



RUSIN & MACIOROWSKI

EXCEEDING CLIENT EXPECTATIONS

FIRM RESUME

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DESCRIPTION AND FIRM HISTORY

Rusin & Maciorowski, Ltd. was founded in 1984 by Douglas F. Stevenson, Michael E. Rusin and Stephen J. Friedman (as Stevenson, Rusin & Friedman, Ltd.) with the goal of establishing a specialty firm focusing on representing employers and their insurance carriers in all of the varied legal aspects of the workplace injury, including Workers Compensation, OSHA, personal injury, contribution liability and lien recovery, wrongful discharge and employment discrimination.

Through dedication to aggressive, result-oriented file handling and prompt, thorough client reporting, the firm grew from the original seven lawyers and continued to expand to serve its clients' needs throughout the state of Illinois.

In order to serve our clients more effectively and cost efficiently we opened satellite offices in Champaign/Urbana, Illinois in 1999, and Carbondale, Illinois in 2002.

With Douglas Stevenson's appointment to the Illinois Industrial Commission in 1998 and with Stephen Friedman's appointment as an arbitrator to the Illinois Workers Compensation Commission in 2014, the firm changed its name but not its current mission on providing a full service litigation practice to its client base of employers, industry and insurance carriers.

The firm's leadership role in Workers' Compensation and Employer Liability has carried over to its civil department. Initially developed to handle the claims evolving from the workplace accident, the firm has acquired a depth of experience in employment discrimination and wrongful discharge, product liability, and coverage issues. We have the unique ability to coordinate the handling of the Workers' Compensation claim and related civil actions including lien protection, third party practice including exclusive remedy defenses and related insurance coverage issues. We also handle of Declaratory Judgment actions.

Our civil department has grown and provides seasoned trial attorneys handling cases throughout Illinois. These attorneys have specialized experience in managing all phases of civil practice including all types of personal injury cases, transportation law (automobiles and trucking liability) and insurance coverage.

The firm has earned a preeminent rating from Martindale-Hubbell.

TECHNOLOGY

We recognize the key role technology plays in the providing of modern legal services, and we are committed to developing and implementing state-of-the-art computer support for our practice. This not only includes the latest word processing, computer billing and docketing systems, but also document generation, electronic file and document management, litigation support, electronic communication and e-mail. We continue to upgrade and expand our systems to better and more efficiently manage our practice and meet our clients' needs.

PHILOSOPHY

Rusin & Maciorowski, Ltd. believes that the optimal result is the one elected by concurrence between client and attorney in a memorialized litigation plan. We believe in aggressive, result-oriented file handling. By early decision on a chosen option and strategy, representation can be focused on reaching the desired result rather than drifting through the litigation process. Our core philosophy can be summed up as “aggressively proactive, not reactive.” A litigation plan of action can be developed at the time of our initial evaluation of the claim to achieve the desired objective within anticipated economic parameters. The Litigation Action Plan examines the issues, options, costs and possible results as well as the probability of success.

Litigation is a dynamic and evolving process. As an assignment progresses, the litigation plan must be reevaluated and revised based on the changes in the law and assembly of evidence. The client must be involved in this process and can only be an effective participant if fully informed. Our attorneys provide frequent, prompt and thorough reporting to the client so that every case decision is designed to develop and refine the original litigation plan.

Cost is a recognized factor in the litigation decision-making process. As with every other aspect of case analysis, the client must be informed to make a reasoned decision. We can provide initial budgeting and periodic revisions so that the client is aware of the anticipated fees and costs related to litigation plan elected.

Our goal is to create a joint effort between attorney and client to establish a desired result and to meet that goal as efficiently and cost effectively as possible.

PRACTICE AREAS

Our primary practice is defending Illinois employers in worker’s compensation cases throughout the State. As our clients’ needs have expanded and grown, Rusin & Maciorowski, Ltd. has developed its practice areas to meet their needs. Since legal problems seldom fall neatly within a single practice area, we assign cases and build a litigation team to address the unique issues and complexities of each new assignment.

The firm’s attorneys maintain an active practice in the following specialties:

- Workers’ Compensation
- Employer Liability and Third Party Liability Defense
- Insured and Self- Insured Coverage, Subrogation and Indemnification Litigation
- Civil Litigation and Insurance Defense
- Employment Law
- Coverage Litigation, Insurance Policy Interpretation
- Construction Litigation

WORKERS' COMPENSATION

Our firms' primary practice is the defense of Employers in Workers' Compensation Cases. Our Workers' Compensation practice encompasses the entire state of Illinois. Our attorneys regularly appear at all arbitration venues on behalf of employers and insurance carriers and we provide expert and cost efficient handling of cases in each venue. We provide quality representation from the arbitration and review levels through appeals to the various Circuit, Appellate and Supreme Courts. Because of our long standing concentration in the Workers' Compensation practice, we have developed an unmatched expertise in the law and procedure of the Workers' Compensation Commission and in its application to specific industries, self insureds, and the insurance industry.

