President's Message

The year of the “Justinian Family” is off to a fabulous start. What an awesome Installation Dinner we had. Congratulations again to our honorees Richard Pellegrino and Treasurer Alexi Giannoulis. Brother Pellegrino has been a loyal lifelong member of the Justinian Society. He has served as mentor to so many Justinians, including me, that I couldn’t imagine the evening without him. He didn’t fail to disappoint with his speech, which was one of the best I have ever heard at a dinner. Treasurer Giannoulis is a young Justinian with a bright future. I look forward to working with them both throughout the year and beyond. Let me offer my profound thanks to everybody that helped make that evening a success. Special thanks to Judge Coco and Nina Vidmer, without them the night wouldn’t even happen. Thanks to the committee Sam Tornatore, Richard Caifano, Anthony Erbacci and John Locallo for the long hours spent on the seating arrangements. I was there, and I still don’t know how they did it! Thanks to my fellow officers, Cristina Mungai, Katherine Amari, Gregg Garofalo, Judge Bertucci and Anita DiCarlo for making the night extra special and a success.

Not to be out done by the Installation Dinner, our October Scholarship Awards dinner featured the best and brightest future Justinians and their families. Over 90 people attended this wonderful evening where almost $50,000 in Scholarships was awarded. This is made possible entirely by the generosity of our members and our Law School partners. This year we saw the introduction of the new Pellegrino Family Scholarship awarded to Lindsay Carpino. This scholarship is named after our 2009 Award of Excellence recipient Richard Pellegrino and generously funded by Tony Romanucci and the partners of Amari & Locallo: Leonard Amari, Joseph Locallo, Jr., John Locallo, Anthony Farace and Franco Coladipietro. It was an inspiring experience to see so many young Justinians, many of whom had recently passed the Bar exam, in attendance. Further, it was endearing to see their families present to join in the celebration. The evening exuded two of our Society’s best qualities, Family and Generosity. Special thanks to Anthony Farace and the entire Scholarship Committee for all their hard work.

It was exciting to keep the momentum going with the Past President’s dinner on November 19th at the Erie Café. Many joined us as we honored the distinguished men and women that have helped make this Society the tremendous success it is today. Rumor has it that there was a Past President’s “Class Picture” taken that evening.

I hope everyone had a Happy Thanksgiving, and as we approach this Holiday Season, let me be the first to wish you and your families a safe and Merry Christmas! It is hard to believe that 2010 is just around the corner. Let’s work together to have a strong finish to 2009 and hit the ground running for a prosperous and fun 2010!

During this Holiday season let’s remember those most important to us, and those less fortunate than us; for this is what it means to be a Justinian.

- Donald J. Storino II
  President
Dear Katherine:

Thank you so much for the copy of the Fall 2009 Justinian Society Newsletter and for specifically pointing out the photo on page 25 of the two “trophy fish” Len DeFranco and I landed on the trip. Paula had already made fun of me for the photo when she received her copy of the Newsletter, because somehow I had thought that: “What happens on the fishing trip, stays on the fishing trip.” Anyway, Len and I did catch some other fish that were bigger than the two in the photo, but now, because we look so proud in the photo, no one believes us.

- James F. Holderman
  Chief Judge, Northern District of Illinois

Dear Mr. Amari and Katherine:

I wanted to thank the Society for the generous Pellegrino Family Law Scholarship. I truly appreciate all of your continued help and support throughout my law school career.

- Lindsey Carpino

Mr. Leonard F. Amari:

Thank you for the generous scholarship provided to my daughter LindseyAnn in the name of Richard F. Pellegrino. I thought I would see you at the event last evening… Once again thank you for this generous scholarship that will be put to good use.

I hope Lindsey will be able to return the scholarship to another Justinian as she travels through her journey.

- John M. Carpino, Chief of Police, Worth

Dear Katherine:

I congratulate your celebration of the 88th anniversary of your Justinian Society and the continued success of your publication, Justinian Society Newsletter.

Your commitment is a lesson to all who wish to communicate with a print audience. One must have a sense of mission, of relevance to the lives of people. Clearly, you have adopted that mission and have that relevance.

A substantial number of people depend on you for information and engagement in the community. Your work is of great importance not only to them, but to all who believe that written communication makes society better.

Thank you for your dedication, and best wished as you continue on your honorable and vital work.

- Maria Pappas, Cook County Treasurer

Fall 2009 Newsletter Feedback:

- It's great as usual.
  - Leonard S. DeFranco

- It really is a beautiful newsletter. I don't know of any other bar organization that consistently publishes something of this quality. Thank you for all of the work you do to make the newsletter possible.
  - Cristina Mungai, 1st Vice President

- Great Job...thank you so much to the entire newsletter staff!
  - Gregg A. Garofalo, 3rd Vice President

- Outstanding. And by the way everyone looks BEYOUUTOOFUL!!!
  - Hon. Bruno Tassone

- It is amazing to think of all of the work that you, your firm and the other contributors put into the newsletter. I don't know how you are able to do it all. You should be very proud of another excellent edition.
  - Mike Monico

- Another GREAT newsletter!
  - John Locallo

- Thank you all for the tremendous amount of work and time you put into this effort.
  - Anthony Ferraro

- Congratulations to all on a great edition. The practice articles have continued to increase in number and quality, a great benefit to our members. It is good to read about so many scholarship donations and I urge all to participate. Dom Fichera’s article on the middle class was quite poignant and should cause us all a moment of reflection.

  I especially enjoyed the vintage photos, albeit the fact that it reminded me of a time when most of us had more hair and less waistline. Bravo,
  - Jim Morici

  [Editor’s Note: See past president Leonard DeFranco’s article responsive to Fichera’s article in this edition.]

- Over and over again you raise the bar, and then exceed it. Wonderful effort.
  - Joe Gagliardo

- A great issue. You did a superb job!!! Thanks for your hard work and time.
  - Sam Tornatore

- OUTSTANDING!
  - Joseph F. Locallo, Jr.

- Bravissimo!!! My compliments to the entire newsletter staff. This edition was excellent as usual.
  - Michael Favia

- I’m amazed by the breadth of the content and proud of how our society has successfully evolved into all areas of law and justice (from employment law to family law and the article featuring Judge
Chiola's and the alliance). As always, great job! In reading this latest issue, I can't help but thinking how the founding members in 1921 may be surprised by the rapid changes in our larger society. I also like to think that they would be pleased by the manner in which we continue to hold true to our society's values, while simultaneously embracing the diversity that continues to define the country that welcomed them nearly 100 years ago.

- Jessica DePinto

Congratulations on another exceptional newsletter. Complimenti!

- Hon. Bob Bertucci, Treasurer

From left, Jessica DePinto, Cristina Mungai and Katherine Amari at a recent Justinian dinner.

- Congratulations on another exceptional newsletter. Complimenti!

- Jon W. DeMoss, President & CEO
ISBA Mutual Insurance Company

* I just got the Fall 2009 Newsletter. Thanks for the wonderful article about me and the MIC. You give me too much credit, but I'll take it. Great article!

- Jon W. DeMoss, President & CEO
ISBA Mutual Insurance Company

The 2009-2010 officers get sworn in.

Donnie Storino gets a ceremonial gavel from Richard Caldarazzo.

Richard F. Pellegrino, center, accepts the Justinian Award of Excellence from President Storino, left, and past president Antonio Romanucci.

Joe Bisceglia (left) and Jon DeMoss

continued on page 4
Lying on her bed, she motioned for me to come closer; and as I sat on the edge of the bed, she took my face in her withered hands and looked into my eyes and she said:

“Don’t ever trusta nobody!”

From that moment I knew I would be a lawyer and a politician.

As I look across the room this evening, I am both humbled and grateful. Humbled by the collective intellect and success that I see before me, and grateful that the pathway of my life has brought me to know all of you.

I accept this honor tonight with the deepest sense of gratitude for my family and for all of the people in this room who have taught me so much.

First, I would like to introduce the most courageous woman I know, an attorney with whom I have worked with in many capacities over the past 30 years, my hero, my wife Peggy Higgins Pellegrino.

Peggy and I have been blessed with four wonderful children, two are here tonight: Joey, a senior at Nazareth Academy and Rachel, an 8th grader at St. John of the Cross.

My mother, Yolanda Pellegrino, is unable to be here tonight, she turns 90 this November – and I am sure we would all agree that one good mother is worth a thousand good teachers.

To my father Paul and my brother Steve, two souls that left this earth too early, they both adhere to and taught me the three golden principles of life:
1. Always remember where you come from and the people that opened doors for you along the way.
2. Life without loyalty is meaningless
3. Don’t ever forget one and two.

I could easily scan the room, table to table and talk about most of the people in this room and what I have learned from them. But, we would be here for the next five hours. So let me commit the classic socio-political mistake by singling out a few.

From all of the Justians, especially the past presidents, I have learned that I belong to a wonderful, selfless, generous and caring community of professionals.

From Judge Luciano Panici, whith whom I studied for the bar, I learned persistence, focus and diligence.

From Judge Rod Equi, I learned patience and deeply thoughtful reflection.

From Tony Romanucci, I learned a deeper sense of personal friendship and loyalty.

From Leonard Amari, I learned selflessness and the need to avoid one’s self to serve others.

From Don Storino, Sr., I learned a heightened respect for the dignity of our profession and what it truly means to be a good father.

From Justice Bob Thomas, Judge Greg Ginek, Judge Tony Isco and Judge Pat Rogers, I learned that nice guys finish first.

From all of my colleagues, my fellow mayors here tonight, Pete Silvestri, Richard Andrews, Pete DiCianno, Tony Ragucci, Jim Discipio, Tony Calderone, Joe Tamburino and Jeff Sherwin, I have learned that public service is a calling of the highest order.

Finally, from Bruno Tassone, I have learned what I want to be in my next life.

From Lou Rago, I have learned how to speak more effectively before a live audience.

And from attorney Tom Rubbone, in 34 years, I haven’t learned one damn thing.

Let me close first by congratulating state treasurer Alexi Giannoulias upon receiving the Scariano Award. He is a bright young man with a brilliant future.

Lastly, I will quote a scene from Shakespeare’s King Henry VI, Second Part, Scene, II. At Blackheath, the character Cade enters the room:

“Be brave then, for your captain is brave and vows reformation…..and I will make it a felony to drink small beer and all the realm shall be common – and when I am king, and king I shall be – there shall be no money – all shall eat and drink on my score – and that they may agree like brothers and worship me their lord.”

To which the character, Dick the Butcher, replies: “The first thing we do – lets kill all the lawyers.”

We have all heard the last line; I have seen it on t-shirts and coffee mugs. But the preceding lines, these are the ones most noteworthy. The characters speak of a sense of creating chaos in society. Indeed to create chaos in society, in any society, the first thing that must be done is to silence the lawyers and the judges.

We, of this profession, we are the first responders to every form of intellectual terrorism and tyranny. For all societies historically and in the present, the non-existence or lack of sophistication of the legal system is inextricably linked to the level of freedom enjoyed. Let me repeat. For all societies historically and in the present, the non-existence or lack of sophistication of the legal system is inextricably linked to the level of freedom enjoyed – we, of this profession, we are the freedom fighters.

Let me end my remarks by reciting a poem that I have recited for over 30 years. It relates to the notion of the economy, budget issues that occupy the public debate, tax lids and spending lids: I like to apply it to everyday life.

