

WELCOME TO  
**HOEY & FARINA**

*A PROFESSIONAL CORPORATION*



Suffering a serious injury or wrongful death due to the negligence of a person, employer or company can have life long consequences for both you and your family. That is why selecting the best personal injury lawyer is such an important decision.

Each personal injury lawyer at Hoey & Farina is dedicated to representing individuals and family members who have suffered a serious injury or wrongful death due to a train accident, a car accident, medical malpractice or other serious accident throughout the United States.

Hoey & Farina will provide you and your family with answers, compassionate service, expert legal representation and the results you need and deserve. We are here for you 24 hours a day for your free consultation, and throughout your entire serious injury or wrongful death claim.

542 South Dearborn Street  
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# **HOEY & FARINA**

*A PROFESSIONAL CORPORATION*

## **PERSONAL SERVICE / DYNAMIC RESULTS!**

### **PRACTICE LIMITED TO SERIOUS PERSONAL INJURY CLAIMS & LITIGATION**

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Railroad Injuries

Trucking Injuries

Motor Vehicle Injuries

Construction Injuries

Medical Malpractice

Medication Side Effects

Wrongful Death

Airline Injuries

Maritime / Offshore Injuries

Defective & Dangerous Products

## **WE'RE HERE WHEN YOU NEED US!**

Hoey & Farina has earned the reputation as one of the country's best personal injury law firms. We are known for our aggressive team of litigators and support staff that provides knowledge and experience to meet the needs of seriously injured persons and their families.

If you or a family member have been seriously injured, you will have to protect your rights against a large insurance company that has an entire force of lawyers, paralegals and investigators.

Our firm understands that you, too, need your own team! At Hoey & Farina you will be assigned your own team of attorneys, paralegals, legal assistants and investigators. You will have the benefit of our entire staff's years of experience on your side.

At Hoey & Farina, all your questions will be answered and your concerns addressed. A member of your team will be available twenty-four hours a day, seven days a week.

We know the best way to represent you and your family is to be prepared to take your case to trial. Our entire firm will work hard for you as we concentrate on various aspects of your case to protect your rights and obtain the results you are entitled to.

We understand how a serious personal injury due to someone's negligence can have life long consequences for the injured person and their family. Accordingly, Hoey & Farina's focus is to protect your rights under the various State and Federal laws and to obtain for you the highest possible monetary recovery.

You can rely on us for legal counsel without worrying about payment. We are compensated only when we collect a settlement or verdict on your behalf.

Our team approach, experience and focus positions Hoey & Farina to be the best solution for you and your family.

**WE WORK HARD TO GET YOU  
THE RESULTS YOU NEED AND DESERVE!**

## **SPECIALIZED SERVICES**

When an individual is seriously or fatally injured, it is catastrophic to the family. We believe that every personal injury is not one person's medical and legal problem, but an emergency that affects the needs and emotions of the entire family. Thus, we have developed specialized services to help you and your family.

### **PERSONAL & FAMILY COUNSELING**

A serious personal injury or death in the family causes extreme emotional distress and changes for all family members. We can assist you in finding professional counselors committed to addressing both your short-term and long-term mental health needs.

### **ACCESSIBILITY**

The most stressful time is immediately after you are injured. We are available within hours to meet with you and your family to answer questions and provide support. You will be given telephone numbers so that you can always reach a member of our team.

### **HEALTH CARE PROVIDERS**

We can assist you in finding the best physicians, physical therapists and medical facilities throughout the country.

### **REFERRALS**

If you or a family member has a legal problem not involving a personal injury, we will assist you in retaining an attorney specializing in the appropriate field of law.

### **SE HABLA ESPAÑOL**

Our bi-lingual paralegals will work with you, if necessary, throughout all aspects of your case.

## **RAILROAD UNION DESIGNATED**

Hoey & Farina has the privilege of being Designated Legal Counsel for railroad unions and representing seriously injured railroad workers under the Federal Employers' Liability Act (FELA). Under the FELA, a railroader is not entitled to recover damages from the railroad for an injury merely because of an on-duty injury. The railroader must prove the railroad was negligent. Our firm knows the importance of communicating with railroaders and their families – before an injury ever happens – and provides free: email newsletters - *Straight Track*, Family and Advocacy Seminars, and DVDs – “Don’t Get Railroaded.”