Given this background, we are able to customize our representation to the special needs of our clients. In addition to handling filed claims, our attorneys recognize the value of providing assistance to claims handlers at the earliest stages of file assessment and can provide expeditious counsel as to the law and its application to a particular fact pattern. Most times this is done with little or no cost.

Our attorneys are also able to provide more in-depth and ongoing counseling, including claims reviews, evaluation of claims investigation and handling procedures. We can tailor seminars and presentations for the specific needs of a particular industry or client. We have also worked with claims and human resource personnel to develop and implement claims handling and in-plant settlement programs to deal with all aspects of the claim from injury through resolution.

Our Workers' Compensation attorneys appear regularly in Chicago and at the following hearing locations in Illinois:

Bloomington	Mt. Vernon	Springfield
Collinsville	Ottawa	Urbana
Geneva	Peoria	Waukegan
Herrin	Rockford	Wheaton
New Lenox	Rock Island	Woodstock

EMPLOYER LIABILITY

Our civil attorneys routinely practice extensively in cutting edge issues of law such as contractual indemnity, anti-subrogation, insured contracts or contracts to procure insurance and obtaining defense and indemnity contribution for the EL carrier from the CGL carrier.

In addition, our EL attorneys have an expertise in seeking additional or alternative coverage through targeted/selected tenders, indemnity provisions endorsements such as vendors and insured contract endorsements.

As to subrogation, whether or not a named third party, the firm prides itself in aggressively seeking full lien recovery.

Our routine practice includes: third party defense, intervention, response to bills in discovery, and the simultaneous defense of Workers' Compensation with other employment torts (Title VII, Retaliatory Discharge, Union Grievances, ADA, ADEA, Dual Capacity, Exclusive Remedy, and International Torts).

CIVIL LITIGATION AND INSURANCE DEFENSE

The civil litigation practice group is comprised of seasoned trial lawyers who consistently rank at or near the most active in cases tried to jury verdict or judgment each year. Our regular file inventory consistently includes primary excess and indemnity cases together with subrogation contracts coverage, third party liability defense and coverage, premises, construction, personal lines, business lines, death and catastrophic injury. On an annual basis, several cases are tried or settled valued in the range of \$30,000 to several million dollars. In addition to successful trial results, we also encourage early file closure by aggressive, dispositive motion practice resulting in substantial savings on litigation expenses. We are committed to aggressive file handling coupled with thorough, regular reporting to continuously allow and update evaluation of exposure to explore trial or settlement options.

Rusin & Maciorowski, Ltd. prides itself on meticulous pleading practice from the first responsive pleading on file. With a calculated strategy applying the substantive and procedural law to strike a complaint through dispositive motions to dismiss, judgment on the pleadings, summary judgment, motions in limine, directed verdict and post trial motions, we continually strive to provide an early dismissal or settlement while preserving all substantive, procedural and evidentiary errors and irregularities at trial for an appellate "safety valve."

Our aggressive posture in procedural trial preparation allows us to aggressively negotiate based upon the client's "comfort zone" at all stages of litigation from a position of strength since we are always prepared with evidence and strategy to pursue any case through trial.

In order to better serve our diverse client base, we provide a statewide presence in Illinois as well as northern and northwestern Indiana and the Missouri/St. Louis metro area. This encompasses both the state circuit and federal courts, including all appellate forums.

EMPLOYMENT LAW

Work injuries do not occur in a vacuum. Since the injured employee has rights under various State and Federal statutes as well as under common law, our expertise has developed to include the simultaneous evaluation and/or defense of all employment related torts. The representation of the employer would be incomplete without the ability to recognize other potential liabilities and provide a complete analysis of all potential exposures. The initial focus of our employment practice recognizes the often inevitable consolidation of Workers Compensation claims and civil statutory torts pursuable outside the IC arena. The firm has represented clients before the Illinois Human Rights Commission, Equal Employment Opportunity Commission, Occupational Safety and Health Commission, State and Federal Courts in the following areas:

- . Age Discrimination (ADEA)
- . ADA-Handicap Discrimination
- . Intentional Tort Labor Grievances
- . OSHA
- . Wrongful Termination
- . Retaliatory Discharge
- . Sexual Harassment
- . Racial Discrimination

