Cook County – where a significant number of Chicago companies are headquartered – to smaller, neighboring counties, which house sparse, discreet, but arguably legally sufficient sales offices for Cook County businesses.

The RTA alleges that independent third-party “consultants” establish a phone number at a satellite office located beyond Cook County for a company based in Cook County. These satellite offices are the locations at which sales transactions are “accepted”. For ROT purposes, a company is arguably “doing business” in the satellite office location, not Cook County. The Cook County companies allegedly receive kickbacks from Kankakee and Channahon; portions of the sales taxes paid to a satellite office’s municipality are paid back to the “consultant” and/or the Cook County business. At 9.75 percent, Cook County and the city of Chicago lay claim

Continued on page 32
to one of the highest sales tax percentages in the country, while Kankakee, at 6.25 percent, is among the lowest in Illinois. Kankakee and Channahon claim that their tax agreements with these companies are legal, products of nothing more than market competition. As consumers freely shop around for better prices or purchase an identical product in a lower taxed county, so too can companies. While neither Kankakee nor Channahon officially released the names of companies with whom they share tax incentive agreements at the time that these complaints were filed, both cities claim that their tax programs are within the bounds of Illinois law. Not only do they argue against the plaintiffs’ claims of filtering tax dollars, Kankakee and Channahon assert that their programs attract out of state businesses, corporate presences that otherwise would not exist within Illinois. While both sides are positioned upon arguable grounds that sales tax should be redirected in their favor, it is clear that, whichever the outcome, the certainty of municipality budgets hangs in the balance. Earlier this year, a similar case highlighted the financial impact of a dispute over the location to which sales tax attaches. Hartney Fuel, headquartered in Cook County, supplies diesel fuel, gasoline, and bulk lube oil to purchasers through a sales representative at a designated sales office in Mark, Illinois, a town in Putnam County of 500 residents. The Illinois Department of Revenue audited the company and determined that its sales were subject to state and local taxes in Cook County, the location of Hartney Fuel’s main office. The Hartney Fuel court reasoned that goods were received and accepted at the sales office in Putnam County, not the Cook County headquarters. Since, for local tax purposes, a sale is situated where it is accepted, the Hartney Fuel court found that Putnam County, not Cook County, was entitled to the ROT. The RTA complaint and the Hartney Fuel decision expose the difficulty in interpreting and applying the Illinois sales tax in the current environment. For those with satellite office operations through which sales transactions are sourced, it is important to keep apprised of developing case law that clarifies those efforts. The increasing spotlight upon Illinois sales tax serves as a reminder for businesses to evaluate the ways in which they conduct sales transactions and to which counties they pay the ROT.

[Editor’s Note: This article originally appeared in the ISBA Corporation, Securities & Business Law Forum Newsletter.]

Too few months this coverage is needed for all businesses more than ever. It does not matter if small or large, private or non-profit, the coverage is needed to prevent financial hardships. I have written on the following:

1. Directors and Officers Liability
2. Professional Liability (Errors and Omissions)
3. Employment Practice Liability
4. Fidelity
5. Crime

In addition to these other coverages, business has to look to add in additional items to also protect depending on other exposures. Clients today are being sued not in the general liability area but in other areas like professional coverages. We will be seeing more and more in these areas. Important that general liability policies does not cover any of these special products. Additional products that companies should be looking to add to prevent financial hardship to companies. A lot of these products are new and were not available to many ten years ago. The following coverages are as follows:

1. Media Liability
2. Technology and Telecommunications Errors and Omissions
3. Network Security and Privacy Injury

Important note on following materials are from CNA Insurance Co., a leader in this area with some other major carriers who have developed products. The materials are from sales information sheets used by agents and brokers.

Media Liability. Companies that specialize in creating, gathering and disseminating information can be at risk due to the nature of their business. With an increasingly litigious society and the evolution of technology, a media organization may be at risk for claims from virtually anyone who has seen or heard its contents in any type of medium including television, print, radio, and the internet. Also includes third parties such as agents, distributors, independent contractors, freelancers (writers, artists, and website developers) may create a liability for a media company that they are working for. Coverage will include, defamation, libel, slander, emotional distress, mental anguish or outrageous conduct. Also will include infringement of copyright, title, logo, trademark, trade name, or service name. Also to include infringement or interference with the rights of privacy.