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## **MEET OUR TEAM**

**"NO ONE WHO HAS SUFFERED SERIOUS PERSONAL INJURIES OR THE WRONGFUL DEATH OF A LOVED ONE SHOULD HAVE TO GO IT ALONE. THAT'S WHY HOEY & FARINA PROVIDES OUR CLIENTS WITH A CARING AND EXPERIENCED TEAM."**

*James L. Farina*

## **HOEY & FARINA**

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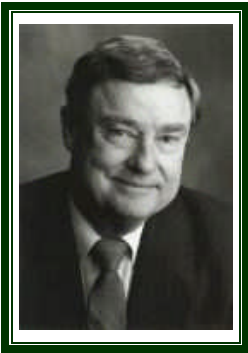
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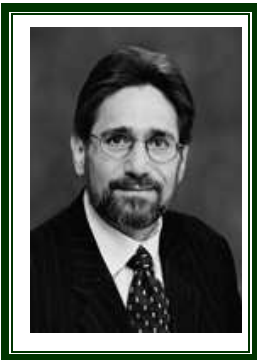
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James L. Farina began his professional career as a trial attorney in 1979, and since 1980 has limited his practice to representing seriously injured persons. Jim has successfully represented catastrophically injured persons in products liability, medical malpractice and transportation litigation. He has obtained record and near record verdicts for the firm's clients including many seven figure awards in both State and Federal Courts throughout the country. Jim is Designated Legal Counsel for the United Transportation Union, the Brotherhood of Locomotive Engineers and Trainmen, and the Transportation Communications Union, and is a member of the Academy of Rail Labor Attorneys, American Association for Justice and Illinois Trial Lawyers Association. Since 2005, he has repeatedly been recognized as an Illinois Super Lawyer. Education: Illinois State University - B.S. (Phi Eta Sigma Honorary Society) / IIT Chicago-Kent College of Law - J.D. with Honors



Frank E. Van Bree began his railroad legal career on the former Monon Railroad in 1963. After that railroad merged into the Louisville & Nashville Railroad in 1971, Frank was in charge of FELA and tort litigation for the L&N until 1978. Since 1978, he has practiced exclusively as plaintiff's counsel in the area of FELA litigation and claims. Frank became Of Counsel to Hoey & Farina in 1993. Frank is licensed to practice law in Illinois, Indiana and Kentucky. Frank has also been admitted to practice before the U.S. Supreme Court and a number of U.S. Appellate and District Courts throughout the United States. Education: Loyola University of Chicago - J.D.

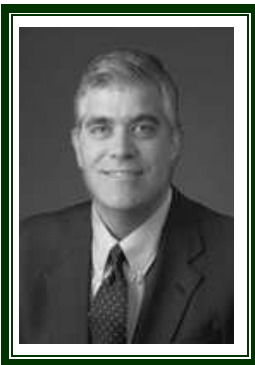


Steven P. Garmisa joined the firm in 2002. Steve handles appeals and some of the more complicated Trial Court disputes for members of the Team at Hoey & Farina. After graduating with high honors from Chicago-Kent College of Law in 1979, Steve worked as a Law Clerk for a justice on the Illinois Appellate Court, and taught at John Marshall Law School. In more than a quarter century of practicing law, Steve has handled numerous appeals and has written hundreds of articles on legal developments. Steve's articles have appeared in the *Illinois State Bar Journal*, *Chicago Daily Law Bulletin*, *Chicago Sun-Times*, and *Daily Southtown*. Currently, Steve is the page one, daily columnist for the *Chicago Daily Law Bulletin*. He was recognized as an Illinois Super Lawyer in 2009 and 2010. Education: University of Illinois at Urbana - Champaign - B.A. / IIT Chicago-Kent College of Law - J.D. with High Honors



Alan J. Fisher joined the firm in 1996. Alan began his law career working for a major railroad in Chicago in 1980. He also worked for two major Chicago law firms as a labor attorney before starting his own practice in 1986. Alan has served as a state and federal arbitrator and mediator. He resolved more than 700 labor disputes concerning contract and discipline issues, and presided over numerous arbitration panels in various industries throughout the United States. Alan has lectured nationally on arbitration advocacy skills and has conducted numerous seminars concerning the FELA and arbitration issues. He is Designated Legal Counsel for the International Brotherhood of Electrical Workers. Alan is a member of the Academy of Rail Labor Attorneys.

Education: University of Notre Dame - B.A.; M.B.A. / Cleveland State University - J.D.



