



## LINDA J. HAY

Partner

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Linda J. Hay has an unwavering commitment to the defense of professionals from claims of malpractice. Her experience and success defending clients in healthcare, dental, and legal malpractice cases provide an exceptional advantage at every turn.

Ms. Hay's passion for her work is built on a combination of skill, experience, client support, responsiveness, and a penchant for detailed preparation—always. Clients rely on her straightforward approach and calm demeanor in the face of the adversity of litigation. As a trial lawyer, she brings the diligence of an exceptional work ethic to all manner of her clients' cases. Her clients know that whatever the path chosen for an individual case, she'll be there with them to carry it through to a successful result.

Clients appreciate the value Ms. Hay's education and past work experience brings to the defense team. She has spent the entirety of her personal life, as well as her professional life, in Chicago and Cook County.

Ms. Hay's dedication and commitment to her clients and her profession have driven her winning results at every level, through every step of her career.

### PRACTICES

- Dental Malpractice
- Legal Malpractice
- Long-Term Care Malpractice
- Medical & Healthcare Malpractice

### BAR ADMISSIONS

- Illinois
- Illinois Supreme Court
- U.S. Court of Appeals for the 7th Circuit
- U.S. District Courts for the Federal Trial Bar for the
  - Northern District of Illinois
  - Central District of Illinois

### EDUCATION

- University of Illinois Chicago School of Law, J.D., 1986
- University of Illinois-Urbana-Champaign, B.A. in Economics, 1982

## CAREER BACKGROUND

Following law school, she took on a clerkship with the Hon. Thomas E. Hoffman in the Circuit Court of Cook County, Law Division, Motion Call. As law clerk, she ran a busy motion courtroom. Under Judge Hoffman's mentorship, she learned the nuts and bolts of how the Daley Center operated, how advocates fought for their clients, and how, substantively and procedurally, a case advanced through the state court system. From that position, she moved up to the First District Appellate Court, to an appellate clerkship with Hon. William R. Quinlan. Vastly different from her circuit court clerkship, this role honed her research and writing skills, her attention to detail, her respect for the court record, and the nuance of winning written and oral persuasion. From there, Ms. Hay went on to practice as an appellate advocate in her position as an Assistant Attorney General for the State of Illinois.

With that foundation, in January of 1990, she joined a professional liability defense firm in Chicago: Hay & Oldenburg LLC (formerly known as Alholm and Monahan). Ms. Hay went on to become a partner-owner of that certified woman-owned law firm. In October 2016, Hay & Oldenburg joined the Chicago office of HeplerBroom.

## LAW SCHOOL HONORS/ INVOLVEMENT

- Moot Court

## Results

### Representative Trial and Appellate Experience

- U.S. D.C., N. D. Ill., April 2022. Negligence/Personal Injury. Plaintiff claimed negligence against Defendant's retail business when he sustained a soft tissue injury to his foot. Plaintiff alleged injury was caused by Complex Regional Pain Syndrome. Prior to expert disclosure (at a predecessor law firm), Plaintiff made a settlement demand of \$10 Million. Case was transferred to HeplerBroom to try. Just prior to trial, Defendant offered \$300,000 to settle (rejected). At trial, Plaintiff asked jury to award just under \$8 Million. Jury verdict returned for Plaintiff for \$490,000.
- DuPage County, February 2018. Secured complete defense verdict for client, a general dentist. A 19-year-old plaintiff sustained permanent bilateral lingual nerve injury after extraction of wisdom teeth. Asked for \$900,000 at close of jury trial. Verdict for defendant.
- Cook County, January 2018. Secured complete defense victory for client, a periodontist. Plaintiff alleged dental implant was placed

too close to inferior alveolar nerve in lower right jaw and caused permanent pain and numbness to lip and chin. Plaintiff asked for \$2.3 million in damages. Verdict for Defendant.

- Cook County, June 2017. Dental malpractice case alleging failure to properly prepare cosmetic restorations. (Concomitant collection action by dentist against patient for unpaid fees.) Plaintiff asked jury for \$130,000. Verdict for Plaintiff \$9,725 on malpractice action. Verdict in favor of patient on collection action.
- Cook County, May-June 2017. Medical malpractice case alleging failure to diagnose and refer resulting in death from pulmonary embolism of a 54-year-old man. Plaintiff asked jury for \$17 million. Verdict for Defendants.
- Cook County, May 2017. Dental malpractice case alleging failure to properly perform and follow up after third molar extractions. Following procedure, diabetic Plaintiff developed necrotizing fasciitis (flesh-eating disease) in neck and chest. Plaintiff asked jury for \$2.7 million. Verdict for Defendants.
- Will County, April 2014. Legal malpractice case alleging improper preparation of will and trust. Verdict in favor of the Plaintiff for \$200,000. Policy limits offered in 2013, rejected. Later bench trial of Co-defendant in bifurcated case satisfied judgment against lawyer-defendant.
- Cook County, September 2013. Dental malpractice alleging improper removal of impacted wisdom teeth. Verdict for Defendant.
- Cook County, October 2012. Dental malpractice case alleging implants placed by defendant were unrestorable and there was a duty to immediately notify the Plaintiff on the day of the surgery of the suboptimal placement. Verdict for Defendant.
- 2022 Ill. App. 201114 (Ill. App. Ct. 2022). In legal malpractice case, court affirmed Defendant lawyer's grant of summary judgment, finding lawyer met all ethical and professional duties owed to Plaintiff client in underlying divorce proceeding. Court found further that Defendant lawyer did not coerce Plaintiff to forgo discovery or to sign Marital Settlement Agreement. Finally, Court denounced Plaintiff's counsel from attempting, in summary judgment briefing, to seek to obtain expert review under Rule 191(b) since no expert testimony could have cured Plaintiff's own failure to produce any evidence of improper collusion to avoid discovery in underlying divorce proceeding.
- 2007 Ill. App. LEXIS 258 (Ill. App. Ct. 2007). Court affirmed dismissal of legal malpractice case in underlying divorce case on collateral estoppel grounds due to Plaintiff's conflicting sworn testimony in underlying and current cases.
- 1997 WL 527938 (Ill. App. First Dist. August 27, 1997). Appeal and cross-appeal in legal malpractice case on issue of whether trial court properly entered JNOV on punitive damages and intentional infliction of emotional distress, and allowed new trial on remaining underlying claims of defamation and malicious prosecution. Court ruled in Defendants' favor on both appeal and cross-appeal.