Put a lid on sorrow
And a lid on tears;
A lid on ignorance
And a lid on fears.
Put a lid on hunger
And a lid on need;
A lid on suffering
And a lid on greed.
Put a lid on jealousy
And a lid on hate;
And a lid on gossip
Would be just great.
Put a lid on prejudice
As tight as can be;
And when I talk too much,
Put a lid on me!

Thank you Justinian Society and good night.
October: Scholarship Awards Dinner

By: Carmen P. Forte Jr.

As a former Justinian Scholarship recipient, the yearly Justinian Scholarship Dinner has a special meaning to me. The night is always well attended by past Justinian presidents, current officers, and several of the Justinian Society’s most dedicated members. Alongside these inspiring individuals sit a mass of young law students who are there to be recognized for their honorable achievements in law school. I am happy to report that this year’s scholarship dinner was no different, and was a wonderful evening.

The evening began at Quartino’s Restaurant, with remarks by our Justinian President Don Storino Jr. Don stressed his thanks for all the scholarship donors and congratulated all the recipients for all of their hard work throughout the year. Next up was Umberto Davi, filling in for Scholarship Chair Anthony Farace, who gave us some wonderful insight into the founding of the Justinian Society as a channel to improve the reputation of Italian Americans in the legal community of Chicago and to promote the advancement of young Italian Americans in the legal field. Umberto was proud to report that the scholarships awarded this year with matching funds from the respective law schools totaled $49,500. All of these awards, he noted, could not have been given without the support of the several generous donors who yearly devote their pledges to create the scholarship funds.

The scholarship recipients came from several Illinois law schools, including The John Marshall Law School, DePaul, Loyola, Kent, and the University of Illinois. All in total, 14 scholarships were awarded, ranging from $1,500 to $2,500, many including matching funds from the students’ respective law schools.

Receiving a Justinian Society Scholarship were John Ferrentino, Lauren Davalle, Lisa Perna, and Ron Ricchio from John Marshall, Liz Winiarski and Elizabeth Cotignola from Loyola, and Stephanie Andriola from the University of Illinois.

Nichole Massarello from John Marshall received the Fred Lambruschi Memorial Scholarship. The recipients of the Morici-Lobello Family Scholarship were Melissa Taormina from John Marshall, Kristine Rinella from DePaul, and Lindsey Carpino of Loyola, and the DeMar Building Maintenance Company Scholarship was awarded to Michael Pisano of John Marshall.

Family Scholarship were Melissa Taormina from John Marshall, and Kristine Rinella from DePaul. Lea Ann Fracasso of DePaul and Mark Berardi of Kent received the John G. Phillips Memorial Scholarship. The Richard Pellegrino Family Scholarship was awarded to Lindsey Carpino of Loyola, and the Demar Building Maintenance Company Scholarship was awarded to Michael Pisano of John Marshall.

The generous donors never cease to inspire me with their unending pledges of support to the young lawyers of our local law schools. 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. The yearly scholarship dinner is a tradition of the Justinian Society that I am proud to say that I have been a part of in the past, and I look forward to several more years of continued support to our young legal minds.
Chapter Updates:
By: Dion Davi

The DuPage County Chapter of the Justinian Society hosted the 19th annual Cancer Charity Ball which is held in honor and memory of Ken Vencolese who succumbed to cancer. The Ball began in 1990 and has now raised and donated over $125,000 for cancer research since its inception. This year the Society presented a check in the amount of $12,000.00 to Edwards Hospital in Naperville to assist in their research and treatment efforts. The extreme generosity of the attendees and donors made it possible to give so much given the current economy. The Society honored one of the Chapter’s founding members and past presidents, Joseph F. Mirabella, with the Justice Anthony M. Peccarelli Honorary Award for his continued service to the profession, the public, and Society. Amongst the endless list of his contributions to the profession, Joe, along with Justice Peccarelli and a small group of Italian-American lawyers, founded the DuPage Chapter to carry on the ideals and principles of the founding organization. Joe’s father was one of the first Italian Americans to practice law in DuPage County. This year marks the 60th anniversary of the Mirabella family practice in DuPage County. Like Justice Peccarelli, Joe’s legacy in DuPage County will be remembered and emulated for decades to come.

Unfortunately, the end of a tradition played out at the Wyndham Drake Hotel in Oak Brook as the demise of the Hotel’s ownership came to be the week after The Ball. On the bright side, change is not always a bad thing as can be said and has been shown by the new programming that was initiated in 2008. This year, the feature attraction was the second season of “Dancing with the Bar Stars.” Last year’s performance between DuPage County attorneys Sharon Knobbe, past president of the Chapter and Fred Spitzer, past president of the DuPage County Bar Association, was such a hit that the buzz brought the largest number of attendees in years. This year the former producer of the DuPage County Bar Association’s Judges Night, Susan “Salsa” Alvarado, squared off against immediate past-president of the DuPage County Bar, Thomas “Tango” Else. The dancers again took lessons at Celebrity Dance Studio in Downers Grove, and then proceeded to wow the audience with their grace, energy, and spectacular costumes. In the end, “Salsa” proved to be too spicy and scored the win for the women.

The planning committee has already begun to investigate new and exciting locations for the 20th Annual Cancer Charity Ball. The committee’s motto is “20 for the 20,” with a goal to raise $20,000 for the 20th year! This can become a reality with a little more support from our Society. Cancer victims in our area are counting on all of our members to attend and support next year’s event. If you care to pledge your donation early, please contact me at DionDaviLaw@comcast.net or (630) 665-7300.

From left, Mike Calabrese, Joe Mirabella, and Dion Davi.
Law School Updates:

By: Michael Pisano

Grazie per la tua Generosità!

On behalf of all scholarship recipients, I would like to thank all the generous Justinian members who donated to the scholarship fund. We appreciate the parent organization’s generosity and willingness to dedicate a dinner to us law students. The law student’s came out in large numbers for this dinner, and in accordance with President Don Storino’s theme as the “year of the Justinian Family,” many students enjoyed taking this opportunity to introduce their parents to the Justinian Society.

Fundraising

The John Marshall student chapter hosted an amazingly successful fundraiser in early November at Villian’s Bar and Grill. All funds were donated to the Dreams for Kids organization to provide toys to children for Christmas. Thank you to all of those who attended and donated.

Real Estate Seminar

Students from The John Marshall student chapter were fortunate to receive a visit from Justinian Rich Caldarazzo. Rich provided students with an insight on how the present real estate market has been evolving in this economy and how young lawyers should respond to this changing market. We want to thank Rich for his words of wisdom.

Wine Tasting

John Marshall hosted its annual wine tasting at Waterhouse Bar in November. Justinian attorneys and students from various law school chapters came together to sample more than a dozen different types of wine.

Mentoring Group

Leonard Amari’s Justinian Mentoring Group at John Marshall continues to steamroll forward in successful fashion. The group, created by Mr. Amari a few years back, helps first-year law students conquer the rigors of the first year of law school. Upon admission to the group, students pledge their allegiance to serve as mentors during their final two years of law school. This semester, the group welcomed a record 23 students into the ranks. On November 20, 2009, the first-semester students took part in an intensive meeting at where they learned the ins and outs of outlining properly, managing their time during finals and writing "A" quality essays. We are looking forward to a successful round of final exams this December, good luck.

The group has amassed high grade point averages each semester, but individuals have shone brightly as well. Rookie Jillian Ruggiero, who hails from a family of attorneys, is proving that first-semester students can focus on more than just briefing cases. Jillian was a member of John Marshall’s team in the ABA Law Student Division Negotiation Competition in November. The team finished in second place in Regionals. Congratulations to Jillian!

[Editor’s Note: Young Michael Pisano is one of the truly bright stars of our Justinian Student Chapter—he is at The John Marshall Law School. He not only carried a 3.97 average in his first year, but he joins a number of student chapter members to be awarded the John Marshall Law School’s Lupel & Amari Scholarship (two are given annually at $10,000 each).]

My Intro to the Italian-American Chicago Legal Community

By: John Tufano

As I stood to leave, we embraced, and Leonard Amari said, “When you arrived in my office, I knew that we would get along well… you are joining a great community, a loyal circle of people.” That camaraderie embodies the attitude of The Justinian Society of Lawyers and encourages me to continue building relationships with fellow members.

My name is John J. Tufano, Jr., and I am a 2010 graduating student at South Texas College of Law, in Houston, Texas. During a recent trip to Chicago, Leonard and I met to share our cultural histories and exchange ideas for continuing to establish a Justinian Society student chapter in Texas.

Some of you may wonder how a Texan is caught up with The Justinian Society of Lawyers, an organization so steeply rooted in the Chicago legal community. My journey is the product of two main factors – my family connections in Chicago and my legal education. While I was born and raised in Houston, my father, before marrying a Southerner, grew up in the Northwest suburbs of Chicago. His grandparents arrived in America from Acerra, near Naples, in 1906, when they established their roots in Chicago, which is where my wife Anna and I anticipate relocating upon my graduation.

When I began law school three years ago, I was determined to develop a way to lead peers and improve the community. As I am sure that many of our families share similar progresses, I will be the first person in my family to graduate with an advanced degree, so I have always found pride in setting high ambitions. Law school provided a logical step to pursue those goals and positively impact those around me.

While searching for a way to get involved, I noticed a variety of heritage-affiliated organizations, although none of which were with Italian-Americans. So, I researched legal organizations for Italian Americans and how to establish our own student chapter. Thinking that a reliable lead would be a faculty member whose last name ended in a vowel, I found only one, now-Dean Emeritus Jim Alfini, former Dean of Northern Illinois University Law School. Three weeks into my first semester, I met with then-President and Dean Alfini to discuss my ambitions. As we got to know one another as paisan, he mentioned his educational and professional roots in Chicago. After comparing our heritage, and allegiances to the Cubs, he said, “Let me call an ol’ stomping ground buddy of mine in Chicago,” and, sure enough, Len answered.

Soon, I began working with The John Marshall Law School students and Justinian lawyers to understand how to build a successful student chapter. With a good idea of how to get a chapter up and running, I met with Houston lawyers whom, prior to my efforts, had established a loyal following of Italian-American lawyers in Houston. I owe special thanks to those lawyers: Mark Correro, David Curcio, and Rosario Stornello; they encouraged me, mentored me, and financially supported efforts to establish an Italian-American community in the Houston legal field.

Together, we created a buzz and held our first law school meeting, attended by eleven students – of course, the antipasti and cannoli ensured a decent turnout! With four committed student officers, and an eager membership, we met every school affiliation requirement in our first semester of existence. To satisfy our school activity requirement, with Judge John Coselli as our presenter, we hosted a CLE class on “The Vanishing Trial and its Effects on Young Lawyers.” Well attended by lawyers and students, our legitimacy rose among Houston legal and cultural communities. To show our loyalty to our heritage, since that first semester, we have annually volunteered to run the wine booth at the Houston Festa Italiana, sponsored by the Houston Italian Community & Cultural Center, and attended by thousands every Columbus Day weekend.