George T. Brugess joined the firm in 1996. Before joining our firm, George was general attorney for the CN&W Railroad in Chicago where his responsibilities included litigating high profile railroad accident cases and occupational illness cases. For the last 25 years, he has successfully litigated railroad cases to jury verdict in State and Federal courts throughout the country. George is considered one of the country's leading trial and appellate attorneys on FELA claims concerning the Safety Appliance Act and the Federal Locomotive Inspection Act. Education: University of Illinois - B.A. / DePaul University - J.D.



Richard A. Haydu joined the firm in 1997. Rick began his legal career in 1981. He has supervised the case management of a national network of FELA attorneys at a major railroad in Chicago and has handled all aspects of railroad litigation. His expertise provides a thorough knowledge of railroad claims handling and procedures. Rick has litigated FELA claims and transportation accidents, in both State and Federal Court, throughout the United States. Education: Marquette University - B.A. / Loyola University of Chicago - J.D.



Craig W. Church joined the firm in 2001. Craig brought to the firm a unique perspective having worked for major Chicago insurance defense law firms. He began his legal career in 1986 as an Assistant Illinois Attorney General. Since 1989, Craig has concentrated his practice in personal injury and professional liability litigation. He has litigated personal injury cases involving FELA claims, wrongful death, products liability, defective premises, construction accidents, medical malpractice and transportation accidents. Education: University of Illinois - B.S. with Honors, Alpha Lambda Delta and Phi Eta Sigma Honoraries / IIT Chicago-Kent College of Law - J.D.



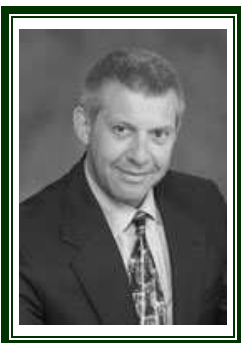
William J. McMahon began his professional career as a trial attorney with Hoey & Farina, where he also worked as a law clerk throughout law school. Bill has tried numerous FELA cases to successful jury verdicts in State and Federal Courts throughout the United States. He represents seriously injured persons in FELA, transportation, medical malpractice and premises liability litigation. Bill obtained a record seven figure verdict in Federal Court in Michigan. Both of Bill's grandfathers were career railroaders, one of whom was catastrophically injured on the job. Education: St. John's College - B.A. / Monterey Institute of International Studies - M.A. / DePaul University College of Law - J.D.



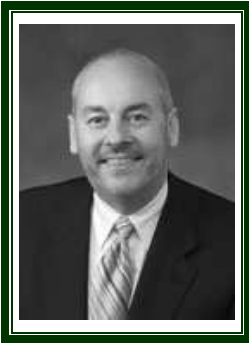
Raymond Keane joined the firm in 2004. Ray brings to the firm both extensive railroad experience and a unique railroader's perspective. In 1979, he began working for the former Illinois Central Railroad as a Switchman. Ray also worked in the various departments of the railroad as a Welder, Electrician, Conductor and Locomotive Engineer. He was introduced to Hoey & Farina when he retained our firm to represent him in an FELA claim for an on-the-job injury. During that time, Ray returned to school and earned his Juris Doctorate. Education: St. Xavier University - B.A. / Thomas M. Cooley Law School - J.D.



Kristen E. Lukaszak joined the firm in 2009. Prior to joining Hoey & Farina, she worked as a law clerk for the Cook County State's Attorney's Office, Felony Trial Division, and as an attorney in commercial litigation. While in law school, Kristen completed intensive trial advocacy training and studied in Madrid, Spain. Kristen has assisted in trying a case to verdict since joining Hoey & Farina, returning our client over four times what the defendant offered. She is actively involved with the Young Professionals Board of the Legal Assistance Foundation and with the Associate Board of the Emergency Fund. Kristen is fluent in Spanish. Education: University of Illinois at Urbana-Champaign - B.S. with Honors / Chicago-Kent College of Law - J.D. (*Dean's Distinguished Public Service Award*)



Gary F. Babiarez, Chief Investigator, joined the firm in 1995. Gary has been a yardman since 1973. As a member of UTU Local 1421, he held continuous union office from 1976 to 2006, including the positions of Local Chairman, Vice General Chairman and General Chairman. Gary has also served as Legislative Representative and Delegate to the UTU National Conventions. His work experience and union expertise provides valuable insight into rail operations, on-site inspections, railroad benefits matters, disciplinary hearings/investigations, arbitration matters, and scheduled work rules and agreements.



