

GIBSON & ASSOCIATES, LTD.

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Scott B. Gibson

Lindsay V. Wagoner

Of Counsel:

Megan E. Chadwick*

*Also licensed in Florida & California

Chicago Office

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Suite 700

Chicago, Illinois 60603

CURRICULUM VITAE

Scott B. Gibson

EDUCATION:

- 1977 – 1978 University of Manchester, Manchester, England – Visiting Student – Study in Government and English Literature
- 1979 University of Illinois Bachelor of Arts in English Literature and Political Science
- 1980 Cambridge University, Emmanuel College, Cambridge, England – 9 hours of International Law Credit
- 1982 DePaul University College of Law, J.D.

LEGAL LICENSURE:

- November 1, 1982 - Present: Illinois State Law License
- December 16, 1982 - Present: United States District Court, Northern District of Illinois.
- 1988 - Present: United States District Court, Northern District of Illinois, Federal Trial Bar
- 1989 - Present: United States Court of Claims, Washington D.C.
- 2000 - Present: United States Supreme Court, Washington D.C.
- 2002 – Present: United States District Court, Eastern Dist. of Wisconsin Federal Trial Bar

LEGAL EXPERIENCE:

- November 1, 1982 – April 22, 1983:
Patrick T. Driscoll, Ltd. and Francis (Frank) J. Dolan, Chicago, Illinois, associate practicing primarily civil litigation

April 22, 1983 - May 1, 1987:

Lake County Illinois State's Attorney's Office - Felony Trial Attorney/Career Offender Prosecutor

May 1, 1987 - January 1, 1992:

Decker & Linn, Ltd., Waukegan, Illinois, associate in a civil trial practice, which was limited to plaintiffs' representation for personal injury, professional negligence, wrongful death, and workers' compensation.

January 1, 1992 - February 1, 1993:

Goshgarian and Gibson, Waukegan, Illinois, civil trial practice which was limited to plaintiffs' representation for personal injury, wrongful death, medical negligence, professional negligence and product liability.

February 1, 1993 – April 1, 2001:

Law Offices of Scott B. Gibson, Ltd., Waukegan, Illinois, civil trial practice which is limited to plaintiff's representation for personal injury, wrongful death, medical negligence, professional negligence, product liability, and workers' compensation.

June 1, 1995 – April 1, 2001:

Law Offices of Scott B. Gibson, Ltd. hires associate, Richard S. Kopsick, to continue its practice exclusively on behalf of injured plaintiffs and the families victimized by wrongful death.

June 1, 1997:

Gerald D. Jutila and Megan E. Chadwick become "of counsel" to the Law Offices of Scott B. Gibson, Ltd., which continues to practice exclusively on behalf of injured plaintiff and the families victimized by wrongful death.

April 1, 2001 – January 5, 2009:

Law Offices of Scott B. Gibson, Ltd. becomes Gibson & Kopsick, Ltd., including the same attorneys whose practice is limited to plaintiff's representation for personal injury, wrongful death, medical negligence, professional negligence, product liability, and workers' compensation.

November 1, 2004:

Gerald D. Jutila leaves the firm due to his appointment as an Illinois Workers' Compensation Judge.

January 5, 2009:

Gibson & Kopsick, Ltd. becomes Gibson & Associates, Ltd. whose practice is limited to plaintiff's representation for personal injury, wrongful death, medical negligence, professional negligence, product liability, and workers' compensation.

August 5, 2009:

Gibson & Associates, Ltd. hires Associate Lindsay D. Varcoe to continue its practice exclusively on behalf of injured plaintiffs for personal injury, wrongful death, medical negligence, professional negligence, product liability, and workers' compensation.

