



KURT M. KOEPKE

Attorney of Counsel

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Kurt M. Koepke is a litigation attorney who is known for his no-nonsense approach to litigation. He has tried over 150 jury trials to verdict. Additionally, many of his cases have proceeded to the Illinois Appellate and Supreme Courts establishing extensive legal precedent.

His defense of civil litigation matters has focused on:

- Personal injury
- Casualty
- Construction defect
- Professional liability
- Long-term care litigation
- General liability matters
- Workers' compensation
- First-party claims
- Uninsured/underinsured claims
- Alternative dispute resolution

PRACTICES

Alternative Dispute Resolution
Construction
First-Party Coverage
Insurance Services
Long-Term Care Malpractice
Motor Vehicle Accidents
Professional Liability
Trucking & Transportation
Workers' Compensation

BAR ADMISSIONS

- Illinois
- U.S. Supreme Court
- U.S. District Court for the Central District of Illinois

EDUCATION

- Southern Illinois University School of Law, J.D., 1988
- Western Illinois University, B.A. in Political Science,

Results

Illinois Supreme Court Decisions

Bubb v. Springfield School District, 167 Ill 2d 372, 657 N.E. 2d 887 (1995). Plaintiff filed suit against defendant school district when she fell off her bicycle on school grounds, fracturing her arm. The area had been used as a “play site.” The Supreme Court accepted the defendant’s position that the school property at issue fell within the statutory immunity and dismissed the plaintiff’s claim against the school district. As a matter of first impression, the Supreme Court held that the statutory recreational immunity standard, as stated in the Local Governmental and Governmental Employees Tort Immunity Act, applied if the property was intended or permitted to be used for recreational purposes, regardless of its primary purpose.

Webster v. Hartman, 195 Ill 2d 426, 749 N.E. 2d 958 (2001). Supreme Court affirmed an Order granting defendant’s Motion to Enforce Settlement. Plaintiff and defendant had been involved in an automobile accident; after several years of discovery, case was eventually settled for a nominal sum. Plaintiff’s attorney represented to the court that the case had been settled, but an issue revolved around whether plaintiff’s counsel had actual authority from the plaintiff to settle the claim. Because the plaintiff’s attorney failed to create an adequate record, the Supreme Court affirmed the ruling of the Fourth District Appellate Court, which affirmed the Circuit Court’s Order enforcing the settlement.

Webster v. Hartman, 195 Ill 2d 426, 749 N.E. 2d 958 (2001). Plaintiff had been injured while at an extended care facility when she slipped and fell in a bathroom and fractured her hip. The defense had moved to dismiss the claim, arguing that 735 ILCS 5/2-622(a) required the filing of an Affidavit from an experienced health professional attesting that the plaintiff had a reasonable and meritorious cause of action. It was defendant’s position that the plaintiff’s action sounded in Healing Art Malpractice, thus, requiring the Affidavit. The Circuit Court granted the defendant’s Motion to Dismiss the plaintiff’s complaint. The Fourth District Appellate Court reversed the Circuit Court’s Order granting the Motion to Dismiss. The Illinois Supreme Court affirmed the Appellate Court Judgment. (*Eads v. Heritage Enterprises, Inc.*, 204 Ill 2d 92, 787 N.E. 2d 771 (2003).

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LAW SCHOOL HONORS/ INVOLVEMENT

- American Juris Prudence Award in Torts
- Assistantship with the Dean of Admissions

Reported Appellate Court Decisions

Sunderland v. Tri-City Community Unit School District 1, 54 N.E. 2d 992, 140 Ill Dec. 341 (1990). Plaintiff was allegedly injured at the school gymnasium when an unpaid student manager of the school volleyball team wheeled a volleyball stand onto the gym floor. The stand separated from its support, landing on the woman's foot and injuring her. Plaintiff brought suit against the school district and the student manager. Defense counsel filed a Motion to Dismiss arguing that the student manager was a "volunteer" as defined under the Local Governmental and Governmental Employees Tort Immunity Act so that the one-year statute of limitations applied barring the plaintiff's claim. The Circuit Court agreed with the defense position and the Appellate Court affirmed.

State Street Bank & Trust Co. of Quincy, Illinois v. INA Insurance Company of Illinois, 567 N.E. 2d. 42, 153 Ill Dec. 327 (1991). Suit was based on the insurer's refusal to defend the insured in a business customer's action for intentional interference with the customer's business relationships. Defense moved for summary judgment on the issue, stating that no damage was incurred by the plaintiff due to an "occurrence" as defined by the policy of insurance. The defense further argued that the underlying action against the bank arose from the bank's exercise of its business judgment in conducting its business activity and therefore the action fell under the office building policy's applicable exclusion. The Circuit Court agreed with the defense position, and the Appellate Court affirmed.