John P. Grob, Investigator, joined the firm in 1998. John started his railroad career in 1976 as a Trainman for the Chicago & Northwestern Railroad. From 1976 until 1991, he worked as a Carman. John has held seniority as both a Trainman and a Carman. He served as a Transportation Communications Union officer for over 12 years until 1991. John has over 16 years experience as an investigator. His work and union experience provides helpful insight into both operating and non-operating craft agreements. John is very familiar with all aspects of disability benefits and pension matters. He works closely with the Railroad Retirement Board and provides injured railroaders and their families with invaluable assistance with these matters.



Ron Pasquarella, Investigator, brings extensive experience to Hoey & Farina. After serving two tours of duty in Vietnam in the U.S. Army, Ron started his railroad career as a trackman with the Indiana Harbor Belt Railroad in 1966. He worked as a machinist from 1970 to 1976, and then as a locomotive engineer until his retirement in 2007. As a member of BLET Division 682, Ron held union office from 1982 to 2007, including the positions of Secretary / Treasurer, Local Chairman and General Chairman. Ron's work and union experience provides an in-depth knowledge of work rules and agreements, investigations procedures, railroaders' rights under the FELA and investigation of construction site accidents.



Cindy Stahler, Office Manager, has been with the firm since 1985. Cindy's background as a receptionist, legal secretary and paralegal has given her a thorough understanding of the firm. She is an integral part of the litigation and support staff, and is always available to assist you and your family. Education: American Institute of Paralegal Studies-Paralegal Certificate

# **IMPORTANT VERDICTS & SETTLEMENTS**

***“EACH CASE PRESENTS ITS OWN CHALLENGES AND IS PREPARED AS IF IT WERE GOING TO TRIAL. IN THE END, SUCCESS IS ACHIEVED BY HARD WORK AND A COMMITMENT TO OUR CLIENTS.”***

*James L. Farina*

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## **AMPUTATED LEGS (EXTREMITY ROTATIONPLASTY PROCEDURE) AND CRUSH INJURIES (VERDICT)**

A 19 year old railroad conductor sustained massive degloving injuries to his upper thighs and lower abdominal area and fractures to both legs and multiple areas of his pelvis. He underwent amputation surgery to both legs. The railroad violated the federal radio communication rule governing train operations.

Jury awarded Plaintiff \$33,000,000.00 under FELA - failed to provide a safe work place.

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## **CRUSH INJURIES / WRONGFUL DEATH**

A 28 year old divorced mother of two minor children worked as a laborer for Defendant construction contractor along side a self-propelled, pavement milling machine owned and operated by a sub-contractor. Defendants negligently positioned the machine's operator in a blind spot and failed to post lookouts for their laborers. Plaintiff was caught by the treads of the milling machine and suffered fatal crush injuries.

A seven figure confidential settlement of the construction / negligence case provided for lifetime financial security for minor children.

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## **CLOSED HEAD INJURY**

A 44 year old driver of a car stopped on the shoulder of the road to assist another driver. Defendant Driver, in the course of his employment with Defendant Corporations, negligently failed to maintain control of his motor vehicle when he admittedly "likely fell asleep" then crashed into Plaintiff's vehicle. Plaintiff suffered severe injuries, including closed head injuries.

Parties in this motor vehicle accident case entered into a confidential seven figure settlement resulting in substantial, lifetime financial security.

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## **CLOSED HEAD INJURY / NECK INJURIES (VERDICT)**

A 27 year old railroad conductor for Defendant railroad was thrown from a railroad car when a remote control device malfunctioned causing the locomotive to go into full service brake application. Plaintiff suffered an aggravation of a previous neck injury and a closed head injury. The case was tried in the United States District Court, the Western District of Kentucky. Plaintiff and co-workers testified the battery in the remote control device had previously been reported for falling out. Plaintiff's doctors testified that Plaintiff was pain free prior to the date of the accident.

The jury awarded Plaintiff \$2,331,000.00 under FELA – failed to provide a safe work place and proper equipment.

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## WRONGFUL DEATH - MEDICAL MALPRACTICE

A 53 year man went to Defendant hospital for treatment of a lung infection. Defendant performed a spinal tap causing Plaintiff to suffer a seizure and cardiac arrest. Plaintiff suffered catastrophic and permanent brain damage, ultimately resulting in his death one year later. The case was tried in the Circuit Court of Cook County, Illinois. Testimony proved that portions of Plaintiff's charts were both falsified and missing.