Technology and Telecommunications Errors & Omissions. Software code can contain security vulnerabilities that allow hackers to penetrate customers’ networks. Allegations of software copyright infringement are increasingly common. Defects in software, components and devices can cause customers to lose revenue or incur significant financial expenses. Coverages have a broad definition of technology products, technology services, internet services and telecommunications services. Definition of wrongful act includes personal/proprietary injury committed in the conduct of technology services or telecommunication services. Also will cover software code infringement. Will include also failure to prevent unauthorized access arising out of technology services provided to others.

Network Security and Privacy Injury. As businesses of all types increase their reliance on technology to store their data or their client data on computers, they face increased computer attacks, viruses and security breaches. Provides coverage for a claim of network damage alleging a wrongful act that results in a security breach of the insured entity’s network. Damages includes the inability to gain access to the network, and destruction or alteration of a third party’s information residing on the network. Coverage for a claim of privacy injury alleging a wrongful act that results in a security breach of the insured entity’s network.

[Editor’s note: Insurance Consultant Roy S. Puccini can be reached by phone (630-461-0671) or e-mail (roypuccini35@gmail.com).]
ISBA 1st Vice President John Thies, Justice Sandra Day O’Connor and ISBA President John G. Locallo.

Congratulations to Frank Sommario upon his marriage to Gina (nee Carrano). Right: the happy couple with twin daughters, Angelina and Isabella. Above: Frank and the Sommario family.

Vesna Marusic, John G. Locallo, and Katherine Amari O’Dell of Amari & Locallo stop to take a photo at the Illinois State Bar Foundation Gala. Amari & Locallo sponsored the martini bar.

Cheryl Niro and Leonard Amari pose with their new Fiats.

Franco Coladipietro and Sam Tornatore participate in a cooking competition for local schools. The event is called 50 Men Who Cook and it gets bigger and better every year.

Richard Caldarazzo gives a seminar at The John Marshall Law School on practical aspects of real estate closing. The event was sponsored by John Marshall Justinians.

Italian-American community leaders hosted a reception and fundraiser for Commissioner Michael Cabonargi of the Cook County Board of Review at our Justinian headquarters in support of his election to this board. At the reception, Justinian President Katherine Amari O’Dell presented to Michael Cabonargi its 2011 golf outing shirt, a welcome to the society.
The Italian community hosts a reception at our Justinian headquarters to support the candidacy of Justice Mary Jane Theis of the Illinois Supreme Court. From left, Jack Carey, past president of the Illinois State Bar Association, John Locallo, past Justinian president and current president of the Illinois State Bar Association, Justice Theis, Leonard F. Amari and Joseph F. Bisceglia, both past presidents of the ISBA and the Justinian Society of Lawyers.

Above: Immediate Past President Cristina Mungai, chief attorney of the Law Department of the CTA, lectured at the DePaul Law School to the DePaul Justinian Chapter as well as other DePaul Law Students entitled “Life as In House Counsel.” She discussed the pros and cons of being employed as in House Counsel for the CTA.
Justinian President Katherine Amari O’Dell, Justice Harrison, and past Justinian President and ISBA President John G. Locallo. Interesting to note, they are photographed in front of the antique photograph of the Coliseum, that Justice Harrison donated to our Justinian Society Headquarters upon his retirement from the bench that hung in his law office his entire career.

From left: Joseph F. Locallo, Jr., Umberto Davi, Leonard F. Amari, Katherine Amari O’Dell, Justice Harrison, Gloria Coco, John Locallo, Len DeFranco, and Mike Favia.

Attorneys John L. Ambrogi and Christine M. Kieta celebrated St. Joseph’s table with fellow members of the Columbian Club of Chicago, Ralph T. Del Monico, Frank A. Trocchio, John L. Zivojnovic and his wife Gina at Venuti’s Banquets, Addison.

Above: MaryAnn Hynes poses with her new grandbaby, Mary Therese Hynes. Her parents are Nick and Michelle Hynes.