Watson v. J.C. Penney, 605 N.E. 2d. 723, 178 Ill Dec. 929 (1992). Customer brought an action against the store to recover for injuries sustained when he slipped on ice. Defense moved for summary judgment on the basis that the incident occurred as a result of a natural accumulation of ice and snow. Circuit Court agreed with the defense position and granted its Motion for Summary Judgment. The Fourth District Appellate Court affirmed the Circuit Court's ruling.

GTE North, Inc. v. Henkels & McCoy, Inc., 612 N.E. 2d. 1375, 184 Ill Dec. 215 (1993). Owner of the property sued the contractor seeking a declaration that the agreement under which the contractor was constructing the building for the owner required the contractor to defend the owner in a negligence action brought by an employee of the contractor for an injury that occurred while he was working on the property. Circuit Court found for the contractor, declaring that the contractor was not required to defend the owner or to indemnify for any liability incurred from the suit. The Appellate Court affirmed the Circuit Court's ruling, holding that the agreement to defend and indemnify was not a contract requiring the contractor to furnish insurance such that the provision did not bring the agreement within the provisions of the Construction Contract Indemnification for Negligence Act, which exempted construction bonds or insurance contracts or agreements from the prohibition against indemnity agreements.

Clinton Price v. Industrial Commission, 663 N.E. 2d. 1057, 278 Ill App. 848 (1996). Appellate Court Fourth District held that the worker's injuries were causally connected to the work event, even though the Petitioner had been scheduled for an MRI of his cervical spine prior to the accident and the pre-accident MRI demonstrated a herniated cervical disc. Treating surgeon did not have any history of the post-MRI work event and determined that a discectomy was in order. The Industrial Commission believed the work accident "aggravated" the Petitioner's condition so that the need for surgical

intervention was at least partially attributable to the work accident.

Alexandra Phillips, a minor, by her Mother and Next Friend, Lorena D. Travell and Lorena D. Travell, individually v. Shawn A. Dodds, 371 Ill App. 3d. 549, 867 N.E. 2d. 1122 (2007).

Suit revolved around a motor vehicle accident. Plaintiff Lorena D. Travell brought suit for medical expenses incurred by the minor in seeking treatment for injuries sustained in the automobile accident. During discovery it was determined that Lorena D. Travell was not the minor's mother, nor was she the minor's guardian. The trial court agreed with the defendant that Lorena D. Travell did not have a claim for medical expenses under the Family Expense Act. In reversing, the Appellate Court found that an individual not a parent nor a guardian could still stand in loco parentis to the minor such that the adult could be liable for medical expenses and had a right to pursue a claim for those expenses in the tort action.

Jury Trials

Schwab v. Honey Bend, Montgomery County, IL. Plaintiff brought suit against the resort when she suffered a trimalleolar ankle fracture after having fallen down a slope on the premises. After deliberating two days, jury returned a defense verdict of not guilty.

Camille v. Logan. Sangamon County, IL. Two plaintiffs, occupants of a motor vehicle, brought actions against a bus company, a driver of a private automobile, and the owner of a Kerr McGee Service Station. Plaintiffs alleged the bus driver and the driver of the private automobile were negligent in the operation of their vehicles. Mr. Koepke represented the remaining defendant, the owner of the Kerr McGee Service Station. It was alleged that the service station was negligent in repairing the brakes on the privately owned automobile, which contributed to the accident. Both plaintiffs suffered severe injuries, and the jury returned a verdict in the amount of \$2 million against the drivers of the vehicles but found the owner of the Kerr McGee Service Station not guilty.

Krueger v. Trader. Sangamon County, IL. Plaintiff was the driver of a motor vehicle that was rear-ended by defendant. Plaintiff suffered soft tissue injuries. Plaintiff had approximately \$4,000.00 in medical specials and some minimal missed time from work. Result: not guilty.

Bishop v. Jones. Macoupin County, IL. Plaintiff was the driver of a motor vehicle that was rear-ended by defendant. Three vehicles involved in the accident were total losses. Plaintiff had a bulging lumbar disc/low back pain along with \$6,500.00 in medical bills and \$2,000.00 in lost wages. Result: not guilty.

Reynolds v. Killian. Sangamon County, IL. Plaintiff was the driver of a motor vehicle that was rear-ended by defendant. Plaintiff had approximately \$4,000.00 in medical bills and strains were diagnosed. The jury returned a verdict in favor of the plaintiff for approximately \$374.00 (emergency room bill).