Settled prior to jury verdict for \$1,100,000.00.

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## AMPUTATED FINGERS (*VERDICT*)

A Mexican national worked on a cutting machine manufactured and sold by Defendant. Due to a negligent design, the machine was built without proper finger guard and emergency stop button. Plaintiff suffered amputating injuries to three of his fingers. The first trial ended in "not guilty" when Plaintiff was unable to return to the U.S. for trial. During second trial, one juror was arrested for soliciting a bribe from Defendant to fix the case.

Jury awarded Plaintiff \$1,850,000.00 under products liability.

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## HERNIATED DISC INJURY (*VERDICT*)

A 44 year old woman was a **passenger on Defendant Railroad's commuter train**. Defendant's train went through a crossover switch at a high rate of speed and derailed. Plaintiff suffered herniated discs. The case was tried in Circuit Court of Cook County, Illinois.

The jury awarded Plaintiff, commuter rail passenger, \$430,382.00 – **record verdict for artificial disc replacement surgery.**

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## DIPLOPIA (DOUBLE VISION) INJURY

A 57 year old corporate executive driving corporate fleet auto was involved in motor vehicle accident. Plaintiff suffered diplopia (double vision). Corporate insurance carrier refused to pay executive under uninsured motorist policy.

Settlement for Plaintiff of \$1,500,000.00 reached covering lost time and disability.

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## NECK INJURY

A 29 year old seaman worked for Defendant maritime corporation. Defendant failed to provide Plaintiff with a seaworthy vessel and negligently required Plaintiff to lift a railing when mechanical alternatives should have been available. Plaintiff suffered permanent neck injuries.

Seven figure confidential settlement in maritime law case.

### CRUSH INJURIES (VERDICT)

Plaintiffs were part of a Maintenance of Way quality control work group working at Defendant Railroad's yard. Plaintiffs were run over by a ballast regulator. Two Plaintiffs sustained catastrophic crush injuries. One Plaintiff sustained minor physical and psychological trauma injuries. Plaintiffs' case was tried in the U.S. District Court for Western Michigan. Hoey & Farina proved that the backup alarm on the ballast regulator malfunctioned, and the ballast regulator operator failed to look in his direction of travel and work at the required "restricted speed."

Jury awarded Plaintiff 1 \$5,232,000.00, Plaintiff 2 \$2,011,000.00 and Plaintiff 3 (one day loss time) \$20,000.00 under FELA. **Monetary damages awarded to Plaintiff 1 was a jury verdict record in Western Michigan.**

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### DEGENERATIVE SPINE INJURY (VERDICT)

A locomotive engineer for Defendant railroad was exposed to an unreasonable hazard of personal injury due to locomotive unit vibration. As a result, Plaintiff's spine became severely degenerated and required rods and cages to stabilize it. The FELA case was filed in Louisville, Kentucky. Defendant railroad offered \$15,000.00 to settle. Plaintiff and several coworkers testified the Defendant's locomotives had a harder ride and more vibration than locomotives of other railroads. Plaintiff's liability expert testified that the manner of construction and lack of maintenance resulted in the excess vibration.

Jury awarded Plaintiff \$1,390,000.00 under FELA - cumulative trauma / excessive vibration.

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### AMPUTATED ARM (VERDICT)

A switchman attempted to open the knuckle of a box car with the "pin-lifter." When the pin-lifter malfunctioned, he was forced to reach in between cars to open the knuckle manually. At that moment, a car was sent into the track without warning, causing the switchman to be knocked to the ground and resulting in the amputation of his arm.

Jury awarded Plaintiff \$4,201,000.00 under FELA - Safety Appliance Act. Verdict upheld on appeal by U.S. Court of Appeals - 7th Circuit.

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### AMPUTATED LEG (VERDICT)

An engineer dismounted from his locomotive and turned to walk between tracks when a two engine consist operated from the trailing unit suddenly moved without any signal from the conductor. The unit struck the engineer from behind and resulted in the amputation of his leg below the knee.

Jury awarded Plaintiff gross verdict of \$3,750,000.00 under FELA - unauthorized train movement.

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**MULTIPLE INJURIES TO CERVICAL SPINE, SHOULDER, ELBOW AND KNEE (VERDICT)**

A railroad heavy work truck, without its four-wheel drive engaged during treacherous weather, struck a company van transporting a 34 year old engineer. The engineer suffered injuries to his cervical spine, shoulder, elbow and knee which required multiple surgeries to repair. The defendant railroad offered \$400,000 prior to trial.