Because of the firm's involvement in both the Workers' Compensation and Civil Litigation areas, we have been at the forefront of establishing the employer's rights in related civil actions, including:

- . Lien and subrogation rights under Section 5 of the WC Act
- . Good faith settlement under the Contribution Act
- . Insurance coverage issues such as contribution to Employers' Law defense and indemnity from CGL sources
- . Indemnity and contractual issues
- . Targeted tenders to other carriers by employers named as additional insureds
- . Pursuit of dismissal of third party claims employing the doctrines of Briseno, Lannom and contractual subrogation
- . Exclusive Remedy
- . Dual Capacity
- . Intentional Torts

INSURANCE AND SELF-INSURANCE COVERAGE

The Insurance Practice Group provides coverage analysis, loss counseling, adjustment advice, policy drafting expertise, and defense of claims to a variety of self-insureds, insurers and reinsurers.

The attorneys at Rusin & Maciorowski, Ltd. are experienced in representing insureds and insurers under a variety of policies of insurance, including, but not limited to:

Commercial/comprehensive general liability (CGL)
 Commercial property
 Commercial transportation
 Automobile
 Workers' Compensation/Employer Liability

Under these policies (both ISO & proprietary), the firm handles a variety of claims including, but not limited to:

Construction defect
 Premises liability

- Products liability
- Third party automobile and UM/UIM defense
- Contribution and allocation issues between carriers
- Additional insured defense and targeted tender issues
- First party theft, fire and multi-peril claims
- Contracts to procure insurance
- Contracts to indemnify

The firm has also served as litigation counsel for self-insured entities and those with self-insured retention (SIR) or large deductibles in the construction, equipment leasing, retail grocery, and transportation industries.

We serve as national and regional counsel for many of the prominent property and casualty insurance companies in addition to self-insureds and clients with significant self-insured retentions. Our attorneys are frequently called upon to represent insureds and insurers in complex construction and transportation matters involving the coordination of tenders of defense and litigation of simultaneous first and third party complaints; and cross claims.

In the construction arena, our attorneys are frequently requested to evaluate insurance policies, contracts to indemnify, and certificates of insurance to determine and litigate the relationship of an insurer or self-insured to its insureds and additional insureds vis-à-vis multiple coverage to owners, construction managers, manufacturers, distributors, general contractors and subcontractors as well as the myriad of relationships to each other as created by policy certificate, endorsement or contract. We have extensive experience in targeted tenders; and the combination of indemnification and insurance procurement.

APPELLATE LITIGATION

Rusin & Maciorowski, Ltd., which has long had an outstanding reputation for trial litigation, has also developed a premier appellate litigation practice group. Our lawyers include former judicial law clerks who possess significant experience in the federal and state appellate courts. These lawyers have handled a broad spectrum of legal issues including: transportation, product liability, indemnification, and Workers' Compensation.

As the firm's primary practice is defending employers in worker's compensation cases, our attorneys have extensive experience in appeals before the Workers Compensation Division of the Illinois Appellate Courts.

Our appellate advocates are assisted by the extensive multi-discipline base of trial attorneys who develop the recognition of issues early in the lower court. Our insights serve clients by early identification of procedural, evidentiary and substantive legal issues at the trial level and re-evaluating the results to decide whether or not an appeal is pursuable. The greatest strength of our appellate practice group is our emphasis on presenting complex questions of law and fact in simple and straightforward terms. Effective appellate advocacy, like effective trial advocacy, is ultimately a challenge to tell a persuasive and clear story that enables the decision-maker to

appreciate why our client is right and, within the boundaries of the law, should prevail. We strive not only to apply the law, but to show why our client should and must win.

A representative list of our clients includes:

Insurance Companies

ACE/CIGNA
Acuity
American International Group
AmTrust North America
Argonaut Insurance Co.
Employers Mutual Companies
Farmers Insurance Company
Grinnell Mutual Reinsurance Company
Grocers Insurance
Harleysville Insurance
The Hartford
Liberty Mutual Insurance
Lumbermens Underwriting Alliance
Midwest Insurance Company
National Farmers Union
One Beacon
Sentry Insurance Company
Travelers Insurance
Standard Mutual Insurance
State Farm Fire & Casualty Co.
Tokio Marine Insurance Company
Transguard Insurance Company
Utica Insurance
West Bend Insurance/NSI
Westfield Insurance Group
Zurich Insurance Company

Manufacturers

ABC Rail/National Castings
Boise Cascade
Chrysler Corp.
Cooper Industries
Ford Motor Co.
Gardner Denver Machinery, Inc.
Gerresheimer Glass
Georgia Pacific
Gunito Corp.
Innophos
Johnson Controls
Keystone Consolidated Industries
Leggett & Platt
Marmon Group
Safway Steel/Safway Services

Sterling Steel
Vesuvius USA

Motor Carriers

Conway Central Services
Dayton Freight Lines
J.B. Hunt Transportation
McLane Midwest
XPO Logistics, Inc.