LEGAL CERTIFICATIONS

Martindale-Hubbell Rating: AV

Martindale-Hubbell Rating of Gibson & Associates, Ltd.: AV

Law & Leading Attorneys - Illinois Consumer Guidebook: American Research Corporation Survey – first statewide survey conducted in Illinois -- Scott B. Gibson certified by his peers to be included in the top one percent of lawyers in Illinois. Scott B. Gibson was invited to be included as a personal injury specialist in the guidebook. (1996)

Million Dollar Advocates Forum, Member: Scott B. Gibson was invited to become a member of the national organization that restricts membership only to principal attorneys who have successfully resolved a personal injury case with damages in excess of One Million Dollars in present cash value. (1999)

Illinois Super Lawyers: Scott B. Gibson certified by his peers to be included in the top five percent of lawyers who specialize in personal injury law in the State of Illinois (2005)

Multi-Million Dollar Advocates Forum Member: Scott B. Gibson was invited to become an inaugural member of the national organization that restricts membership only to personal injury attorneys who have successfully resolved personal injury cases with damages totaling multiple millions of dollars in present cash value – less than one percent of all U.S. attorneys are invited for such membership. (2007)

The American Trial Lawyers Association: Scott B. Gibson was nominated and accepted into the legal organization that certifies the top 100 trial lawyers in the State of Illinois. (2008)

Elite Lawyers of America: Scott B. Gibson was nominated and accepted into this legal organization that restricts membership only to personal injury attorneys who have successfully resolved multiple personal injury cases with damages exceeding \$2,000,000. (2011)

PROFESSIONAL ASSOCIATIONS:

Illinois State Bar Association, 1982 - 1983, 1987 - present
Illinois Trial Lawyer's Association, 1987 - present
Lake County Bar Association, 1987 - present
American Inns of Court, Lincoln Inn, Waukegan, Illinois, 1989 - 1997
Chicago Bar Association, 1991 – present
American Trial Lawyers' Association n/k/a American Association of Justice, 1986 - 1987, 1993 - present
Illinois Bar Foundation Member, 1993 - present
American Association of Justice Professional Negligence Section, 1994 – present
American Association of Justice Motor Vehicle and Premises Liability Section Committee, 1995 – present
American Association of Justice Products Liability Section Committee, 2003 – present
American Association of Justice Leaders' Forum, 2005 - 2008
Lake County Trial Lawyers' Association, 1994 - present
The National Registry of Who's Who: Accepted as a life member (1999)
Roscoe Pound Society, 2000 – present
Illinois Scottish Law Society, 2001 – present
Trial Lawyers for Public Justice, 2005 – present
Lake County Association of Women Attorneys, 2005 - present
American Constitution Society for Law and Policy, 2008 - present

LEGAL OFFICES AND COMMITTEES

Illinois Trial Lawyers Association Committee on New Membership, 1988 – 2000

Illinois State Bar Association, elected Assembly Member, 1989 - 1994

Illinois State Bar Association, Tort Section, 1989 – 1993; 1997 – 2000

Illinois State Bar Association, Tort Section, Chairman of Subcommittee on Liens and Statutory Disbursements, 1991 - 1993

Illinois State Bar Association, Tort Section, co-chair of Subcommittee on Legislative Affairs, 1991 - 1993

Chicago Bar Association Tort Practice Committee, 1993 - 1994

Lake County Child Advocacy Center, Treasurer, and Founding Board Member, 1987 - 1989

Lake County Volunteer Legal Program, one of the pro bono attorneys, 1987 - present

Lake County State's Attorney Alumni Association, Vice President, 1987 - present

University of Dubuque (Dubuque, Iowa), Pre-Law Committee, 1992 - present

Lake County Bar Association, Judicial Selection and Retention Committee, 1996 - 2006

Lake County Bar Association Civil Trial Committee, 1989 - present

Lake County Bar Association Legal-Medical Committee, 1994 - present

Illinois State Bar Association, Tort Section, appointed co-liaison to the Illinois State Bar and its legislative leaders regarding all proposed and pending Illinois State and Federal Legislation, 1998 - 2000

Lake County Bar Association Civil Trial and Appeal Committee -- Chairman of the Committee for 1998 – 1999, 1999 – 2000, 2000 – 2001, 2001 – 2002

Lake County Bar Association Civil Trial and Appeal Committee/Legal Medical Committee
– Chairman of the Committee 2002 – 2003, 2003 – 2004, 2004 – 2005, 2005 – 2006, 2006 - 2007

Lake County Bar Association *Ad Hoc* Judicial Advisory Committee -- Appointment by Chief Judge, The Honorable Henry C. Tonigan, III. 1999