Above Congratulations to James and Natalie Whalen upon the birth of their daughter, Tillotson June Whalen. Tillotson is the great granddaughter of the past president and dean of the Justinian Society, Anthony J. Fornelli.

Photo left: Our Justinian Newsletter Staff at a recent meeting. Standing, from left: Angelina Filippo, Leonard Amari, Gina Rossi, Robin Iori, Michael Pisano, John Tufano and Anthony Casaccio. Seated, from left: Diana Bosnjak, President Katherine Amari O’Dell and Nina Vidmer.
A record number of people enjoyed the Illinois Bar Foundation’s Lawyers Rock Legends fundraising event on February 16, 2012 at Buddy Guy’s Legends in Chicago. CBS-2 New Anchor Rob Johnson emceed the event for the second year. The event raised over $50,000 to benefit the IBF.

Above 50th wedding anniversary announcement dated June 23, 1955 of Mr. and Mrs. Joseph LoBello, the great grandparents of Justinian past president James J. Morici, Jr. and of Robert H. Butzow. How many of us remember reminiscing about and playing near the old Olivette Institute which was across the street from Grandpa LoBello’s building which housed multiple generations of the LoBellos, Purporas and Havanser families. That tradition of having several generations of Italian family on the same block, common during the 40s and 50s is something we all look back to with envy. Note the “editor’s favorite barber” was Jim Morici’s grandfather Adolf LoBello whose shop was located directly west of St. Michael’s adjacent to the “Ogden triangle” at 1656 North Mohawk.

Above: Prominent Cook County attorney Dale Markay (Marchese) sent us an old family photo. Just wonderful, and how many of us have these in our family archives.

Above from left: Judge Michael Pope, Anthony Fornelli and Leonard Amari.

Above from left: Larry Pusateri, Attorney General Jim Ryan, Gino DiVito and Justice Tony Scariano.
By: Leonard F. Amari

Congratulations to past Justinian President, the highly respected and beloved Joseph Gagliardo, the managing partner of the prestigious labor firm of Laner, Muchin, Dombrow, Becker, Levin & Tominberg, Ltd., has been named the Best Lawyers’ 2012 Chicago Litigation - Labor & Employment Lawyer of the Year.

Thaddeus J. Makarewicz, longtime ethnic community leader and career friend of our society, presently serving as chief legal counsel of the Cook County Assessor’s Office, was honored for his leadership and dedication to Chicago’s Polish community.

The Kosciuszko Foundation at Northeastern Illinois University hosted a celebration to recognize Makarewicz.

ISBA 2nd Vice President and Winston & Strawn chief attorney development officer Paula H. Holderman was honored by the Women’s Bar Association of Illinois (WBAI) with the 2011 “Women with Vision” award. Ms. Holderman was presented with the award at the WBAI’s Joint Professional Dinner on November 3, 2011 in Chicago.

Congratulations to Gina M. Rossi on being selected one of Illinois Super Lawyers 2012 Rising Stars. The honor is awarded by fellow lawyers who are asked to nominate the best attorneys who are 40 or under, or who have been practicing for 10 years or less. Lawyers are instructed to nominate attorneys they have personally observed in action — whether as opposing counsel or co-counsel, or through other firsthand courtroom observation.

Congratulations to Brandon J. Zanotti has been appointed an arbitrator to the Illinois Workers’ Compensation Commission. Zanotti will serve as an arbitrator for a one-year term.

Congratulations to Andy Raucci, veteran Springfield lobbyist (and election law wizard) on being elected by his lobbyist peers as Speaker of the Third House. A surprised Raucci received a standing ovation from the lobbyists and legislators — including Senate President John Cullerton and Senate GOP leader Christine Radogno — who gathered at the Four Seasons for their annual holiday lunch.

Lisa M. Mazzone has joined Anderson, Razar & Partners LLP as an associate. Prior to joining the firm, Mazzone, a 2010 graduate of Northwestern University School of Law, worked as a judicial intern in the U.S. District Court in the Northern District of Illinois.