MAY 26, 2022

Fowler and Hay Secure Substantially Reduced Plaintiff Verdict

APRIL 3, 2018

Hay and Brandabur Secure Another Defense Verdict in Malpractice Trial

FEBRUARY 8, 2018

Hay and Brandabur Secure Defense Verdict in Malpractice Trial

JUNE 15, 2017

Hay and Wagener Secure Defense Verdict in Medical Malpractice/Long-Term Care Trial

## Honors

### Honors & Awards

- AV Preeminent® Attorney by Martindale-Hubbell
- Illinois Leading Lawyers (2013-2025)
- Illinois Super Lawyers (2005-2014, 2016-2025)
  - Top 50 Female Lawyers in Illinois (2005-2009)
- Distinguished Member Award, Illinois Association of Defense Trial Counsel (2016)
- President's Commendation, Illinois Association of Defense Trial Counsel (2009)
- Chicago Women in Law, *Chicago Lawyer* (2002)
- Defense Star Award, Oral and Maxillofacial Surgeons National Insurance Company, (2002)
- Golden Gavel Designee, National Association of Insurance Women (2002)
- Maggie O'Toole Mentors and Protégées Award, National Association of Insurance Women (1999)

### Professional Associations

#### PAST PROFESSIONAL ASSOCIATIONS

- Association of Defense Trial Attorneys
  - Chair, Webinar Committee (2019-2020)
  - Editor, *The Association Press* (2010-2015)
- Chicagoland Healthcare Risk Management Society
- Defense Research Institute
- Illinois Association of Defense Trial Counsel
  - Editor, *IDC 2017 Survey of Law* (2018)
  - Board of Directors (2005-2009)
  - Co-Chair, Diversity Committee (2007-2009)
  - Editor-in-Chief, *IDC Quarterly* (2005-2006)
  - Chair, Medical Liability Committee (2000-2002)
  - Editorial Staff, *IDC Quarterly* (2002-2005)

- Illinois Association of Healthcare Attorneys
- Medical Professional Liability Association

## Insights

### Events & Speaking Engagements

- "Open to Close: Playbook for Defending a Lawsuit," Illinois Association of Defense Trial Counsel (Chicago IL, 2023).
- "Top 10 Tips for Preventing and Handling Dental Malpractice Claims," (Chicago IL, 2023).
- "Risk, Malpractice, and Related Matters," Chicago Dental Society, New Dentist Event (Wheeling IL, 2022).
- "A Brave New World: Business Development Post COVID," Moderator, Association of Defense Trial Attorneys Webinar (2022).
- "Tales from the Front: Dental Malpractice Post COVID," Medical Professional Liability Association, Dental Workshop (2021).
- "Risk Management: Clarity for a Successful Outcome," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2021)
- "Anatomy of a Malpractice Claim," CADR (Evanston IL, 2020).
- "Pain and Perception: Reducing Nerve Injury Risk," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2020).
- "Risk Management Out of the Gate: Using Engagement Letters to Minimize Risk," Moderator, Association of Defense Trial Attorneys Webinar (2020).
- "Safe Surfing in the Digital Treasure Trove," Medical Professional Liability Association, Autumn Workshop (2020).
- "Mental Health and Lawyers in the Time of COVID," Moderator, Association of Defense Trial Attorneys Webinar (2020).
- "Legalities in the Dental Practice," (Knoxville TN, 2019).
- "Dress Rehearsal: Preparations Beyond the Law and Evidence," Association of Defense Trial Attorneys Webinar (2019).
- "The Theatre of the Courtroom," Defense Research Institute, Trial Skills Series (2019).
- "Anatomy of a Malpractice Claim," McHenry/Kane County Medical Society (Algonquin IL, 2019).
- "Pain and Perception: Reducing Nerve Injury Risks," New Jersey Dental Association (North Brunswick NJ, 2019).
- "Caution + Control: Reducing Employment Liability," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2017).
- "Estates, Trusts and Probate Lawyers' Liability and What May Market Do in Response?" ACI Legal Malpractice Conference (New York 2016).

- "Peer Review: Accomplishing the Goal," Chicago Dental Society (Oak Brook IL, 2016).
- "Beyond the Science: Patient Emotions in Dentistry," Chicago Dental Society, Midwinter Meeting (Chicago IL, 2015).

NOVEMBER 13, 2025 | SPEAKING ENGAGEMENT

Hay Helps Florida Dentists Learn how to Defend Against Malpractice Claims

## Blog Posts

JULY 24, 2019 | BLOG

Healthcare Practitioners: Anatomy of an IDFPR Complaint