Lake County Judicial Civil Alternative Dispute *Ad Hoc* Committee – 2000

Lake County Bar Association Officer Nominating Committee -- 2001

Lake County Bar Association Membership Committee 2003 – present

Lake County Bar Association Judicial Selection & Retention Subcommittee Chair to analyze, update, and rewrite complete set of new rules, regulations, and standards for the committee and judicial candidates, 2005 – 2006

Lake County Bar Association Long Range Planning Committee – 2006 – Review, Revise, Assess, and Rewrite the Lake County Bar Association’s Strategic Plan for 2006 – 2008

Lake County Bar Association, Second Vice President, 2007 – 2008

Lake County Bar Association, First Vice President, 2008 – 2009

Lake County Bar Association Unanimous Election as President, 5/2008 for 2009-2010 Term

Lake County Bar Association Executive Board, 2006 – 2007, 2008 – 2009, 2009 – 2010, 2010 - 2011

Lake County Bar Association President, 2009 – 2010

Lake County Bar Association Immediate Past President, 2010 – 2011

Lake County Bar Association Executive Board Chairman of Revenue Committee, 2010 – 2011

Lake County Bar Association Chairman of the officer and Board Nominating Committee – 2011;

Lake County Bar Association Chairman of the By-Laws Review Committee – 2011;

Lake County Bar Foundation: President 2011 – 2012.

PUBLICATIONS/PRESENTATIONS/LEGISLATIVE WORK

Lake County State's Attorney's Office (1986): Wrote, produced, and presented the first training materials video with Victim Counselor Laura Notson regarding child victims of sexual assault/Child Advocacy Center policies - disseminated statewide.

Tort Trends, Illinois State Bar Association, Volume 27, No. 9, "Negligent and Intentional Infliction of Emotional Distress - Supreme Court Abolishes Physical Impact Rule" (Autumn 1991)

Illinois Trial Lawyers Association - Automobile Trial Demonstration Seminar (10/14/91) - Opening Statement, Presentation and Demonstration.

Illinois State Bar Association - Insurance Law Seminar - Subrogation and Medical Bill Reimbursement (06/26/92)

Northwest Bar Association - Civil Practice Seminar - Law and Strategy of Medical Bill Evidence (03/13/93)

Illinois State Bar Association - Recreational Law Seminar - Boating Liability Law (04/30/93)

Illinois State Legislature House Bill No. 1628, "Medical Bill Subrogation and Creation of the Fund Bill" (Primary Author - Spring Session 1993)

Tort Trends, Illinois State Bar Association, Volume 28, No. 6, "When is a Plaintiff Barred from Pursuing a Claim for Common-Law Damages Against a Physician due to the Workers' Compensation Act?" (June 1993)

Illinois State Bar Association - Personal Injury Hot Tips Seminar - "Motorcycle and Bicycle Injuries from the Plaintiff's Perspective" (11/11/93)

Chicago Tribune Report (05/26/94): "Doctors, Lawyers Make Friendly Before Things Turn Ugly" - News report of Scott B. Gibson's selection as the first plaintiff's personal injury/malpractice lawyer granted permission by the Lake County Medical Society to be personally present, gowned, and observe multiple surgeries over a three-day period at various Lake County hospitals.

Illinois State Bar Association - "Subrogation and Other Lien Interests" at The Annual Meeting - Fees for Collection of Subrogation and Other Lien Interests (06/24/94)

Lake County Bar Association Legal/Medical Seminar - "Proving Causality and Reasonably Certain Future Damages" (11/16/94)

Professional Negligence Law Reporter, Volume 9, No. 9, "Failure to Diagnose, Treat Deep Vein Thrombosis: Nursing Home Reform Act Violations: Wrongful Death: Structured Settlement" (November 1994)

Plaintiff's Expert Witness - Testimony at the Jury Trial of *Stanimirovic v. American Family Insurance Co.*, Lake County, Illinois (Spring 1995)

Lake County Bar Association Civil Practice Seminar - "Overview of Governmental Tort Immunities with Special Emphasis on School Tort Immunity" (May 1997)