Municipalities

City of Bloomington
City of Wheaton

Village of Downers Grove
Illinois Public Risk Fund (IPRF)

- Village of Alsip

Intergovernmental Risk Management Agency (IRMA)

- Village of Addison
- Village of Arlington Heights
- Village of Barrington
- Village of Bartlett
- Bartlett Fire Protection Dist.
- Village of Berkeley
- Village of Bloomingdale
- Village of Brookfield
- Village of Burr Ridge
- Village of Carol Stream
- Carol Stream Fire Protection Dist.
- Village of Cary
- Cary Area Public Library Dist
- Village of Clarendon Hills
- City of Countryside
- Village of Crete
- City of Crystal Lake
- City of Darien
- Village of East Hazel Crest
- Village of Flossmoor
- Village of Glencoe
- Village of Hanover Park
- Village of Hazel Crest
- Village of Hillside
- Village of Hinsdale
- Village of Homewood
- Village of Indian Head Park
- Village of Kenilworth
- Village of LaGrange
- Village of LaGrange Park

- Village of Lake Bluff
- City of Lake Forest
- Village of Lake in the Hills
- Village of Lake Zurich
- Village of Lemont
- Village of Libertyville
- Village of Lincolnwood
- Village of Lisle
- Lyons Township Comm. Ctr.
- Village of Morton Grove
- Village of Mundelein
- Village of Northbrook
- Village of Northfield
- Village of Oak Brook
- Village of Olympia Fields
- City of Palos Heights
- Village of Palos Park
- Village of Park Forest
- Village of Richton Park
- Village of River Forest
- Village of Riverside
- City of Rolling Meadows
- Village of Roselle
- Village of Stickney
- Village of Sugar Grove
- Village of Tinley Park
- Village of Villa Park
- City of West Chicago
- West Chicago FPD
- Village of West Dundee
- Village of Westchester
- Village of Western Springs
- Village of Westmont
- Village of Willowbrook
- Village of Wilmette
- Village of Winfield
- Winfield Fire Protection Dist.
- Village of Woodridge

Park District Risk Management Agency (PDRMA)

- Special Recreation Association of Central Lake Co.
- Deerfield Park District
- Homewood Flossmoor Park Dist.
- Forest Preserve Dist. Of Will Co.
- Lake County Forest Preserve Dist.
- West Suburban Special Recreation

- Rockford Park Dist.
- Will County Forest Preserve
- Park District of Highland Park
- Park Ridge Park Dist.
- Lake Bluff Park Dist.
- Park Dist. Of Oak Park
- Elk Grove Park District
- Peoria Park District
- Manhattan Park District
- Decatur Park District
- Fox Valley Park District
- Roselle Park District
- Streamwood Park District
- Wheeling Park District
- Gurnee Park District
- Wheaton Park District
- Mundelein Park Distirct
- Waukegan Park District
- Crystal Lake Park District

Third Party Administrators and Agencies

AIG Claims Service
 Aon Risk Services
 Assisted Housing Risk Management Association (AHRMA)
 Berkeley Risk Administrators
 BerkleyNet
 Brentwood Services Administrators
 Broadspire/Crawford & Company
 Cambridge Integrated Services
 Cannon Cochran Management Services (CCMSI)
 Constitution State Service Company
 Corvel
 ESIS
 Gallagher Bassett Services
 Helmsman
 National Employee Care Systems
 PMA Management
 Risk Enterprise Management
 Sedgwick CMS
 Underwriters Safety & Claims

Utilities, Business and Retail

Arch Coal of Illinois
 Certified Grocers
 Claussen Pickle Company
 Dial Corporation/Henkel

Exelon/Commonwealth Edison
Export Packaging
Gonnella Baking Company
Illinois Sports Service
J. S. Alberici
Koppers, Inc.
Kraft Foods, Inc.
Landry's Restaurants
Lucent Technologies
Qwest Communications
SCI Companies
Silverado
Sprint PCS
Target Corporation
UHaul
United Service Companies
Verizon/GTE