

Big settlements from small law firms

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By Amanda Robert

The accidental advocate

Willens Law Offices' client, a 23-year-old recent college graduate, stopped by a friend's apartment in Wicker Park for a social gathering in June 2009. He went out on the second-floor balcony and fell nearly 15 feet to the ground when a railing that he was leaning on gave way.

He suffered a traumatic brain injury and spent more than a month in the hospital, undergoing a craniotomy to repair bleeding on his brain and other surgeries to treat infection and reconstruct his skull.

Matthew L. Willens, a former partner at Clifford Law Offices who formed his own personal-injury litigation firm in Chicago four years ago, received the case through a referral from a suburban real estate attorney who knew the victim and his family.

"I've always wanted to be a personal-injury lawyer," Willens said. "I enjoy fighting for individuals rather than big corporations or insurance companies. I represent people who have been victimized. It's about helping those who can't go it alone."

Willens started by personally interviewing eyewitnesses, including Bamberger's friends who rented the apartment. He learned that before they signed their lease, they expressed concern over the safety of the balcony to the building owners.

He filed suit against the owners, who eventually disclosed a \$2 million insurance policy. Once he received that information, he made a time-limited, policy limit demand.

"We told them, 'If you tender the entire policy limits within 30 days, we will settle,' " he said. "If not, we will take this matter to trial."

"If the insurance company refused to settle within the

policy limits, there would be opportunity for action against the insurance company. But the insurance company did the right thing in this particular case and tendered the policy."

The case settled for slightly more than \$2 million in May 2010. Willens proved himself and the significance of the case by bringing it to conclusion within a year of the accident, he said.

Willens estimated that on average, more than 95 percent of personal-injury cases settle before trial. "Most of the time, a settlement can be reached," he said. "But in those times where a settlement cannot be reached, we step up to the plate."

He has obtained large awards for several other clients, including a \$16 million verdict for a girl who was severely injured when she was hit by an automobile, a \$4 million settlement for a young man whose doctor failed to properly diagnose his lung cancer.



WILLENS LAW OFFICES

30 North LaSalle Street - Suite 4020

Chicago, IL 60602

312.957.4166 Phone

312.726.7347 Fax

mwillens@willenslaw.com

www.willenslaw.com