Chicago Access Network - "Eye on Illinois Law T.V. Program" - 1 of 4 Expert Panelists Discussing Personal Injury Law and How it Applies to the General Public (Taped in August, 1997 – Broadcasted over Chicago and Illinois State Public Broadcasting Stations in October 1997)

Tort Trends, Illinois State Bar Association, Volume 33, Number 3 - "Illinois Appellate Court Grants Absolute Immunity for Willful and Wanton Misconduct in Illinois Schools - Petition for Leave to Appeal Granted" (February 1998)

Pioneer Press, Lake Forester Magazine - "Safety and Liability" Letter to the Editor (February 26, 1998)

Illinois Bar Association - Litigating Personal Injury Cases: Recent Decisions Including *Best v. Taylor*, Downstate Seminar - "Municipal Liability - Overview of Governmental Tort Immunities Including School Tort Immunity for Personal Injury Claims" (February 28, 1998)

Trial Magazine, 41 Law Reporter 150 (May 1998): "Carpenter Falls From Scaffolding: Failure to Provide Safe Scaffolding: Knee Injury: Structured Settlement" - Report of Resolution of *Banser v. Schal*, Cook County Court 93 L 10087

Illinois State Bar Association Annual Meeting - Tort Law Update Seminar: "Municipal Law Update" (June 19, 1998, St. Louis, MO)

Illinois Supreme Court, Briefs and Oral Argument on May 19, 1998 in *Henrich v. Libertyville High School*, 186 Ill.2d 381, 702 N.E.2d 298, 238 Ill.Dec.576 (Supreme Court 1999)

Bureau of National Affairs -- Toxic Torts, Volume 13, Number 28, Pages 871-872 -- "Occupational Exposure -- Hydrofluoric Acid -- Ten Days Before Trial, Maker Settled Suit by Burned Youth for 1.85 Million Dollars" -- Report of *Mason v. National Interchem*, Cook County Court, 94 L 5680 (12/09/98)

"Verdicts, Settlements, and Tactics -- A Personal Injury Litigation Reporter", Volume 19, No. 1, (January 1999): 1.85 Million Dollar Settlement in Suit Arises from Inadequate Warnings on Industrial Cleaner -- Report of *Mason v. National Interchem*, Cook County, Illinois, 94 L 5680

Products Liability Law Reporter, Volume 18, Number 2, (March 1999):

"Hydrofluoric Acid Cleaner Worker Splashed: Inadequate Skin Cleansing Instructions: Chemical Burns: Structured Settlement" -- Report of *Mason v. National Interchem*, Cook County, Illinois, 94 L 5680.

Tort Trends, Illinois State Bar Association, Volume 34, Number 4 (May 1999): "The Illinois Supreme Court Grants Additional Municipality Immunity; However, More Questions are Raised Than Answered"

Lake County Bar Association -- Civil Trial and Appeal Committee Practice Seminar: Moderator, Scott B. Gibson, Chairman of the Committee -- Organized and Moderated the Annual Civil Trial Bar Practice Seminar (May 1999; May 2000; May 2001; May 2002; May 2003; May 2004; May 2005; May 2006; May 2007)

Lake County Bar Association – Civil Trial and Appeal Committee Practice Seminar: “Medical Malpractice Tips” (May 2000)

Tort Trends, Illinois State Bar Association, Volume 37, Number 1 (September 2001): “Governmental Tort Immunity – Willful and Wanton Misconduct Claims are Reinstated by the Legislature”

“The Docket” – Monthly Publication of the Lake County Bar Association: Published Monthly Report of the Civil Trial and Appeal Committee and Legal/Medical Committee Minutes, 1999 – 2007

“The Docket”, Volume IX, No. 2 (February 2002): “Supreme Court Rule 213 Expert and Opinion Discovery Rules – It Looks Like They’re Changing Again”

"Verdicts, Settlements, and Tactics -- A Personal Injury Litigation Reporter", Volume 22, No. 1, (January 2002): “\$2,050,000.00 Settlement in Suit Arising From Emergency Room Physician’s Failure to Diagnose Skull Fracture,” Report of *Andrews v. Northern Illinois Emergency Physicians and St. Therese Hospital*, Lake County, Illinois 99 L 378

“Professional Negligence Law Reporter”, Volume 17, Number 3 (April 2002): “Emergency Medicine: Negligent Treatment of Assault Victim: Failure to Timely Diagnose Severe Skull Fracture: Brain Damage: Settlement.”