Future ISBA President and Justinian Member John Thies will be visiting China for his fall president’s trip in September 2012. John and other ISBA members and guests will visit the Yangtze River, the Three Gorges Dam, Xi’an (including the tomb of the First Emperor of China and the Terracotta Warriors discovered 30 years ago) and Beijing (including Tiaomamen Square, the Forbidden City and the near-by Great Wall).

Congratulations to Charles R. Bernardini, of Ungaretti & Harris, on being appointed by Illinois Governor Pat Quinn to the Governor’s Export Advisory Council. The Council will work with the Governor and other state officials and agencies to provide recommendations aimed at improving Illinois’ standing in the international marketplace. Council members will also serve as international ambassadors for Illinois.

Charles Bernardini’s professional experience includes that of Managing Director of the American Chamber of Commerce in Milan, Italy and President of the Italian Chamber of Commerce of Chicago-Midwest. He currently serves as Honorary Legal Advisor to the Italian Consulate in Chicago.

Ulmer & Berne LLP has promoted five attorneys, including one in its Chicago office, to partner. The new Chicago partner is Brian C. Bianco. He represents companies in patent and intellectual property disputes.

Brett J. Natarella, an associate at Dykema, Gossett PLLC, has been appointed to the board of directors for the Illinois Mortgage Bankers Association.
Congratulations to Paul Gamboa upon being elected as shareholder of Johnson & Bell. Paul concentrates his practice in general negligence, transportation litigation and premises liability. He has successfully tried, as first chair both jury and bench trials to verdict. He also has considerable experience in representing clients at arbitrations. He was recognized by Chicago Magazine and Illinois Super Lawyer magazine as a Rising Star for 2011. Rising Stars are lawyers under the age of 40 who have been in practice for 10 years or less, and it is a distinction given to approximately 2.5 percent of attorneys in the state. Mr. Gamboa is a member of the Illinois State Bar Association, the Chicago Bar Association and the Fenwick Bar Association. He has also provided pro bono services to The Law Project, assisting local entrepreneurs with the start-up of their small business.

Congratulations to our friend, Tony Liscata, managing partner of the prestigious and successful firm of Shefsky & Froelich, for the wonderful feature article about him and his successes and those of his firm that appeared in the late February edition of the Law Bulletin.

Just a quick note to congratulate Olivia Clarke, the new editor of the Law Bulletin and especially for the significant popular and improved changes made to the bulletin. The Law Bulletin has always been a source of information and pride in our legal community and now it’s not only that, but also an extraordinarily enjoyable newspaper to read, on a daily basis. Very few successful lawyers start their day without a newspaper to read, on a daily basis. Very few only that, but also an extraordinarily enjoyable information is as follows: phone (630) 871-2603 and e-mail salerno@ccmlawyer.com.

Congratulations to Carla Micheleotti, Chief Legal Counsel, Corporate Affairs, Leo Burnett Worldwide, previous recipient of our Award of Merit and career Justinian, as well as Anne Pramaggiore, a friend of our community and a leader in our legal profession and Chief Operating Officer of ComEd, upon being recognized at the 19th annual Women of Achievement Awards Dinner by the Anti-Defamation League.

Congratulations to the IIT Chicago-Kent College of Law team of Daniel Crone ’12, Marcell Taylor ’12, Jessica Velez ’12, and Carlos Vera ’12 has advanced to the national finals of the American Association for Justice (AAJ) 2012 Student Trial Advocacy Competition by winning the regional tournament, held March 1 to 4 in St. Louis. IIT Chicago-Kent competed against teams from 12 law schools from Colorado, Illinois, Iowa, Kansas and Missouri in the regional tournament. IIT Chicago-Kent will now compete against first-place teams from 13 other regional tournaments in the national finals March 22 to 25 in Las Vegas. Each member of the winning team in the national competition will receive a scholarship from the Melvin M. Belli Society and registration for the AAJ 2012 Annual Convention in Chicago, July 28 to August 1.

Of course, Carlos Vera is another generation of the Locallos, nephew to Joe and John, cousin to Joey III, and retired Judge Dan. Carlos also plays guitar in John Locallo’s band, 5-thirty.