Today, our chapter is steady, but we face the challenge of creating a stream of incoming underclassmen, especially since our founding class graduates in May 2010. We have established annual CLE classes, Christmas parties, and volunteering schedules. Although we have not hosted a version of “Meatball Madness”, we are developing new ways to peak interest among members and solidify a loyal following. Through my efforts founding a Houston student chapter, I have experienced how genuine and committed members of the Chicago chapter are and cannot wait to establish a career in Chicagoland. The Justinians have welcomed our efforts with such open arms, and I thank you all for inviting us in to the family.
After Liliana Bartolotta sang a rousing rendition of the Italian National Anthem, Mistress of Ceremonies Enza Raineri began the program. Clerk Brown thanked everyone for attending and Alderman Lisa Aprati who received the first award was introduced. Not only is Alderman Aprati the 5th Ward Alderman for Chicago Heights, she also is an award-winning anchor, producer and reporter. She is a featured anchor on Comcast Newsmakers, host of Inside Comcast, and reporter for Prime Time Chicago.

Next, past Justinian President Antonio Romanucci introduced Dominic DiFrisco, his Godfather. Antonio has given Dominic a nickname, Dominic “Can Do” because it seems that many Italian Americans always ask Dominic if “he can do this or that for someone.” Dominic gave a nice thank you speech and he truly deserved this award by being the face and the voice of the Italian-American community for many decades.

The third award was given to past Justinian President Lisa Marino; Nina Albano Vidmer introduced Lisa, who has become a close friend. The third award was given to past Justinian President Lisa Marino; Nina Albano Vidmer introduced Lisa, who has become a close friend. Lisa’s son, Maxx, her parents and other family members and employees of her law firm were present. Lisa told a really cute story about her grandparents; her grandfather was a milk man and her grandmother was a homemaker. They rented an apartment for years but her grandmother wanted to own a home. Her grandmother explained that they just could not afford a house but her grandmother continued her daily habit of scouring through listings of homes in the local newspapers. So one day, before her grandmother went to work, her grandmother handed him an address and told him that after work he needed to go to there, as it the address of their new home. Her grandmother actually planned the move from their prior apartment to their new house without his knowledge. As Lisa stated, her grandmother just would not give up.

The last awardee was House Representative Angelo “Skip” Saviano of the 77th District of Elmwood Park. The Honorable Peter Silvestri, Mayor of Elmwood Park, introduced Representative Saviano, both career Justians. Saviano thanked all attendees and even his mother surprised him and came to watch her son accept this award.

Other attendees included Past President, Len DeFranco, 1st Vice President Cristina Mungai, 2nd Vice President Katherine Amari, and society members Jessica DiPinto and Regina Scannicchio. Special thanks go to Antonio Romanucci for sponsoring our wonderful lunch consisting of salad, pasta and pizza and to Enza Raineri for hosting such a wonderful event. Our community us also indebted to Clerk Dorothy Brown for her continued support and demonstrated loyalty.

On October 22, 2009, The Honorable Dorothy Brown, Clerk of the Circuit Court of Cook County, held her annual Italian-American Heritage Month Celebration at Ristorante Al Teatro in the Pilsen neighborhood. The event was outside of the downtown area, but there was an excellent turnout of approximately 70 people for Clerk Brown’s celebration. Members Jessica DiPinto and Regina Scannicchio. Special thanks go to Antonio Romanucci for sponsoring our wonderful lunch consisting of salad, pasta and pizza and to Enza Raineri for hosting such a wonderful event. Our community us also indebted to Clerk Dorothy Brown for her continued support and demonstrated loyalty.
Memories, continued from page 8

Felicia and Robert DiSilvestro. Robert Long and his family, the owners of Montagna, warmly gave us a special preview to great in their manner of making and presenting wines. Keep your eyes sharp for the coming of their extraordinary brands of wine when you are looking for superior tastes.

Opus One, an already world famous winery blends the appearance of what it means to be American and French in its decor and its wine. Welcomed at the entrance of their vineyard is a design and furnishing that takes into consideration both countries contribution to the experience of being there and the tasting of the wine. A stunning juxtaposition of the Old and New worlds, a room might have the comfort of a large leather couch place in front of a wood burning fire place and next to an 18th century chair that might have graced the parlor of a monarch of France. The wines are the combined efforts of Robert Mondavi, Baron Philippe, and Baroness Philippine de Rothschild. The wines were imported from France and grown in California. Our complimentary tour was pre-arranged for our group thanks to our member Vito and Joseph F. Locallo, Jr enjoy a nice glass of wine with owner Robert Long (middle) at Montagna winery.

By: Leonard F. Amari

Meet Anne Pramaggiore, recently named president, previously serving as executive vice president, Customer Operations, Regulatory and External affairs for ComEd, the highest-ranking woman at the electric utility, which serves 3.8 million customers, or 70 percent of Illinois’ population.

Today, she focuses on ComEd’s customer service activities, including billing, meter reading, collections and call center operations. Her work includes education and implementation efforts around Smart Grid – technological innovations that can mean fewer, shorter outages; more information to customers about their energy usage to help them take control of their energy costs, and lowering customers’ and the company’s carbon footprints. She is the steward of ComEd’s assistance programs that, in 2008, provided approximately $20 million to help families most in need better manage their electricity costs.

Ms. Pramaggiore has taken on the responsibility of overhauling a customer-communications system that was criticized several years ago after heavy storms left tens of thousands of Chicagoland area households without power for days and with little information about when electricity would be restored. Part of the plan has already been implemented – outage information on the company’s Web site. An outage alert pilot is underway to provide customers with outage information updates on mobile devices. The utility also is revamping its system of assigning teams to respond to customers who have called repeatedly for help during an outage. She has an active role in workshops designed to share information about Automated Metering Infrastructure (AMI), “smart” meters that can tell ComEd when a customer’s power is out – without the customer having to call, and that can provide real-time usage information, helping customers adjust their energy usage, save money and help the environment.

In her regulatory role, Pramaggiore articulates how increased energy demand and higher costs for everything from poles to transformers are the basis for necessary rate increases from time to time to continue to improve the reliability of the electric grid.

Her responsibilities require a difficult balancing act, keeping an eye on profitability, while ensuring that assistance and energy efficiency programs are readily available, particularly at a time when the economy has made it difficult for families to meet their monthly obligations for the basics. Her willingness to engage – and to listen – has earned her a reputation as a diplomatic advocate.

A 1989 graduate of DePaul College of Law, and editor-in-chief of its Law Review, Pramaggiore joined ComEd in 1998, recognizing the opportunity to make an impact in what was essentially the last regulated industry. She helped direct the company’s legal and regulatory efforts through the restructuring transition. She has served as liaison to the Illinois Commerce Commission.

Ultimately, she was central in directing the company’s successful transition into an open and competitive electricity market. In 2007, after months of heated debate, she helped broker an agreement that provided Illinois residents with $1 billion in rate relief that temporarily reduced a sharp increase in ComEd bills, while preserving the state’s competitive electricity market – protecting ComEd from a potential bankruptcy. She represented ComEd in a compromise with the General Assembly, the Illinois Attorney General’s Office, and consumer groups who opposed a 24% rate increase following a decade-long rate freeze.

Before joining the company, Pramaggiore was a partner in the trade regulation practice group of Chicago law firm McDermott, Will & Emery. Prior to that, she clerked for the Honorable Charles Kocoras, United States District Court, Northern District Illinois. Of his former colleague, Judge Kocoras says: “Anne Pramaggiore was one of the finest law clerks I have ever had, and one of the finest people ever. After working for me, she went to a law firm and was recognized immediately for her good work. She was the junior associate who was sought out and in demand by everyone to work on their projects. I am so proud of this woman. Her success is not surprising to me, and I think she can go as far as anyone else in the world can. Her talents transcend the discipline of lawyering and I think the world of her.”

Her grandparents on her father’s side immigrated to the United States around 1917-18. Both came from the Piedmont region of Italy and settled in Brooklyn, New York. They met in New York and married within about a year. Her father was the older of two boys born in 1933 in Brooklyn. Her grandparents had almost no education however both sons went to college. Pramaggiore’s dad went to the Community College of New York and studied civil engineering.

Another example of the best our ethnic community has to offer.

[Editor’s Note: Congratulations to Anne Pramaggiore upon recently being named President of Commonwealth Edison.]
Angela Munari Petrone
Associate Judge
Cook County Circuit Court

Appointed: April 2007
Career highlights: Assistant state’s attorney, Cook County, 1988-87; assistant public defender, Cook County 1985-88
Age: 52
Interests: Reading, teaching law students, travel, home design and renovations

Since the age of 17, Angela Munari Petrone has toiled in the Cook County Circuit Court system from bottom to top.

Upon graduation from Notre Dame High School for Girls on Chicago’s Northwest Side, Petrone began working as a deputy clerk in the court’s Traffic Division.

Petrone continued working full time as a clerk, mostly at Traffic Court, for more than 10 years while attending the University of Illinois at Chicago and law school here.

“I really learned to love the court system as a clerk,” Petrone, now a Cook County associate judge assigned to the Criminal Division, said in a recent interview.

“I never thought when I was a clerk that I might become a judge,” Petrone added.

Chicago lawyer Byron K. Bradley has known Petrone since her days as a clerk and watched her career develop as a prosecutor and then a judge.

“That’s a long road,” Bradley said. “She has a pretty wide view of how cases were handled.”

Petrone was raised in Chicago’s gritty Humboldt Park neighborhood during the 1960’s and 1970’s.

“There was a lot of crime in the neighborhood and it didn’t escape me of my family,” said Petrone, who declined to elaborate. “But there was a lot of good in the community as well.”

Petrone is the second of five children and the eldest daughter of Frank R. Petrone and Theresa M. Petrone, who is deceased. Her brother, Anthony M. Petrone, is a Chicago lawyer.

Their father is a retired Cook County circuit judge and their mother served as a Cook County board of Elections commissioner.

Both of her parents stressed the importance of education, Petrone said, adding that her father encouraged her to pursue law school.

Petrone attended The John Marshall Law School at night. She graduated in 1984 and was admitted to the Illinois bar in May 1985.

She continued working for the clerk’s office for a short time after passing the bar exam. In

the summer of 1985, Petrone began working as a Cook County assistant public defender and remained in that position for more than three years.

In the fall of 1988, Petrone joined the state’s attorney’s office and rose through the ranks until she went on the bench in 2007.

Carmen Aguilar, a veteran assistant state’s attorney, recalled her initial encounter with Petrone. That occurred in the prosecutors’ law library at about midnight on a Sunday in the 1990’s. Aguilar was there looking something up and Petrone was preparing for a jury trial.

Petrone’s “energy level is unbelievable,” Aguilar said. “She was always there working.”

While a prosecutor, Petrone handled 91 jury trials, including some 20 before Circuit Judge Joseph J. Urso in the Criminal Division. Petrone considers Urso a mentor.

“She was always someone I relied on when she was in my courtroom to make the right decision and to be a vigorous prosecutor but also have compassion for the defendants,” said Urso, now presiding judge of the 3d Municipal District in Rolling Meadows.

Also while working as a prosecutor, Petrone served as supervisor of the Child Advocacy and Protection Unit and the Delinquency Division of the Juvenile Court. She also served a stint as deputy supervisor of the Sex Crimes Division. Petrone was admitted to the Capital Litigation Bar as a lead counsel.

After nearly a decade as a prosecutor, Petrone decided she wanted to become a judge. She ran unsuccessfully in a 1998 Democratic primary race, but earlier this decade she applied to become as associate judge and was selected in 2007 to fill a vacancy.

Two years ago, Petrone, wearing her father’s robe, was sworn in along with 30 other new associate judges.