Lake County Bar Association Civil Trial & Appeal Committee – Legal/Medical Committee Annual Seminar – “Finding and Selecting Expert Witnesses” (May 2002)

“Medical Malpractice – Verdicts, Settlements and Experts – the Nation’s Only Malpractice Jury Verdict Reporter”, Volume 18, No. 5 (May 2002) “Failure to Accurately Diagnose Brain Injury in Emergency Room Following Physical Assault – Mental Confusion and Disorientation Wrongly Assumed to be Tied to Long-term Mental Disorder – \$2,050,000.00 Settlement in Illinois – Report of *Andrews v. St. Therese Hospital, et al.*, Lake County, Illinois; 99 L 378”

“Medical Malpractice – Verdicts, Settlements and Experts – the Nation’s Only Malpractice Jury Verdict Reporter”, Volume 19, No. 11 (November 2003) “Failure to Appropriately Monitor Mother and Infant During Final Stage of Labor – Mother Suffered Seizures – Infant Suffers Oxygen Deprivation -- \$1.4 Million Dollar Settlement in Illinois.” – Report of *Moses v. St. Therese Hospital, et al.*, Lake County, Illinois; 99 L 459

“Verdicts, Settlements, and Tactics”, Volume 23, No. 10 (October 2003): “\$1,400,000.00 Settlement in Suit Arising From Birth Injuries.” --Report of *Isaiah Pitts-Moses, a minor v. St. Therese Hospital*, Lake County, Illinois; No. 99 L 459.

Professional Negligence Reporter (ATLA), Volume 20, Page 67 (5/2005): “Federal Tort Claims Act: Negligent Laparoscopy: Failure to Correctly Identify Patient’s Hepatic Duct: Clipped Duct: Colostomy: Verdict” – Report of *Dania v. United States*; U.S. District Court, N.D. Illinois, 2/11/2005.

Law Reporter (ATLA) Volume 48, Page 126 (5/2005): “Federal Tort Claims Act: Negligent Laparoscopy: Failure to Correctly Identify Patient’s Hepatic Duct: Clipped Duct: Colostomy: Verdict” – Report of *Dania v. United States*; U.S. District Court, N.D. Illinois, 2/11/2005.

“Verdicts, Settlements, and Tactics,” Volume 25, No. 6 (June 2005): “\$916,162 Verdict in Suit Arising From Gallbladder Removal Procedure” – Report of *Corinne and Jose Dania v. United States Government and Great Lakes Naval Hospital*, Northern District of Illinois, No. 03-C-312.

“Medical Malpractice – Verdicts, Settlements, and Experts – The Nation’s Largest Malpractice Jury Verdict Reporter,” Volume 21, No. 11 (November 2005) “Hepatic Duct Clipped During Gall Bladder Removal – Complications Include Year-Long Colostomy - \$916,162 Illinois Verdict” – Report of *Dania v. Great Lakes Naval Hospital, United States of America*, U.S. District Court, Northern District of Illinois, 03-C-312

Defendant Insurance Company's Expert Consulting Witness – “Plaintiff Attorney's Expert Opinion” Assessing Potential Liability of an Insurance Carrier for a Bad Faith Claim Resulting From an Excess Jury Verdict. (Autumn 2005)

“Medical Malpractice – Verdicts, Settlements, and Experts – The Nation's Largest Jury Verdict Reporter,” Volume 22, No. 6 (June 2006): “Failure to Properly Care for Elderly Woman Following Knee Replacement – Knee Buckles During Transfer to Toilet – Patellar Tendon Tear With Additional Surgery Required – Braces Not Properly Applied After Surgery – Repair Surgery Failed – Woman Requires Transfer Assistance at All Times -- \$400,000 Illinois Settlement” Lake County, Illinois, 04 L 188

Illinois State Bar Association Annual Meeting – General Practice Section Annual Seminar: “Trial Tactics Based Upon Lessons Learned” (June 16, 2006 – Lake Geneva, Wisconsin)