**Jury awarded Plaintiff \$3,979,686 under FELA - failed to provide a safe work place.**

## **CLIENT TESTIMONIALS**

***"A SERIOUS INJURY IS NOT ONE PERSON'S MEDICAL AND LEGAL PROBLEM, BUT AN EMERGENCY THAT AFFECTS THE ENTIRE FAMILY. HOEY & FARINA'S REPUTATION AS THE BEST PERSONAL INJURY LAW FIRM IS BUILT ON OUR COMMITMENT TO THE NEEDS OF OUR CLIENTS AND THE RESULTS WE ACHIEVE FOR THEM."***

*James L. Farina*

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"My life is heading in such a wonderful direction now that two years ago I didn't think was possible. I credit a lot of that to you and the firm. For doing my worrying for me! Thank you for being such a terrific person and a tremendous attorney."

*Michelle Graber*

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"My case was one that was up for much debate and dragged on more than any case should. My original counsel was not an appointed law firm and I paid dearly for it. No one wanted to touch my case because of all of the damage that had been done by the previous counsel. I was scared that no attorney would be willing to help me and I would lose everything I have worked so hard for. Mr. Farina came in and made the best of a horrible and frightening situation. It still amazes me to this day that he took on my case even though there was no financial gain for him. He is an exceptional attorney and human being. I don't know too many people who are that selfless."

*Daniel Schenk*

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"It has been a very long and hard road. Looking back over the years I wonder how I was able to survive! I would like to thank you for your encouragement and the advice that you gave me. As I go forward I will remember your kindness. Thank for being in my corner."

*Anthony Brown*

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"My entire future is now secure because of your determination, expertise, hard work and more importantly just truly caring about how I spend the rest of my life. I'm not quite sure how to thank someone for everything you have done other than saying thanks for my future, and thanks for making my life as closely as possibly to the way I expected it to be before the injury. I knew I had the best working very hard for me all along, which is sure a nice thing not to worry about when everything else in your life is a worry. Please know that because of you caring I will have a much better future."

*Shawn Brosseau*

"These have been stressful months of physical recovery and many life changes. Your involvement with the N.S. Railroad on our behalf has allowed me to concentrate on the recovery of my health and my family to adjust to the many changes my accident has created. Our settlement money helps to create a retirement income we can enjoy in the future. Thanks again for your care and assistance, your advice and friendship."

*David & Gail McKinnon*

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"I know we haven't talked in a long time, but I still think about you and Jimmy all the time. I wanted you to know that I appreciate everything you have done for me and it HAS NOT been forgotten. I know just about everything I get to enjoy, today as well as in the years to come, in hugely possible because of the time and efforts you and Jimmy spent making sure I wasn't swept under the rug by the railroad. You have improved my quality of life 100% from where it was and well beyond 100% from where it would have been without your intervention. Thank you so much!"

*John McLaughlin*

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"Your law firm and the men & women I dealt with while I was hurt showed me nothing but, courtesy respect & understanding throughout my whole ordeal, and for that I will always be eternally grateful."

*Esther Leuter*

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"We were totally overwhelmed at the time of the accident with the settlement issues and physical recovery needed. The emotional support and legal advice were also significant in helping me move forward to making a complete recovery."

*Peggy Makar*

"I wanted to sincerely thank the law firm of Hoey & Farina for there assistance in being there for me in my time of need when I sustained an injury while working."

*Mac English*

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"From the bottoms of our hearts we sincerely feel we were treated with respect and friendship. Thanks so very much for having such a wonderful law firm!"

*Rich & Janell Rollins*

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"Fred and I would like to thank you and your colleagues for all your time and effort in defending our case. You did a wonderful job leaving no rock unturned."

*Fred and Kim Tyrell*

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"I along with my family I would like to thank you Jim and Rick along with everyone else from Hoey & Farina for all the hard work on my benefit along with the friendship you have shown me."

*Mike Ritchie*

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"Every morning when I get up, I look out our front window at the valley below and think just how very lucky we are to be here. Because of your hard work and real caring for us that this all has come about."

*Don & Diana Brewer*

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"We put all our trust in your firm and felt that we truly had a caring and helping hand every step of the way."

*Teresa Zaborniak*

"It's true they (Hoey & Farina) get paid for taking care of you but who do you know that works for a living that works for nothing. I don't think I could have found a better firm to represent my interests."

*Steve Sine*