“I like the idea of following in my father’s footsteps,” Petrone said, adding that she admired and respected a number of judges she worked with or appeared before while working in the court system.

Petrone initially served in Traffic Court and branch courts for about a year. In June 2008, she transferred to the Criminal Division.

Petrone and four other judges were tapped to hear the oldest criminal cases.

“It’s an innovative program and it seems to be working very well,” Petrone said, adding that she has disposed of about 20 cases since beginning that assignment. She also has wrapped up more than 24 cases while filling in for vacationing judges.

“T’m detail oriented,” Petrone said, when asked about her strengths. “I think I can listen well, take good notes, try to have a good temperament, yet keep control of the courtroom and stay abreast of the law.”

When Petrone moved to the Criminal Division, she already knew numerous judges there from her days as a clerk, public defender and prosecutor.

“When I came here, I didn’t feel like the new kid,” Petrone said.

Bradley, who has handled several matters before Petrone since she joined the bench, described her as business-like and pleasant.

“Judge-wise, she should be cloned,” Bradley added.

Chicago criminal-defense lawyer Clarence L. Burch opposed Petrone in some cases when she was a prosecutor. He has also handled a handful of matters before Petrone as a judge.

“She’s always been very analytic, quite perspective,” Burch said. “She has always been a very hard and conscientious worker.”

Burch added that Petrone is down to earth and speaks to defendants as fellow human beings.

“She has a very humanistic perspective of situations,” Burch said.

Off the bench, Petrone, who is single, enjoys traveling. She has visited Europe seven times and has been to South Africa.

Petrone’s mother, who was born in Italy, tried to teach each of her children a different foreign language. Angela Petrone speaks Italian and Spanish.

“I like learning about different cultures, different languages,” Petrone said.

Anyone wishing to share information with their fellow Justinianians 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: nina-beana@ameritech.net.
By: Leonard F. Amari

This month we introduce Paul Davies, a Sicilian American, whose roots, like many of us, are from subsidized housing in the city of Chicago, who has become the president of an extraordinarily successful international corporation. Please meet Paul Davies, a project kid from the Cabrini Homes, a Catholic league high school guy, who has attained extraordinary success in academics and in business.

Born April 28, 1939 as Paul R. Crapa - his father died when he was two years old and his mother eventually remarried Herbert Davies, who adopted Paul, hence the name change. All four of his grandparents immigrated from Chiusa, Scalfani and Altavilla Milicia, all small towns just outside of Palermo, Sicily in the early 1900’s and settled in Chicago’s near north side. Like many of us, his family’s integration into the middleclass caused the family to move north; the Davies moved to North Avenue and Sedgwick, an area that is now called Old Town, but was not nearly so glamorous then.

Davies attended St. Michael’s grade school and DePaul Academy, one of many Catholic high schools that have since close, DPA in the late 1960’s, on the near north side. He was captain of the football team, played basketball and ran track, and eventually received a scholarship to St. Ambrose College in Davenport, Iowa to play football. After injuring his knee, ending his athletic football career, he transferred to DePaul University and graduated with a Bachelor of Science Degree. At DePaul he was a member of the Italian fraternity, Alpha Phi Delta, where he was eventually voted national undergraduate of the year. He went on to night school and earned an MBA from DePaul and later attended its Law School to earn his Juris Doctorate and is a member of the Illinois State Bar Association and a career dues paying member of the Justinian Society of (Italian) Lawyers.

Retired Circuit Court Judge, the highly respected Bruno J. Tassone, says of his long-time friend: “George Bernard Shaw said ‘You see things; and you say, ‘Why.’ Paul Davies, as far back as college in the late ‘50’s, said ‘Why Not.’ Paul Davies personifies Why Not. While married to the beautiful Mary Ann with four children, he earned his Master and Law Degree while working full time to support his family. A renaissance man from his early childhood; he is a man who, when in school, said one day I will run with the BULLS in Paloma, and did. Yes he did. An inspiration and leader to us all.”

Davies joined Reinsurance Agency immediately after graduating from college in 1961 and became a reinsurance intermediary. He eventually became president and purchased the company in 1986. Mr. Davies sold Reinsurance Agency to the Aon Corporation in 1988. He was named CEO of Aon Re, a major player in the high stakes international reinsurance industry, and eventually built the company into the number one reinsurance intermediary in the entire world. He is presently the Senior Chairman of the Americas for Aon Benfield.

His childhood pal, and highly respected ethnic community leader, Jack LaBrasca says of Davies: “It was obvious that Paul would be successful in life, as far back as graduating from DePaul University. He was raising a family of four children, graduating from law school, playing Chicago Park District softball with some of the best teams in Chicago and maintaining his close friendships with the guys he grew up with, guys he still sees often. Talented, humble to a fault and extremely proud of his Sicilian heritage, Paul Davies is one of the most interesting men in Chicago.”

Mr. Davies is presently Chairman of the broker division of the Reinsurance Association of America and is the past chairman of the Insurance Education Institute. He recently was named one of the outstanding alumni of DePaul University in Chicago magazine.

It is fitting, at the pinnacle of a successful and fulfilling career, that Paul Davies has been selected for entry into the Italian-American Executives Hall of Fame at Casa Italia in Stone Park. The ceremonial induction for this honor took place at a celebratory lunch at Casa Italia on October 16, 2009.

Paul and the lovely Mary Ann have 4 grown children and 14 grandchildren that are the center of their lives. Paul is also an avid sports enthusiast and traveler.

Another example of the best of our community.
In 1952, the family moved to Crystal Lake where High School.

“My parents grew up on the West Side,” he said, where his father, Joseph, went to Austin daily basis.”

“Judge to have than fairness and compassion,” said Scott Slonim, chief of the public defender’s office in the Rolling Meadows branch. “We’re lucky to have him here. We’re doing a lot of really special work today.”

I never thought I’d want to be in criminal law,” Scotillo remembered. “It was a job. Here I am some 30 years later still doing criminal law, and I really enjoy it.”

In 2004, he was assigned to three felony cases in Rolling Meadows. “I enjoy it because every case is different and I find it interesting,” Scotillo said. I never thought I’d like criminal law when I was a law student. Now I can’t imagine doing anything else.”

“After my secretary said, ‘It’s Judge Comerford on the phone,’ I don’t know if I actually heard much after that. I was so happy,” Scotillo said.

“I remember my first day on the bench in Traffic Court…. One of my very first cases was a 14-year-old boy who took his mother’s car for a joy ride, ran up on a porch and killed another boy…. It was a real awakening. It just shows you every case is important to somebody. The parents of both people were in court.”

Scotillo spent nine years in the 1st Municipal District, traveling to various high-volume courts.

“I learned right away in my career that when people come to court, they just want to be heard. So I try and let everybody talk. I listen to what they have to say. Even if they don’t go away happy, at least they don’t go away mad. They’ve been heard,” he said.

When he was transferred to Rolling Meadows, he sat for two years in that branch’s Domestic Violence Court.

In Domestic Violence, “what happens in court makes a difference in people’s lives,” Scotillo noted. “I really enjoyed that work…. It’s still important work today.”

In 1975, Scotillo got his law degree from Chicago-Kent College of Law. His uncle introduced him to attorney Samuel Berkowitz, who encouraged Scotillo to apply to be an assistant state’s attorney. Berkley’s brother, Ralph Berkowitz, was for a time a top aide to State’s Attorney Bernard Carey. Scotillo applied and got hired.

“I never thought I’d want to be in criminal law,” Scotillo remembered. “It was a job. Here I am some 30 years later still doing criminal law, and I really enjoy it.”

In 2004, he was assigned to three felony cases in Rolling Meadows. “I enjoy it because every case is different and I find it interesting,” Scotillo said. I never thought I’d like criminal law when I was a law student. Now I can’t imagine doing anything else.”

“He has a classic judicial temperament,” said Assistant State’s Attorney Shari L. Chandra. “He’s so even-keeled with everyone, you never see him get ruffled.”

Also, “He is the perfect balance, I think, of being merciful and stern,” Chandra continued. “He’s really fair to every lawyer in this courtroom and to courtroom personnel, too.”

“I think every defendant gets a fair trial in front of him and a fair sentence,” she added. Criminal law attorney Thomas T. Glasgow said Scotillo’s “temperament is second to none…. He has a quiet control over the courtroom. People just do not get out of hand.”

Circuit Judge Joseph J. Urso, the presiding judge in Rolling Meadows, said, “Of all the

Continued on page 13
Our sister Justinian, and past Award of Excellence recipient (during Celia Gamrath’s year as Justinian president), Carla Michelotti received the American Advertising Federation (AAF) Silver Medal Lifetime Achievement Award, awarded by the Chicago Advertising Federation (CAF), in late October. Of course, Carla is Global Chief Legal, Government and Corporate Affairs Officer of Leo Burnett Worldwide. Established in 1959, the AAF Silver Medal award recognizes individuals who have made outstanding contributions to the field of advertising. This is only the second time the CAF has presented the award to a woman and the first time it has given this honor to an attorney.

The Chicago Advertising Federation presents individuals with this distinguished award as recognition for their efforts to further the industry standards while promoting creative excellence and social responsibility, Michelotti received the award at a Chicago Advertising Federation luncheon at Maggiano’s restaurant in downtown Chicago in front of audience of friends, family, past and present colleagues and industry leaders.

“The Chicago advertising community has long been a robust community of industry leaders,” said Michelotti. “I can only accept this award with thanks to CAF and with recognition of the Leo Burnett legal department. I will always be proud of it, and of the work that we have done together for the best clients in the world.”

Michelotti has legal responsibility for the global Leo Burnett Group of companies, including government and community/industry affairs. She is a member of the Leo Burnett Worldwide Global Leadership Council, with legal responsibility for the range of legal issues impacting the business. Over her career, she has worked extensively with industry thought leaders and governments all over the world, confronting industry issues related to commercial speech, digital communication, and consumer protection. Michelotti is recognized as one of the industry’s foremost authorities on a broad scope of legal issues pertaining to all forms of commercial communication, including behavior marketing.

A career Justinian, Michelotti is a trustee of DePaul University and of the Illinois Equal Justice Commission and on the Boards of the National Advertising Review Council, the American Advertising Federation, The International Advertising Association, as well as the House of the Good Shepherd, Junior Achievement of Chicago, Athena International and Girl Scouts of Greater Chicago and Northwest Indiana. She is a Fellow of the American Bar Association and Illinois State Bar association; a member of The Chicago Network; The Chicago Bar Association and The Economic Club of Chicago.

Michelotti has received numerous other honors including the IAA Global Medal of Merit in recognition of her work promoting self-regulation and freedom of commercial speech. She was named to the Today’s Chicago Woman Hall of Fame in 2003, was named the “2003 Chicago Ad Woman of the Year” and was selected in 2004 as the DePaul University’s College of Law “Outstanding Service to the Profession” honoree, and in 2006 she was awarded the Justinian Society’s Award of Excellence.

The Chicago Advertising Federation, now celebrating more than 105 years of serving the Chicago advertising community, is one of the country’s largest advertising organizations. The CAF is dedicated to the growth of the advertising industry in the Chicagoland area. Representing more than 115 companies, the CAF works to increase diversity within the industry, and to educate members and the community on advances in the profession. The CAF is affiliated with the AAF, which advocates for the nations advertising industry.
Loss of the Middle Class
Part II

By: Leonard S. DeFranco

In last newsletter issue, Dominic Fichera lamented the loss of the middle class. Dominic is correct in his poignant observations and also the consequences that will result in the evaporation of this socioeconomic segment of America that has been its greatest strength.