Law Reporter (ATLA), Volume 49, No. 7 (September 2006): “Turning Motorcyclist Struck by Car: Failure to Yield Right-of-Way: UIM Coverage Issue: Crushed Ankle: Judgment: Settlement” – Judgment and Settlements Totaling \$1,050,000 -- Report of *Kubicek v. Farmers Insurance Company*, Lake County, Illinois, 04 MR 809

“Verdicts, Settlements and Tactics – A Personal Injury Litigation Reporter,” Volume 27, No. 6 (June 2007): \$1,100,000 Settlement Arising From Injuries Sustained By Skateboarder Who Held Onto SUV – Report of *Svec v. Nudel*, Lake County, Illinois, 07 L 116

“Medical Malpractice – Verdicts, Settlements, and Experts – The Nation's Largest Jury Verdict Reporter,” Volume 23, No. 11 (November 2007): “Disabled Adult in Community-Based Housing Develops Severe Pressure Wounds – Surgery and Extended Hospitalizations Required - \$400,000 Illinois Settlement” Lake County, Illinois 03 L 469

“Verdicts, Settlements, and Tactics,” Volume 28, No. 12 (December 2008): “\$750,000 Settlement in Suit Alleging Negligence in Treating Patient With Kidney Disease.” Report of *Florio v. Northern Lake Medical, Ltd.*, Lake County, Illinois 06 L 76

Lake County Bar Association Family Law Committee Annual Seminar – Puerto Vallarta, Mexico: Invited speaker to present a paper and trial techniques speech entitled, “The Art and Science of Cross-Examining the Opposing Expert at Deposition and Trial” (February 2009)

Lake County Bar Association Peoples Law School – College of Lake County: “Personal Injury Law” (2/24/09)

“The Docket” Volume 16, No. 2 (February 2009) – Lake County Bar Association Monthly Magazine: “Ready, Set, Goedecke... *Ready v. United/Goedecke*, The Illinois Supreme Court Rolls Out the Latest Model of Illinois Verdict Form”

Lake Forest CROYA Organization: “Illinois Alcohol Responsibility Act – Questions Asked and Answered (5/14/09)

Lake Forest – Pioneer Press: Article regarding Illinois Civil Law and the Illinois Alcohol Responsibility Act (5/14/09)

Gurnee Rotary Club: Invited guest speaker to present a “Global View of Personal Injury Law” (June 2009)

Lake County Bar Association Criminal Law Committee Annual Seminar – Milwaukee, Wisconsin: Invited speaker to present a paper and speak regarding “Domestic Violence and Sexual Assault Cases – Civil Law Considerations” (September 2009)

“LEADS” – Invited speaker at Lake Forest High School’s annual panel presentation to parents and students – Civil Liability for Parents Under the Illinois Alcohol Responsibility Act (November 2009)

“The Docket” Vol.16, No. 11 (November 2009) – Lake County Bar Association Monthly Magazine: “Domestic Violence and Sexual Assault Cases – Civil Law Considerations”

Lake County Bar Association Family Law Committee Annual Seminar – Memphis, Tennessee: Invited speaker to present a paper and speak regarding “Depositions – Do’s and Don’ts to Make ‘Em Count” (April 2010)

“The Docket” Volume 17, No. 5 (June 2010) – Lake County Bar Association Monthly Magazine: “Depositions: Do’s and Don’ts to Make Them Count”

“Verdicts, Settlements and Tactics – A Personal Injury Litigation Reporter,” Volume 30, No. 6 (June 2010): \$1,000,000 Settlement In Suit Arising From Patents Death From Pulmonary Embolism – Report of *Anonymous v. Anonymous*, Lake County, Illinois, 07 L 236

“Medical Malpractice – Verdicts, Settlements, and Experts – The Nation’s Largest Jury Verdict Reporter,” Volume 26, No. 7 (June 2010): “Failure to Diagnose Pulmonary Embolism - Death - \$1,000,000 Settlement with Cardiologist in Illinois” Report of *Anonymous v. Anonymous*, Lake County, Illinois, 07 L 236

“Chicago Daily Law Bulletin – Court Briefs” Report of Products Liability lawsuit of Calbow v. Supervalu, Inc., 11 L 3654 (April 2011)