Of course, Louis’ greatest pride, at the present time, are his two children that are excelling as students at The John Marshall Law School, Deanna and Louis, Jr.

Congratulations to Patrick Salvi on a $330,000.00 settlement on behalf two plaintiff’s who sustained injuries in an automobile accident. One plaintiff experienced an aggravation of pre-existing cervical arthritis and the other soft tissue injuries. Congratulations to Lou Cairo on an $8,000,000.00 settlement obtained for a 39 year old motorist who suffered a traumatic brain injury and vascular injuries in a crash in Boulder, Colorado in 2009. The defendant in the case was FedEx. The plaintiff was driving...
a pickup truck with his son when he was struck by a FedEx semitrailer that skidded into oncoming traffic. Initially the plaintiff was diagnosed with a fractured left fibula and a concussion. However, weeks later he started showing signs of a closed head injury including loss of attention, difficulty concentrating and significant headaches. The plaintiff is unable to work and cannot do strenuous exercise with his left arm because of vascular injuries caused by the crash.

- Congratulations to Gregory D. Conforti and Adam Sidoti of Johnson & Bell, Ltd. on obtaining a not guilty verdict in favor of all defendants, including a waste-removal trucking company and its driver from a jury in Cook County, Illinois. The plaintiff, a 34-year-old male, had pre-existing paraplegia from a gunshot to the back when he was 15 years old. The plaintiff alleged that the defendant driver pulled out of an alley and t-boned him. With the assistance of accident reconstruction testimony, the defendants were able to argue that the plaintiff had actually side-swiped the front of the truck. The defense began by discrediting the plaintiff’s expert in demonstrating that he was actually disclosed before reviewing any materials relevant to the case and by creating actual simulations from the plaintiff’s expert’s data that plaintiff failed to show the jury during trial. The defense leveraged the plaintiff’s expert’s accident reconstruction data to demonstrate to the jury that the accident simply could not have occurred as described by the plaintiff and the plaintiff’s expert. The defense created actual simulations from the data which showed the jury that the accident occurred as described by the defendant driver. The plaintiff used still drawings with their expert and showed no actual simulations, which proved damaging to their expert’s credibility. The photographic evidence of the damage to the plaintiff’s van also proved beneficial in this regard. The plaintiff claimed he sustained neck and back injuries that aggravated his underlying paraplegia. His three treating physicians said there would be some permanent components to his injury, but were unable to specifically outline treatment. The plaintiff’s current treating doctor testified at trial that the plaintiff’s pain condition was likely permanent and that this could affect his ability to care for himself resulting in the potential need for home care. Using the medical records, the defense was able to show that the plaintiff had a history of back pain complaints before the accident and that he had actually applied for home health assistance several months before the occurrence. The plaintiff asked for $3.3 million in closing, accounting for a significant claim for future medical and home health assistance ($1.25 million) and future pain and suffering and disability ($2 million). After deliberating for more than five hours, and asking several questions, the jury returned a unanimous “not guilty” verdict in favor of all defendants.