I grew up in a lower middle class neighborhood and also lament the shrinking of the middle class. There were no lawyers or doctors in my old neighborhood, but pretty much every Dad had a job either making something or transporting what was made. Despite our lack of wealth, most moms stayed at home. It was a solid neighborhood, and I believe we grew up well positioned to achieve the American Dream.

I join Dominic in fear for the future of a nation that has only extremes in its population. This dichotomy is one of the defining aspects of a third world country; an elite class and the laborers, the “haves” and the “have nots.”

Unfortunately, Dominic has blamed the wrong culprit in this economic dislocation; the wealthy. They have been a favorite target of certain factions in the political landscape for as long as I have been following politics. But who are these despooilers of the American Dream? It is always appropriate to first define the terms; just who belongs to this vile “wealthy” class? I am sure there are huge segments of our population that think lawyers are the wealthy class. If Dominic is referring to the “trustafarians,” those born into wealth such that honest work is an option, then there simply are not enough folks in that class to affect this type of economic dislocation. And since much of the wealthy, earned or inherited, is a consequence of the vast middle class, it is difficult to ascribe their motivation to “push people into poverty.”

It is reported that Henry Ford, one of the original magnates, wanted to pay his workers enough so that an average laborer could afford the car he was building. Poor folks simply cannot purchase the fruit of our industries, the few that are left.

If you want the true boogeyman ruining the middle class, look in the mirror. And if you don’t believe we all are the culprits, then look around at your possessions. The DVD’s, ipods, garments, appliances and even your autos. Most of our “stuff” comes from foreign lands, primarily China. Good for them, bad for us. We shop at Wal-Mart to save money, and then we complain about the loss of our manufacturing base and with it our middle class. It’s known as globalization.

The reason for my rejoinder to Dominic is that we need a reality check as we move forward with such momentous social agenda items such as health care. The burden of any such program and the cost to fund it will not fall solely on the “wealthy,” but on the middle class. That is where the tax dollars are. Politicians love to pillory the wealthy, only to have most of their tax burdens fall on the traditional middle class. And that governmental shift of resources hurts the middle class more than helps. A great recent example of this hypocrisy is the proposal to tax so called “Cadillac” health plans to help pay for the universal health coverage. Sounds fair enough, but the reality is that most union health benefits fall squarely in this “Cadillac,” another arrow in the heart of the middle class. Whatever your politics, let’s have an honest discussion and let’s require our political leaders to tell the truth.

Looking for Office Space?
Things to Consider

By: Joseph F. Locarlo, Jr.

Many factors come into play when it comes to choosing the right office space for your law firm, including location, employee considerations and, of course, cost. For many, proximity to the courts and public transportation are critical factors. Likewise, there may be a need for private office space, conference rooms of various sizes and functional work areas for administrative and support staff. Of course, the primary factor for most businesses involve lease cost, which include not only rent but other financial issues like tenant improvement allowances and rent abatement.

These are all complex issues that Justiniand Mike Lombardo, a broker with Blue Star Properties, addresses when representing tenants in commercial lease transactions in Chicago and the suburbs. Mike was born in Norwood Park, on the northwest side of the city. After attending Immaculate Conception Grammar School and Loyola Academy High School, Mike earned his B.S. in Finance from the University of Illinois and his Juris Doctorate from DePaul University. He is a proud Italian with a strong family lineage in the Chicago area. His father, Robert, grew up on Chicago Avenue on the West Side, attended Our Lady of the Angels Grammar School and Weber High School. Robert went on to serve for 30 years with the Chicago Police Department, earned his Ph.D. in Sociology, and is now a professor of Criminal Justice at Loyola University. Recently, Robert learned that his book, The Black Hand, which focuses on Italians in Chicago, will be published in 2010.

Mike is actively engaged in the commercial real estate community in Chicago. Mike vigorously represents the best interests of law firms in their lease negotiations with Landlords and assists them in making the right decision for their firm. “Lease payments are typically the second most expensive cost to any law firm behind salaries” says Mike. “Signing a long term lease is an extremely important decision for any size law firm, big or small. It’s my job to get lease costs as low as possible and ensure that the tenant knows every aspect of their lease with no surprises.”

There are also a lot of issues that must be considered in any lease negotiation that the average tenant may not realize. Whether the lease is net or gross, modified gross or full service, and the types of expenses that are included in the base rent are all complex and critical issues. Other important factors to address include taxes, ensuring the proper base year is used to calculate those taxes, building operating expenses, rent abatement and tenant improvement allowances. It is wise to have someone with Mike’s experience to guide a tenant through the process.

Another extremely important issue is market conditions. A contract attorney might understand the art of negotiation and the intricacies of a lease, but one of the most valuable aspects that Mike provides his clients is his in-depth market knowledge of the Chicago commercial real estate market. It is important to know not only how much the building in question is asking in rent but also how much a similar building across the street is asking. A tenant who does his or her homework and understands the asking prices of competitive buildings can leverage these buildings against each other to drive the price down. A good broker knows the intricacies of each building, builds a relationship with the leasing agents at each building, and can effectively achieve the best possible outcome.

Mike also feels that he has a unique perspective when it comes to representing attorneys, being that he is an attorney himself. “When meeting with attorneys to discuss their firm’s real estate situation, I definitely notice extra sense of comfort when I tell them that I am an attorney as well” Mike says. “It’s most like ‘Hey, this guy gets it. He went to law school too. He was in the trenches just like me. I trust him to negotiate a good deal on my behalf.’” Mike is happy to discuss any questions a fellow Justinian may have regarding their office lease, current commercial real estate market conditions, new or recent construction, exercising upcoming renewal options, or searching for new office space. He can be reached at: (773)251-2785.
ATTENTION VETERANS: Qualifying Veterans May Receive Up to $23,396 per year.

These dollar amounts reflect 2009 maximum Veterans Administration Pension rates for qualifying claimant with a spouse. The actual amount awarded may vary according to the claimant’s circumstances. Widowed Spouses may receive up to $12,681 per year. Veterans married to Veterans may receive up to $30,408 per year. There may be additional benefits for dependent or disabled children.

“Secret Dollars”: VA Benefits for Long-Term Care Revealed

One of the Veteran Administration’s best-kept secrets, which is an excellent potential source of funds for long-term care (either at home or in an assisted living facility) are veteran’s benefits for a non-service connected disability. Most VA benefits and pensions are based on a disability which was incurred during a veteran’s wartime service. There is another benefit, however – a pension program – available for individuals who are disabled due to the issues of old age, such as Alzheimer’s, Parkinson’s, multiple sclerosis, and other physical disabilities. For those veterans and widow(er)s who are eligible, these benefits can be a blessing for the disabled individual who is not yet ready for a nursing home.

There is a specific portion of the pension program which is of particular importance. This program is “Aid and Attendance” (A and A) and is available to a veteran who is not only disabled, but had the additional requirement of needing the aid and attendance of another person in order to avoid the hazards of his or her daily environment (in other words, someone needs to help you to prepare meals, to bathe, to dress and otherwise take care of yourself).

Under this program, a veteran can receive a maximum of $1,949.00 per month in benefits and a widow or widower can receive up to $1,056.00 as a maximum benefit for A and A for the year 2009. The applicant must be determined to be “permanently and totally disabled”. The applicant does not need to be helpless – he/she need only show that he/she is in need of aid and attendance on a regular basis. Someone who is housebound or is in an assisted living facility and over the age of 65 is presumed by the Veterans Administration to be in need of aid and attendance.

This particular program has limitations related to the income and assets that are held by the applicant. However, in computing the income of the applicant, certain items can be deducted. Specifically, unreimbursed medical expenses (UME) paid by an individual may be used to reduce the applicant’s income. Home attendants or aids are an allowable medical expense deduction, as long as that attendant is providing some medical or nursing services for the disabled person. The cost of an assisted living facility, and even part or all of the cost of an independent living facility, can also be an allowable medical deduction to reduce your gross income to a much lower net countable income that may qualify you for veteran’s benefits.

Simplified Example: Bill Robert is a 66 year old veteran and, due to his health needs, has caregivers coming to his home for several hours each day. His income is $1800/month and he is paying caregivers $3300/month. Rather than deplete his saving of $45,000, he applies for a service pension through the VA. The VA considers the $3500/month he is paying to his caregivers unreimbursed medical expenses and “subtracts” the amount from his income. In other words, when calculating his pension, the VA considers income to be negative $1500. He applies for benefits and is eligible for $1500/month to help him with his bills!

It is also important to seek the guidance of an experienced elder law attorney who is familiar with estate planning, disability, Medicaid and veteran’s benefits. An attorney skilled in elder law can provide a veteran and the veteran’s family with appropriate pre-filing consultations to determine the appropriate steps that must be taken to be able to determine if it would be right to apply for this VA benefit.

NOT SO FAST ON SOLE PROXIMATE CAUSE DEFENSE AS PLA PENDS BEFORE THE ILLINOIS SUPREME COURT IN READY

By: James J. Morici, Jr.

MORICI, FIGIOLI & ASSOCIATES

In Ready v. United/Godecke Services, Inc., 232 Ill.2d 369 (2008), the Illinois Supreme Court interpreted the meaning of 2-1117 of the Code of Civil Procedure and concluded that settled tortfeasors do not belong on a verdict form apportioning responsibility.

The Court reversed the Appellate Court’s decision in 367 Ill.App.3d 272, 854 N.E.2d 758 and remanded to the Appellate Court “for a decision on United’s claim that the jury should have been instructed on sole proximate cause.” Upon remand, the Appellate Court seemingly broadened the question by writing “this cause has been remanded to this Court for a ruling on whether Defendant United/Godecke Services, Inc. (United), was deprived of presenting a sole proximate cause defense.” Ready v. United/Godecke Services, Inc., 393 Ill.App.3d 56, 57, 911 N.E.2d 1140 (First District, 2009). A PLA is presently pending before the Illinois Supreme Court.

In its opinion, the Appellate Court granted Defendant United/Godecke Services, Inc. a new trial finding it was deprived of presenting a sole proximate cause defense when the Circuit Court excluded evidence of the conduct of settled co-Defendants, Midwest Generation EME, LLC (Midwest) and BMW Constructors, Inc. (BMW). It found the trial court also erred when it also refused United’s jury instruction on sole proximate cause. Id. at p. 57.

The Court relied upon Nolan v. Weil-McLain, 233 Ill.2d 416 (2009) and Leonardi v. Loyola University of Chicago, 168 Ill.2d 83 (1995) in support of its conclusion that the presence of a general denial to liability is sufficient to permit a defendant to present a sole proximate cause defense in a negligence action.

In the opinion of this writer, the Appellate Court painted with far too broad a brush in finding viable a claim of sole proximate cause in the factual situation of a multi-party Section 414 Restatement of Torts Second Construction Negligence case. Under the facts in Ready, not dissimilar to the circumstances present in most construction site injury scenarios, multiple entities had control of the work and were thus vicariously and/or directly responsible for the injury. That fact is well appreciated in Illinois law. The I.P.I instructions on construction negligence acknowledges in Instruction 55.04 that “One or more persons may have some control over the safety of the work. Which person or persons had some control over the safety of the work under the particular facts of this case is for you to decide.” Indeed, the I.P.I’s definition of Proximate Cause at 15.01 provides “when I use the expression ‘proximate cause’, I mean [that, a, any] cause which, in natural or probable sequence, produced the injury complained of. [It need not be the only cause, nor the last or nearest cause. It is sufficient if it concurs with some other cause acting at the same time, which in combination with it causes the injury.] This Illinois law, as contained in the I.P.I., is in concurrence with the definition of “sole cause” as found in Black’s Law Dictionary, Sixth Edition, “as respects negligence of plaintiff or third party as the sole cause of injury so as to relieve defendant from liability, [sole cause] means the act or negligence of plaintiff or a third party directly causing the injury without any concurring or contributory negligence of defendant.” The language “without any concurring or contributory negligence of defendant” makes “sole” inapplicable to a construction case.

In a construction negligence case, once a violation of the accepted...
Robert Downs with his family at the award presentation, from left: son, Chris; wife, Barbara; daughter, Kelli Seales; and son-in-law, Steve Seales.

Our brother, past ISBA and Justinian president, Robert K. Downs, was recently recognized for his outstanding contributions to the community with the Stetson University College of Law Hall of Fame induction.

Here is the recognition that appeared in the program for the induction that occurred in late September:

Robert K. Downs, ’65. Robert Downs is founding partner, with wife Barbara, in the Chicago law firm of Downs Law Offices P.C., which deals with all aspects of family law.

Downs has been long active in politics and the legal community. Early in his career, he was elected to the Illinois House of Representatives. He spent the early part of his career involved in civil rights issues and consumer cases. He worked with the American Civil Liberties Union, creating legal clinics that later became the Chicago Volunteer legal Services Foundation.

An active member of the Illinois State Bar Association, Downs was the first family lawyer in 20 years to be elected president of the organization. In 1995, he was one of only four recipients of the ABA’s Family Law Pro Bono Services Award. He also received awards from the Legal Assistance Foundation of Chicago and the National Center for Mission and Exploited Children.

And probably one if his finest achievements, he has been the soul of the ISBA Sunday Runners for 25 years – serving for as chairman of the group for the past 15 years.

By: Celia Guzaldo Gamrath
Schiller DuCanto & Fleck LLP

FAMILY LAW REPORT
Navigating Marital Problems In Today’s Economy

Tort Notes, continued from page 15

 customs and practices for safety has been shown, like the failure to barricade a hole or floor opening, it can never be a defense to a Section 414 duty that some other’s actions or omissions were a sole proximate cause. This is so since the fact that defendant’s negligence is a proximate cause, any other causes would by definition not be “sole.”

Nolan, an asbestos exposure case, and Leonardi, a medical malpractice case in which the defense proved that the actions of a doctor who was not a defendant at trial was the sole cause of the plaintiff’s injuries, re-inopposite to the question at hand in Ready and, by their facts, belies application to a construction negligence suit.

The Skinny on Long-Term Care Insurance

By: James Mester, J.D., Oak Brook, IL

Most lawyers can’t seem to get their arms around long-term care Insurance. Many fail to recommend it to their clients and most are luke warm at best. This subject is close to my heart, because I own it, I sell it, and I speak to various Bar groups about it. Attorneys are always a little skeptical about new trends, even though LTCI has been around for a number of years, and they seem to hold insurance salesmen (don’t forget LTCI is an insurance product) in low esteem. This helps explain the lack of enthusiasm for this estate planning tool.

The first thing people want to know about LTCI is the cost. I tell them it is approximately $2,000 per year, but there are many variables to consider: age; health conditions; weight and smoking. So I use the $2,000 figure to get the conversation going. The actual premium cannot be known, until the under-writing is completed. If the person enjoys good health, then the underwriting process simply consists of the medical questions on the LTCI application and a telephone conversation with an underwriter. If there are health issues, a physical exam may be necessary. I encourage lawyers to have their estate planning clients to make application for LTCI, to get the true cost; then they can make an intelligent decision based on real numbers.

In not forget there is a 30-DAY FREE LOOK after the policy has been issued. So, even if your client felt pressured into buying LTCI, he/she can easily void the contract 30 days after it is issued, provided they do so in a timely manner.

So why aren’t people lined up to purchase LTCI? The answer is cost. They do not want to pay the premium for a policy they may not need. Terry Savage says people are in mass denial. She goes on to say that the next great financial crisis facing our retirement assets is not another bear market; it’s the cost of long term care. The average cost of care in a nursing home is now $75,000 per year. Nobody wants to think about the aging process and how it takes its toll on the human body. Statistics tell us that we have a 40 percent chance of needing this type of care once you are over the age of 65.

Let us say you just completed an estate plan for a widow with $75,000 in retirement assets. Shortly thereafter she is diagnosed with Alzheimer’s disease and lives for 10 years. Do the rough math - $750,000 divided by $75000 (omitting inflation, dental bills, and the like) = 10 years. Your unfortunate widow will leave very little to pass through the trust you crafted for her upon her demise. Keep in mind that most people want to receive care in their own home; LTCI allows benefits to be paid for in home care.

People are in further denial when they tell you that your spouse will take care of me, or my children will take care of me. Most lawyers

Continued on page 17
are familiar with the errors contained in this thinking. People are also inclined to believe that Medicare will provide for their long term care. It is up to you, as estate planning attorneys, to disabuse them of this. However, when their assets have been exhausted and they are broke, they will be eligible for Medicaid. This is not a very consoling thought!

If your client buys LTCI and pays for many years, and never becomes disabled; he/she should feel blessed. This is much like malpractice insurance; you never want to make a claim on your policy. I practiced law for eighteen years and never had a claim on my malpractice. I do not regret paying my premiums all those years, because I had peace of mind. I have the same peace of mind knowing I have LTCI. If I suffered a stroke while writing this article, I know that my wife will not be burdened with the day-to-day chores of feeding me, shaving me, lifting me, etc......and she will not have the added burden of invading our retirement assets. Best of all, she will not have to ask my children for help. But what if my wife had the stroke instead of me? Without LTCI, I may have to quit my job and become her caregiver. The added work I could handle, but the loss of income may do violence to our retirement plans.

You do not have to have a stroke to be eligible to receive benefits under your LTCI. You are considered disabled when you are unable to perform two of the following activities of daily living: bathing; dressing; eating; toileting; transferring; continence or you become cognitively impaired. Premiums cease when you become disabled. How much money (benefits) you receive and for how long are negotiated when you purchase LTCI. The modern policies have an inflation factor, so your benefits increase as the years go on, while the premiums remain the same (insurance companies reserve the right to increase premiums, so you might inquire about this).

In closing, here are some stimulating questions to ask your clients:

- Do you know the cost of nursing home care or in home care?
- How are you planning to pay for this care?
- Who do you plan to take care of you, when you get old and infirm?
- Do you want your children to be the care givers?
- Have you discussed this issue with your children?
- If you plan to self insure, do you have a fund started?
- If you self insure, will you use Medicaid?
- Do you understand the Medicaid spend down provisions?
- Do you know the stress associated with care giving?

[Editor’s Note: Jim Moster, a longtime attorney and financial planner, has been an asset to many of our members in assisting with college savings programs, and most importantly, retirement planning. He can be reached at 630-954-6864]
Restaurant Review:
By: Leonard F. Amari

It gives me great pleasure to review and highly recommend the restaurant/bakery of a family of career Justinians. Since 1908, Taylor Street’s “Original” Ferrara Bakery has been in business specializing in authentic Italian cakes, pastries and cookies to generations of people who enjoy the “sweeter things” in life. The display cases that serve as the focal point of this landmark exhibit the same pastries that you would have found here in the 30’s and across all of Italy (especially in and around the Naples region). If you speak to any Italian American whose parents or grandparents were married in Chicago, chances are this is the place that made their wedding cake. They can also probably tell you a story about any one of the stores proprietors over the past 102 years, all in the same family, beginning with Salvatore Ferrara, to his wife Serafina (Pagano) Ferrara, to Mario Conti, to Marilyn Ferrara and now granddaughter Nella Davy and husband Bill Davy.

Here, as with all things, a changing of the guard brings new ideas and new direction. Without sacrificing quality or content from the bakery menu, this 102 year old pastry shop is becoming a restaurant, and the neighborhood has noticed. Chicago’s oldest Italian pastry shop is now serving up everything from pizza and pasta fagioli, to eggplant parmesan and lasagna. Recipes are “old world” and the clientele is impressed. Surrounded by the UIC medical district, Veterans Hospital and Juvenile Court, Ferrara’s is perfectly situated to draw in the lunch crowd, and they do. If you visit during the lunch hours you’re sure to be welcomed by laughter and conversation in the busy 50 seat dining area and a little Tony Bennet or Frank Sinatra playing in the background. The aroma in the store is like Sunday dinner, predominately from the massive pots of gravy, tomato sauce, marinara, red sauce, sugo, “Sunday” gravy, or whatever you like to call it, cooking in the back. Garlic and fresh baked bread might grab your attention too, but who’s complaining! You’ll also see, on any given lunch hour, the who’s who of Chicago “muck-a-mucks.” Aldermen, committeemen, Justinian and ISBA past presidents, Jesuit priests, union leaders, bankers and prominent business people.

As with many Italian restaurants the menu here is focused on pasta (of course!). Every day they offer a variety of pastas including rigatoni, shells, linguini, spaghetti, whole grain mostaccioli, and even gluten free spaghetti, and you can pair them with any sauce you like, marinara, bolognese, pesto, agli olio, vodka, etc. My personal favorite is shells and marinara with a meatball. You can also have any number of cold or hot sandwiches ranging from tuna salad or an Italian sub to a meatball, or Italian beef sandwich. The daily specials include chicken parmesan, chicken marsala, sausage and peppers, giambotta, meat, cheese or spinach lasagna, arancini, and a variety of seasonal specials.

Good food is a must for any successful restaurant but if you ask Nella what she believes is the key to success she will tell you timing. “People come here for lunch and when you only have a half hour to eat you need to be served quickly,” Nella says, “Our goal is to have everybody served in less than 5 minutes from the time they place their order.” The system here works too. Just as soon as you place your order it’s on its way to your table. Good food with fast and friendly service is a winning combination. A wonderful compliment to a nice lunch, of course, is a nice dessert, and Ferrara’s doesn’t fall short in this category. After all, when you’re finished with your shells and broccoli you’re still in a pastry shop that’s proud to be Chicago’s first and even more proud to maintain family recipes from the beginning. With a vast assortment, there’s sure to be something to satisfy your sweet tooth. Mangia bene, vivi felice!! See you there!

Let Ferrara’s cater your next home or office events. For more information please visit www.ferrarabakery.com or call 312.666.2200. “Original” Ferrara Bakery is located at 2210 W. Taylor St, Chicago, IL 60612

From the Archives

[Editor’s Note: While preparing this edition of the newsletter, going through old photos, we come across older pictures that we use for the archives. Can you identify everybody pictured and the year the photos were taken?]
The home of the Italian-American community in the Chicagoland area, Casa Italia, in Stone Park, hosted the significant statue of the Blessed Mother on its facilities for a number of months in the late summer, early fall. Of course, Casa Italia is the 17 acres that has dormitories, a band shell, banquet halls, and offices for many of our organizations, including Fra Noi. Casa Italia was turned over to the Italian community in the Chicagoland area by the Scalabrini fathers almost 15 years ago. Casa Italia is managed by a volunteer board of prominent members of our Italian-American community. For example, past Justinian president, and community leader, the highly respected Len DeFranco, served as chairman of Casa Italia for the previous two years. The idea and the original motivation was that of other giants from our community, especially, Tony Fornelli, Ron Turano, Paul Butera (all of whom served as chairman) and others. No one does more for the continuing success of Casa Italia than Tony Fornelli, a past Justinian president, and recipient of our Award of Excellence. Casa Italia hosts lunches and dinners of many of our clubs and societies, it is a facility used for fundraisers for folks in our community running for political office, for fests and parties.