- Congratulations to Regina Picone Ether- ton on a $750,000.00 settlement for her client. An African American male, 10 days after he turned 17, was transported by ambulance to Holy Cross Hospital on 9/20/06. He was seen in triage and found to have a history of 9 days of nausea, severe vomiting, diarrhea and could not keep anything down. An abdominal obstructive x-ray series was obtained which was read as demonstrating cardiomegaly. Liver function tests were significantly elevated. The record reflected that these tests were reported before the surgery shift change and immediately before the plaintiff and his mother were discharged. Nevertheless, neither the plaintiff nor his mother were ever advised of the abnormal liver function tests or the enlarged heart. There was no recording of the abnormal liver function tests in any of the physician or nursing notes. There was no indication on the discharge instructions that the deceased or his mother were told of the cardiomegaly and/or the abnormal liver function tests. Instead, they were told that he had Gastritis only and he was discharged. Six days later, he died from congestive heart failure. The plaintiff argued that the emergency room staff who provided care to the deceased on 9/20/06 at Holy Cross Hospital deviated from the standard of medical and nursing care by failing to diagnose and treat his medical condition. A complete history and physical examination should have been undertaken to evaluate his current cardiac status. Once, the severe abnormal liver function tests were reported from the laboratory, the emergency room should have evaluated him for congestive heart failure. He should have been admitted to Holy Cross Hospital, or another Medical Center, under the care of a cardiologist for a complete evaluation. This would have demonstrated cardiomyopathy requiring medical treatment. It was a deviation of the standard of medical care for the staff to not have informed him and his mother of the findings of both cardiomegaly and the abnormal liver function tests. The deceased should not have been discharged with a diagnosis of Gastritis, when the hospital knew or should have known that he had cardiomyopathy. The liver enzymes that required immediate evaluation for congestive heart failure. If the deceased had received a cardiac evaluation on 9/20/06 or shortly thereafter, he would have been diagnosed and treated for his cardiomyopathy, and would not have died from the complications of that cardiomyopathy, on 9/26/06. Notwithstanding, he could have lived at least 25 years and most likely would have received a heart transplant. The defense argued that the plaintiff’s heart condition was so severe that he would have died from it whether or not there had been malpractice, that the diagnosis was consistent with his symptoms and that the plaintiff failed to comply with follow up discharge instructions that required follow up within 2 days.

- Congratulations to Antonio M. Romanucci, Stephan D. Blandin, and Frank A. Sommario on a $3,375,000.00 settlement in a personal injury case involving a plaintiff whose right hand and wrist were crushed by a load of steel when the straps from the crane broke. Stephan and Tony handled the personal injury case and Frank handled the workers’ compensation aspect of the case. Plaintiff, a 36 year old male at the time of injury, who underwent numerous surgical procedures to his right hand and wrist and eventually had to have a pain stimulator implanted, was unable to return to his job as a truck driver.

- Congratulations again to Regina Picone Etherton on a $1,000,000.00 judgment awarded in Chancery Court! ($1,000,000.00 policy limits and 9% interest on $1,000,000.00 since August 3, 2006 (the date of the underlying common law judgment) awarded to the Estate of Michael Williamson, deceased, resulting in a judgment that now exceeded $1,500,000.00 against the plaintiff, State Farm Insurance Company). FACTS OF THE CASE: On May 12, 2009, the First District Appellate Court of Illinois affirmed a $65,000 judgment entered on August 3, 2006 to the plaintiff, the Estate of Michael Williamson, deceased in the case captioned Mary Catherine Williamson, individually, and as Special Administrator of the Estate of Michael Williamson, deceased v. Carolyn Asher, as Special Administrator of the Estate of Arthur Asher, Herb Eldridge d/b/a A & H Trucking, Inc., A & H Trucking, Inc., an Indiana Corporation, and Harmon Designs, Inc., d/b/a A & H Trucking, Inc., an Indiana Corporation. Thereafter, the Estate of Michael Williamson, secured an assignment of rights agreement from the defendants A & H Trucking, Inc. and Herb Eldridge d/b/a A & H Trucking, Inc. in the underlying lawsuit. State Farm Insurance Company issued an insurance policy that had liability limits of $1,000,000.00 that should have covered the collision and the liability of the defendants A & H Trucking, Inc. and Herb Eldridge d/b/a A & H Trucking, Inc. Nevertheless, State Farm refused to defend the defendants in the underlying lawsuit, resulting in a judgment of $65,000 that was entered against the defendants. Thereafter, State Farm appealed the trial court’s judgment and filed a declaratory judgment action, claiming the vehicle issue was not covered under its policy. The Chancery Court denied State Farm’s declaratory judgment, entered judgment for the Estate of Michael Williamson, and ordered State Farm to pay to the Estate of Michael Williamson $1,000,000.00, (the policy limits) plus 9% interest from the date of the underlying judgment, (August 3, 2006).

- Congratulations to Patrick Salvi on a $1,250,000 settlement! Pat represented a motorcyclist who was ejected and sustained injuries which claimed his life hours later. The settlement represents the entire amount of the defendant’s insurance policy limits.