Cook County Treasurer Maria Pappas presents an award of excellence to Natalie DeRose Loss, 2009 Columbus Day Parade Queen, in her office for promoting Italian culture and heritage. Loss is 21 years old and a recent graduate of DePaul University after only three years of study. Natalie, excited and apprehensive, begins her law school career at The John Marshall Law School in January 2010 and is an enrolled participant in the Justinian Mentoring program.

John Luperini stopped by for some mentoring at the Justinian headquarters, getting career advice after graduating from Kent Law School, from Joseph F. Locallo III and past Justinian President Franco Coladipietro.

Career Justinian, former State Senator and successful lobbyist, Rich Guidice stops in at the Justinian headquarters. Pictured here with Justinian past president, State Representative Franco Coladipietro.

On September 3, 2009, the Standing Committee on Mentoring of the wonderful Illinois State Bar Association hosted a CLE program at the Chicago regional office. Past president and revered Justinian, Richard Caifano, participated in the program. Pictured from left: Richard Caifano, committee member, Janet Grove, committee chairperson, James Hansen, committee vice chair and program moderator, Valerie Lipic, committee member, Jill O’Brien, member and immediate past chairperson and ISBA president John O’Brien.

Yep, another fishing photo from that “Fishin’ Magician” from down Caseyville, IL way. Justice Moses W. Harrison and his lovely wife Sharon, and their son Judge Clarence Harrison, went to the next level in fly-fishing with a trip to Jackson Hole, Wyoming. The Justice said that the fish were mean and aggressive and opines that it was the best fishing of his life. Pictured here, with the guide, is the Justice catching a very energetic foot long trout.

A casual lunch at Ferrara Bakery on Taylor Street, from left, standing: Bill Davy Jr., Anthony Farace, Pat Arbor; seated: Dean of the Department of Political Science at the University of Illinois Circle campus Michael Pagano, and 2nd Ward Alderman and career Justinian Robert Fioretti.
Upon a recent visit to Sicily, the sojourners stopped in the town of Bagheria to visit the family butcher shop of past President Sam Tornatore and Executive Administrator of the Justinian Society Nina Albano Vidmer.

Gerald Berendt, the Chairman of the Executive Committee of the Faculty of The John Marshall Law School stopped by the Justinian headquarters and visits with past president Joseph Gagliardo and Justinian 2nd Vice President Katherine Amari. Joe has served for many years on the Board of Trustees and Katherine is serving as president of the John Marshall Alumni Association Board.

Justinians attend a recent gathering of lawyers in Joliet, from left: Mauro Glorioso, Franco Coladipietro, Leonard Amari, Paula Holderman, John Locallo, and Judge Vince Cerri.

Bankers stopped by for lunch at the Justinian headquarters, from left: past President Franco Coladipietro; Tony Casaccio with Inland Bank; Frank Cerrone, president of PanAmerican Bank; Nick Giuliano, with The Private Bank; and Patrick Arbor, Chairman of the Board at First Chicago Bank & Trust.

The Justinian Society participates in the Columbus Day Parade. Jessica DePinto and 1st VP Cristina Mungai join in the parade festivities as Gregg Garofalo, Katherine Amari and Jason, and past President Antonio Romanucci ride on the float.

Nick Helmer Sr. of Inland Realty and Nick Helmer, Jr. of Friedman Properties (left) meet with two John Marshall Law School students participating in our Justinian Mentoring program, Christina Ranallo and Anthony Casaccio, Jr.

2nd Vice President and President of the Illinois State Bar Association, John Locallo and John O’Brien in Ireland for the ISBA trip.

A photograph of Ellis Island submitted from a member who just returned from a weekend trip in New York.

Guess who and guess where?
By: Leonard F. Amari

- Brother Richard Caifano has taken an active role in UNICO National, which has given significant charitable support to other organizations in our community, such as: the Italian Earthquake relief, The Jimmy V Cancer research Fund, Anthony Fornelli’s Italian American Veterans Memorial and the wonderful St. Judes Research Hospital. At the UNICO National convention this past August, he was elected to serve as a trustee of UNICO Foundation, Inc., the gift giving arm of UNICO National. Upon his return to Chicago, he was elected to a second term as the Illinois District Governor of UNICO National. And, as of this day, he has also been appointed by the president of UNICO National as a member of the National Executive Committee, their policy making body. Caifano invites interested Justiniens to join in support of the charitable causes of UNICO.

- Congratulations to Albert C. Angelo on being added as an associate to the Illinois office of Hinshaw & Culbertson LLP. Angelo, who received his law degree this year from The John Marshall Law School, focuses his litigation practice on products liability, personal-injury and premises liability claims. He also handles estate planning and asset protection matters.

- Congratulations to Cook County Associate Judge Mark J. Ballard upon his appointment by the Illinois Supreme Court to its Special Committee on Child Custody Issues, filling the position formerly held by now-retired associate judge Karen G. Shields.

- Justinian member Professor Mark E. Wojcik of The John Marshall Law School spent most of his sabbatical year living in Vicenza, Italy, just outside of Venice. He enjoyed living in Vicenza (which was celebrating the 500th Anniversary of the birth of architect Andrea Palladio) and learning about the history and impact of law in northern Italy. During the past year he also taught classes in Switzerland on International Organizations and in Cairo Egypt, where he helped teach the first classes organized by the American Bar Association Rule of Law Initiative. He recently published a third edition of his book Introduction to Legal English and a second edition of his book on Illinois Legal Research.

- Congratulations to past Justinian President Enrico Mirabelli upon being re-appointed to serve as a Board Member of the City of Chicago Human Resources Board f/k/a the Personnel Board, the Finance Committee approved the appointment. Enrico has served on this Board since 1997 and with this new appointment he will serve for another three years until 2012.

- The Chicago Council of Lawyers and Chicago Appleseed Fund for Justice are hosted a forum on October 29th on “Transforming the Immigration Court System.” Included in the forum was speaker Lisa J. Palumbo, supervisory attorney of the Immigration Project, Legal Assistance Foundation of Chicago.

- Attorneys with Mayer Brown LLP are advising iPCS Inc, in a deal calling for Sprint Nextel to acquire the wireless affiliate, the law firm announced in mid-October. The acquisition price is estimated at $831 million, including the assumption of $405 million of net debt, according to a written statement from the firm. Michael A. Serafini, and associate with Mayer Brown, is included on the deal.

- Retiring after a distinguished career as a member of the Chicago City Council, 36th Ward Alderman William J.P. Banks has joined the highly successful and prestigious firm of Schain, Burney, Ross & Citron Ltd. as a partner. Banks will advise clients on land use, development, real estate, real estate tax reduction, litigation strategy, and state, county and federal governmental relations and approvals. Banks, who had chaired the City Council’s Zoning Committee, will not appear on any matter before the City Council for one year, according to a spokeswoman for the firm. We wish our Justinian brother nothing but good fortune in this next stage of his distinguished career.

- Past President Celia G. Gamrath was selected for inclusion in the 2010 edition of Naifeh & Smith’s The Best Lawyers in America in the areas of Appellate Law and Family Law. Her law firm, Schiller DuCanto & Fleck LLP, was ranked first in the nation for family law and tied for first in the growing field of collaborative divorce law.

- We received an electronic communication from Susan Trilet of Translation Today Network, Inc. located in Batavia, IL. She is looking for senior law students who are capable of interpreting for depositions and trials in both Italian and in English. Her company, Translation Today, is an interpreting/translating agency and can be reached at #(630)606-0605.
The extraordinary distinguished and highly respected criminal defense attorney, Anthony J. Onesto, advises us of the relocation of his offices to Oak Brook. Effective immediately, the new office will be located at: 2210 Midwest Road, Suite 103, Oak Brook, IL 60523. Telephone - 630-575-0567 and Fax - 630-575-0570. They look forward to serving you at their new office.

Congratulations to Nicholas C. Zagotta upon his recent move from partner to principal with the firm of Connelly, Roberts & McGivney LLC.

The family of a man who was killed when a car crashed through the glass doors and windows of a Subway sandwich shop in Chicago has settled its lawsuit against the land owner for $1 million, according to the family’s lawyer.

Congratulations to our good friend, Executive Director of the Illinois Bar Foundation, Susan Lewers, upon the birth of her daughter, Rachel Susan in August.

Congratulations to past President Joseph Bisceglia upon the birth of his second grandchild. Baby Clara was born in August to Joe’s daughter Sarah and her husband Joe Zimmerman.

Assistant State’s Attorney Kevin DeBoni married attorney Michelle Brandonisio on September 12th. Of course, he is the son of our brother Judge Frank DeBoni.

Congratulations to Bob Di Silvestro and his wife Felicia, upon the birth of their daughter, Carla Rose, in August.

A Cook County jury has returned a $22.3 million verdict in favor of the parents of a 10-year old boy who alleged that a series of delays in treatment and negligent care of the child after he was born with a congenital heart defect at an Oak Lawn hospital resulted in the loss of the boy’s leg and his congenitive and neurological deficiencies, according to the parents’ attorneys. The jury returned the verdict after about two hours of deliberations in a three-week trial presided over by Circuit Judge Clare Elizabeth McWilliams; Antonio Romanucci of Romanucci & Blandin LLC, who along with Stephen D. Blandin represented the plaintiffs.

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Andrzej Swiderski Jr. was ordering a sandwich at Subway near Nagel, Milwaukee and Devon avenues on July 13, 2004, when a 1999 Chrysler Sebring, driven by an 85-year-old man who mistook the accelerator for the brake, left the
parking lot and slammed into the shop, pinning the patron between the car and the restaurant counter and slashing his throat, said Antonio M. Romanucci of Romanucci & Blandin, who represented the restaurant patron’s estate.

The settlement was reached, Romanucci said, during jury selection in a trial that was set to begin before Cook County Circuit Judge Irwin J. Solganick, who dismissed the case, Andrzej Swiderski sr. etc. v. George Karkazis, etc. No. 04 L 9379.

Other defendants in the case — the driver, the restaurant chain’s owner and the shop’s franchisee, and Chrysler Corp. — had previously reached settlements of $250,000, $120,000 and $10,000 respectively, according to Romanucci.

Romanucci said the case is significant in that the lawsuit primarily targeted the owner of the premises on which the Subway was situated, alleging that the negligence of a third party was foreseeable because of a poorly designed parking lot and no protective barriers between the lot and the front of the restaurant. He said the case is one of the first to test the recent Illinois Supreme Court ruling in Marshall v. Burger King.