- Congratulations Meghan Sciortino on a not guilty verdict in a products liability case. Meghan defended a ladder manufacturing company against claims that a stepladder failed and caused the plaintiff to suffer a broken wrist, torn shoulder and other injuries.

- Congratulations to Steve Phillips on a record $17,500,000.00 settlement reached in Peoria County! A hernia surgery left the plaintiff permanently blind and bedridden for six years.
On April 23, 2004, Terry Nichols, a 36 year old father of three, went to Methodist Medical Center in Peoria, Illinois for surgery to repair a giant inguinal hernia. The surgeon Dr. Rodney McCalla, had finished his residency nine months prior, had never operated on a giant hernia and had only seen one thirty-percent (30%) the size of Mr. Nichols' basketball-size hernia. Despite his lack of experience, Dr. McCalla decided to operate on this "giant" hernia laproscopically, even though Dr. McCalla did not have privileges to perform interventional laparoscopic surgeries. Mr. Nichols' lawyers claimed that Dr. McCalla injured Mr. Nichols' bowel during the surgery causing a perforation which, over five days, led to an abdominal infection, abdominal compartment syndrome, sepsis, septic shock, multi-organ failure, cardiac arrest, bilateral ischemic neuropathy (blindness), and a colostomy bag. Mr. Nichols' hospital stay should have been two to three days. However, on the fifth day after surgery Methodist's nurses called Dr. McCalla five times, each time expressing grave concern or requesting Dr. McCalla's presence at Mr. Nichols' bedside, but Dr. McCalla never went to the hospital. Moreover, the nurses did not notify their supervisors or any other physician of Mr. Nichols' deterioration or of Dr. McCalla's unwillingness to come to the hospital. As a result of the negligent care, Mr. Nichols' was hospitalized at Methodist for two and one-half months after he went into septic shock from infection, became blind, and required a colostomy for his bowel care. During the hospitalization, Plaintiff also contracted a staph infection which seeded in his left hip, causing infection, abscess, and osteomyelitis, eventually requiring removal of the hip bone, after which Plaintiff did not walk for six years. In 2010 Mr. Nichols underwent three surgeries for a hip replacement, and can now walk with a walker or cane. Mr. Nichols has complete vision loss in one eye, and can only see grey shapes and shadows in his other eye. This settlement will help provide the care, therapy, assistance, and medical equipment that Mr. Nichols' needs through his lifetime. According to his lawyers, Mr. Nichols' wants to be able to participate in his children's lives, and with the assistance he can now obtain, he can be a more active father to his three children. In the lawsuit, Mr. Nichols' lawyers claimed that Dr. McCalla's surgical approach was inappropriate, and that the surgeons failed to recognize the signs and symptoms of infection, abdominal compartment syndrome, sepsis, and septic shock. Mr. Nichols' lawyers further contended that the nurses at Methodist failed to recognize and report to physicians abnormal vital signs, and failed to obtain physician consultation for the Mr. Nichols after Dr. McCalla failed to come to the hospital despite five phone calls from the nurses. Finally, Mr. Nichols' lawyers claimed that Methodist failed to properly credential and supervise Dr. McCalla, and failed to stop Dr. McCalla from performing a surgery he did not have privileges to perform. This settlement was reached with the Defendants Dr. McCalla, Associated Surgical Group, and Methodist Medical Center. This settlement is the largest medical malpractice or tort settlement in Peoria County.

Passing of Relatives and Friends

The Justinian Society, its brothers and sisters, sincerely extend our sympathies for your losses.

Prayer: Do not stand at my grave and weep. I am not there, I do not sleep. I am a thousand winds that blow. I am the diamond glints on the snow. I am the sunset on ripened grain. I am the gentle autumn's rain. When you awaken in the morning's hush, I am the sweet uplifting rush of quiet birds in circled flight. I am the soft stars that shine at night. Do not stand at my grave and cry. I am not there, I did not die.

Harris Agnew
Our sympathies to the Agnew family on the passing of Harris Agnew who served as a former chief 17th circuit judge and passed at the age of 75 years old on December 15, 2011. He pioneered programs to speed up the court system throughout the state. He retired from the bench in 1997 after 21 years as a judge, helped shape the state's first mandatory arbitration and major civil mediation programs in Winnebago and Boone counties. The programs, designed in the late 1980s to provide a cheaper, faster path to resolution than litigation, are now used throughout the state.

John Annes
Condolences to the family of John Annes; loving husband of Phyllis and dear father to dear friend and Justinian supporter Andy, and Rick, Scott and Mark.

Dominick John Bufalino
Condolences to the family of Dominick John Bufalino; loving husband of Camelia and devoted father of Vincent, Angelo, and Marietta.

Steve Carponelli
Condolences to the family of Steve Carponelli; survived by his loving wife of 42 years, Andrea Carponelli, and his children, Lisa and Ross.

Patricia Cullerton
Condolences to the Cullerton family on the passing of Patricia, mother of State Senate President John Cullerton.

Renata Davi
Condolences to the Davi family on the passing of Renata Davi, mother of member Umberto Davi, and grandmother to Dion Davi. She passed away in December 2011 at the age of 91. Renata immigrated to the United States in 1964, nine months after her husband was tragically killed in a trucking accident.

Vito DeCarlo
Condolences to the family of Past President Vito DeCarlo, father of our Third Vice President Anita DeCarlo. He was also the beloved husband of Betty, father of Dominic, and Gia, and grandfather of Amber and Alyssa.

George Evans
Condolences to Chief Judge Evans, whose father, George Evans passed at the age of 92 years old.

Pauline “Polly” Ann Faso
Condolences to Father Charles Faso, OFM, whose sister Polly passed on November 11, 2011.

Nello V. Ferrara
Condolences to the Ferrara family on the passing of Nello, father of Serajeal Alioto, Salvatore Ferrara II, and Nella Davy. Nello was the dear grandfather of Marilyn and Joseph Alioto, Nello III, Alana and Lauren Houdr Salvatore, William Jr. and Nello Davy.

Jeanne Figliulo
Condolences to John Marshall Law School’s most competent administrator, Maridonna Schaal, upon the passing of her mother, Jeanne.

Lucene Ann Leahy, nee Bartelman
Condolences to the family of Lucene Ann Leahy, who passed at the age 103 on October 28, 2011. She was preceded in death by her beloved husband William Soran Leahy and dear daughter-in-law Mary Ann Ori Leahy. She is survived by her five children, Susan (Richard) Volkman, William Soran, Jr. (Sue Bale), David (Aaris) Brian, and ISBA past President Thomas (Gaille).

Doris M. Orlando, nee Muzzalupo
We are saddened to hear of the passing of Doris Orlando, beloved wife of Judge Frank Orlando (Retired), devoted mother of Matthew F. (Robert Wolohan) Orlando and Francesca A. (Terry) Kusinski.

The Honorable Lawrence A. Passarella
Condolences to the family of Honorable Lawrence A. Passarella, loving father of Thomas Passarella.

Rose A. Pileggi
Condolences to the Honorable William on the passing of his mother, Rose A. Pileggi.

John Sciaccotta, Jr.
We were saddened to hear of the passing of Past President John Sciaccotta’s father, John Sciaccotta Jr.

Robert W. Staniec
We are saddened to hear of the passing of Robert Staniec, father of career Justinian and our good friend Denise Staniec, the wife of the proprietor of our favorite French restaurant, Kiki’s Bistro on Franklin Street.

Leo Sullivan
Condolences to the Sullivan family on the passing of Leo Sullivan, a highly respected Lake County attorney and active leader of the Illinois State Bar Association and board member of the Illinois State Bar Association Mutual Insurance Company. He passed on October 23, 2011 and is survived by his wife Mari Linn and his five sons, Leo IV, Mike, Terrence, Sean and Kevin.

Elizabeth Amirante,
Condolences to Justinian member Sam Amirante on the passing of his dear mother, Elizabeth.
Bloomingdale Golf Course
Wednesday June 6, 2012
10:00 a.m. Registration
11:00 a.m. Shotgun Start
4:30 p.m. Cocktails
5:30 p.m. Dinner

We’re proud to announce the Justinian Society Annual Golf Outing with all proceeds going to the Justinian Society Endowment Fund

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