- A LaSalle County Jury has returned a $1.8 million verdict in favor of an 80-year-old man who sustained bowel and bladder incontinency and lower extremity neurological difficulties after undergoing spinal surgery. The verdict against Provena St. Joseph Medical Center in Joliet was returned after four days of jury deliberations and a five-week trial, said Anthony C. Raccuglia of Anthony C. Raccuglia & Associates PC who, along with James A. McPhedran, represented the plaintiffs. Defendants included the hospital and two doctors, but the doctors were found not liable. The jury also awarded $200,000 to the man’s wife for loss of society.

- Justinian David J. Schwaner, a Loyola graduate and associate at Morici, Figlioli & Associates, recently celebrated a verdict of $1,022,127 in the Circuit Court of Cook County. Schwaner’s client, a 46 year old man slipped on a wet mopped floor at Defendant’s kitchen facility where he had gone to pick up meals to be delivered to the homeless. Plaintiff sustained a closed head trauma which resulted in a post concussion syndrome and double vision. The jury’s verdict reduced by only 10 percent for comparative negligence represented the full amount requested by Mr. Schwaner. This represents David’s sixth successive Plaintiff’s verdict in the Circuit Court.

- A carpenter who was injured in a fall while preparing to set trusses at a residential construction site has settled his lawsuit against the project’s general contractor and a crane/truss company for nearly $4.9 million. The carpenter sustained a moderate traumatic brain injury, fractured wrists requiring surgery and a neck injury requiring fusion surgery. Joseph D. Parente of Parente & Norem P.C. was one of the attorneys representing the plaintiff.

- Congratulations to Steven M. Levin and Michael F. Bonamarte of Levin & Perconti who recently reached the largest settlement ever in a case against a nursing home in Cook County, IL. Prairie View Care Center in Charleston, IL and Dr. Carl Johnson agreed to pay $700,000 to the family of 43-year-old Donald (Donny) McCormick who died from pressure ulcers he suffered while he was a resident at the nursing home. The Cook County Jury Verdict Reporter confirmed the settlement was a Cook County record. The settlement was reached following settlement conferences between the parties and Cook County Circuit Court Judge John Ward. Donny was admitted to Prairie View Care Center on March 19, 2002. When he entered the nursing home, he suffered from severe cognitive impairments and was dependent on nursing home staff for all activities of daily living including feeding, turning, repositioning, and transfers. Donny’s impairments also made him unable to communicate his needs to the nursing home staff. From his admission on March 19, 2002 to his discharge less than two months later, Donny became severely malnourished, dehydrated, and he developed a massive infected Stage IV bed sore on his sacrum. The wound was so deep that his sacral bone was visible. These injuries caused Donny’s overall condition to rapidly deteriorate and he was hospitalized on May 12, 2002. For the next six months, he struggled to bounce back, but his condition only worsened and he died on November 24, 2002 at 43.

- Congratulations to Steven Levin and Michael Bonamarte of Levin & Perconti who recently settled a nursing home case against a nursing home in the south suburbs of Chicago and an unnamed distribution company for $570,000 ($550,000 and $20,000, respectively) to the adult grandchildren of a 99 year-old resident who died when her neck became entrapped between her bedrail and mattress at the nursing home.

- Congratulations to John Perconti of Levin & Perconti on a $1,350,000.00 on behalf of a minor who suffered brachial plexus injuries at birth. On July 19, 2000, Carolina Fuentes and Armando Juarez went to Evanston-Northwestern Hospital for the birth of their second child, De- nise. Carolina was diagnosed with gestational diabetes while pregnant with her first child and her son was born macrosomic, or of very high birth weight, but she experienced no complications during her first labor and delivery. Carolina suffered gestational diabetes again during her second pregnancy, but she had no reason to expect any complications as she prepared for the birth of their daughter. Upon arriving to Evanston-Northwestern Hospital, Carolina was assigned to a second-year obstetrical resident, Dr. Susan Kramer, and an attending obstetrician, Dr. Anthony Cirrincione. During delivery, Denise’s left shoulder became stuck on Carolina’s pubic bone, causing a shoulder dystocia. A shoulder dystocia is a medical emergency which requires a series of careful maneuvers to disimpact the baby’s shoulder. If a doctor or nurse applies too much force while performing these maneuvers, damage to the baby’s brachial plexus nerves can occur. In Denise’s case, a nurse attempted two maneuvers to attempt to disimpact the shoulder. Unfortunately, the nurse performed both maneuvers incorrectly and consequently, did not free the shoulder. After the nurse’s failed attempts, Dr. Cirrincione stepped in to teach Dr. Kramer how much force to use to disimpact a baby by placing his hands on hers. Anything more than gentle downward traction is excessive and can cause permanent nerve injury. While they were trying to disimpact the baby, the doctors applied excessive traction on Denise’s head with her shoulders locked in place. These errors by both the doctors and the nurse caused Denise to suffer a severe and permanent brachial plexus injury, and ultimately Erb’s palsy, which is the weakness or loss of movement caused by damage to the nerve bundles at one’s shoulders.

- Congratulations to Steve Phillips for recently resolving three huge cases on behalf of his clients. Steve settled an accounting malpractice case for $10,000,000 against a major accounting firm. One of Steve’s friends had invested in the company and Steve alleged on his behalf that he had never would have invested had he known the accounting was being done in a manner that was detrimental to the continued existence of the company. As a result, the company went out of business within 20 months of Steve’s client’s investment. Steve also settled a case for $2.4 million for a death of 2-year old boy who was misdiagnosed at a local hospital as suffering from a viral illness when in fact he had a virus which seeded in his heart. Steve also recently tried a case in Wisconsin. He received a $900,000 jury verdict on a case where his clients sustained an arm injury at birth on the delivering pulled too hard to extract him from his mother’s birth canal. Steve fought hard for his client despite being told by local Wisconsin lawyers that he can never win a malpractice case in the county where the case ended up being tried and that only if “lightening struck” would they get $100,000. The defense in the case brought in alleged leading doctors in the county to testify against Steve’s clients and Steve was able to show the jury their bias and how their conclusions were not supported by the facts. Steve was also reappointed as an Adjunct Professor of Law at Loyola University Law School where he has taught personal injury law, plaintiffs and defense.

- Congratulations to Anthony Raccuglia on a recent $3,000,000 settlement. Anthony represented a motorcyclist who was killed instantly when the defendant’s SUV allegedly turned in front of his at the intersection of Route 6 and Nettle School Road. The defense asserted that the decedent was speeding and failed to keep a proper lookout.

- Congratulations to Valerie Leopold and Carla Colaiainni on a recently $145,000 settlement in DuPage County. Valerie and Carla represented the plaintiff who was bitten numerous times by a dog requiring surgery. The plaintiff also developed post-traumatic stress disorder after being attacked by the defendant’s German shepherd dog in his condominium’s parking lot.
McKay, Daniel C.
Our condolences go out to the family of Daniel C. McKay, father of longtime Justinians Paula McKay Angelini & father-in-law of Philip Angelini. He is survived by his wife and best friend of 54 years, Catherine (Kay) Abruzzo; supportive father of Diane (Richard Menna), Daniel II (Patty), Paula (Philip) Angelini, John (Anne) and Maura (Steve Headley). Loving grandfather to Stephanie, Diana, Alexandra, Janette, Patrick, Daniel III, Madeline, Matthew and Megan.

Rago, Joseph
Justinian Joseph Rago, brother of Justinian Mountainside Rago, died at age 49 on November 13, 2009, after a six month battle with pancreatic cancer. Joe, a resident of Kane County and a former prosecutor in both Kane and Lake Counties, was well known in the legal community throughout Northern Illinois. Joe was the founding president of our Justinian chapter in Kane County. He is survived by his wife of 22 years, Nanci and his three children Joseph, Jr., a high school senior, Abigail, a fifth grader, and Rachel who was in first grade. An education fund has been created for the benefit of the Rago children at the Fifth Third Bank in Geneva. For information, please call (630) 232-8233.

Romiti, Grace M.
Grace M. Romiti, beloved wife of the late esteemed Hon. Philip Romiti; loving mother of Susan Canfield, Anthony (Nancy) Petitto, Paul (Joani) Romiti, Lisa (Alvin) Jones and the late Victoria (Richard) Southcombe and Mark Romiti; dear grandmother of 12; and great-grandmother of 15; fond sister of the late Robert Caruso.

Spinuzza M.D., Steven J.
Our prayers go out to the family of Justinian member Charles Spinuzza, upon the death of his father, Steven J. Spinuzza, M.D., at the age of 86.

Suffredin, Lawrence J., Sr.
Our prayers go out to Cook County Commissioner Larry Suffredin, upon the death of his father, Lawrence J. Suffredin, Sr. He is preceded in death by his wife Patricia Mulraineey Suffredin, and survived by their eight children: Lawrence Jr. (Gloria Callaci), Genna (Richard Erikson), Paul (Barbara), Susanne (Richard Moskal), Patricia (Larry Brown), John (Gail), Peter and Michelle (Peter Marcy); and thirteen grandchildren, Tom, Liz, Courtney, Nicholas, Stephen, Kevin and Morgan Suffredin, Andrea and Daniel Erikson, Erin and Bob Brown and Ethan and Henry Moskal.

Fioti, Louis F.
Louis F. Fioti, 66, of Lombard, father of member John Fioti, beloved husband of Carol Sue; loving father of John (Jennifer), Juliana (Robert) Szczepanik, Frank (Noreene) and Thomas Fioti; dear papa of Adrian, Johnny, CarolAnn, Mia and Baby Fioti; loving brother of Joseph, Isabella (Ronald) Gebien, Maria Stanard and the late Anthony Fioti; fond uncle of many nieces and nephews.

Corti, Emanuel “Manny” V. Sr.
Our condolences to the family of Peter Corti upon the death of his father, Emanuel “Manny” V. Corti, Sr. He was preceded in death by his wife Susan M. (Melchioda) Corti, and is survived by his twin sons, Emanuel V. Corti, Jr. and his wife Deborah of Margate, NJ, and Justinian member Peter D. Corti and his wife Judy; his daughters, Susan Pecorella and her husband Anthony of Morrisville, and Mariann M. Mohr and her husband Dr. Robert F. of Randolph, NJ; six grandchildren and seven great-grandchildren.

Cali, Vita
The prayers of our membership go out to our career friend, Vito Cali, upon the death of his mom, Vita Cali, age 97.

Obituaries
By: Leonard F. Amari

Honore Nella
Legge Report
How about being the first on your block to receive a Justinian desk flag by writing a check to the Justinian Scholarship Fund in the amount of $200, or more? With the sad condition of the economy, law students, especially folks from our community, are more in need of scholarship monies than ever. The Justinian Society, in fact, our ethnicity, is known for its generosity and concern for others.

This year the following individuals wrote checks for $100 or more:

Mary L. Milano - $1,000
Hon Richard A. Lacien - $250
John Locallo - $200
Katherine Amari - $200
Leonard Amari - $200
Justice Moses Harrison - $200
Don Storino - $200
Jon Demoss - $100
Robert Martier - $100
Anthony Raccuglia - $100
Daniel Garramone Jr. - $100
Hon Thomas Chiola - $100
James Montana, Jr - $100
Virginia Gullo-Ciacco - $100
Samuel Banks - $100
Antonio Romanucci - $100

Won’t you write your $200 check today to the Justinian Society Scholarship Fund? Send it to the Newsletter editor at our Justinian Headquarters, 734 N. Wells St., Chicago, IL 60654. And you will immediately receive in the mail or by messenger, a mailing tube containing your Justinian desk flag.
Justinian Society
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