Vancil v. Grant. Sangamon County, IL. Plaintiff was the driver of a motor vehicle which was struck broadside by the defendant when defendant entered the intersection on a red light. Plaintiff suffered from a concussion, lacerations, strains, and vertigo. Plaintiff had medical specials of approximately \$10,000, with lost wages of approximately \$4,000. Jury returned a verdict in favor of plaintiff for \$4,500.

(Jury did not believe plaintiff's vertigo was related to the accident but rather found that it was due to a preexisting condition.)

Bishop v. Jones. Macoupin County, IL. Re-trial from 1997 case. Jury returned a verdict in favor of plaintiff for approximately \$9,000.

Homa v. Jordan. Sangamon County, IL. Plaintiff was driver of a vehicle that was rear-ended by a vehicle being driven by defendant. Plaintiff had a pre-existing cervical condition, and strains were diagnosed. Plaintiff had approximately \$3,500 in medical bills and minimal lost wages. Jury returned a verdict in favor of Plaintiff for \$274 (the emergency room bill).

Hatten v. Branson. Macoupin County, IL. Premises liability case. Plaintiff sustained a fracture to his foot after falling off a platform that had been constructed by the defendant at his home. The defendant was plaintiff's wife's nephew. Evidence suggested the defendant had moved a support to pour some concrete, at which time plaintiff fell when coming across the platform. Plaintiff had \$16,000 in medical specials and approximately \$2,000 in lost wages. Jury returned a verdict in favor of plaintiff for \$8,000 (50% of the medical finding that the plaintiff was 50% comparatively at fault). Evidence suggesting plaintiff was comparatively at fault was the fact that plaintiff had been aware that at least part of a support had been moved prior to the occurrence.

Champley v. Camatti. Christian County, IL. Automobile case. Plaintiff was struck head-on by defendant after defendant was leaving a beer party. Evidence of intoxication was admitted. Plaintiff suffered a cervical strain, and both vehicles were totaled as a result of the collision. Plaintiff's medical specials were approximately \$6,500, including chiropractic treatment and an MRI. The jury returned a verdict in favor of the plaintiff for approximately \$10,500, representing payment of medical bills, pain and suffering, and \$2,500 in punitive damages.

Bales v. Digirolamo. Sangamon County, IL. Plaintiff, a 50-year-old college student, collided with the insured in an intersection. Our client pled guilty to failing to yield, although there was still an issue as to who had the right-of-way (The police officer testified that he might not have necessarily given our client a ticket had he noticed an Illinois Department of Transportation sign guiding traffic at the accident scene.) Plaintiff claimed strains and blindness in her left eye. Plaintiff's treating ophthalmologist related the blindness to an optic nerve injury sustained in the accident and stated that it was a non-treatable, permanent condition. A neurologist testified that it was not related. Plaintiff had medical specials of approximately \$9,000 with no lost wages. Verdict: not guilty.

Voss v. Zoelzer, et al.. Sangamon County, IL. Plaintiff sustained injuries to her neck and shoulders after defendant, insured Zoelzer struck the rear of the plaintiff's vehicle after losing control of his vehicle on ice. After the vehicles were removed from the roadway, a third vehicle being driven by defendant Russell slid on the ice, striking the plaintiff's vehicle again. Plaintiff was treated conservatively with chiropractic treatment and physical therapy. Diagnosis was cervical strain/sprain/compression fracture and right brachial plexopathy. Medical specials were \$11,500, with lost wages of \$2,000. Plaintiff's husband had a loss of consortium claim pending. Plaintiff asked jury for \$76,000. Result: not guilty.

Cavage v. Roof. Sangamon County, IL. Plaintiff was rear-ended when she stopped suddenly for a construction barrel that had rolled into the street. Plaintiff worked for a week before she was hospitalized for nine days due to back pain. All diagnostic testing was negative, although a physician had diagnosed a torn annulus of a lumbar disc. Plaintiff claimed four months of lost work (\$7,200) and medical specials of \$15,995.86, which included her hospital stay and two courses of physical therapy. Plaintiff asked the jury for \$68,000 to \$98,000. Verdict: \$42,995.86.

Smith v. MacMurray College and Arnie Charron. Morgan County, IL. Plaintiff was incarcerated at the time he was attending a vocational auto-tech class at the prison. He lost sight in his left eye when a flying splinter of metal struck him after a bearing race shattered. Plaintiff alleged defendants (teacher and college) failed to provide adequate eye protection, adequate instruction, and adequate supervision. It was also alleged that plaintiff was given inadequate tools to perform the work. Defense verdict: not guilty.

Osborne v. Belcher. Morgan County, IL. Plaintiff brought suit against the defendant after defendant rear-ended the plaintiff's vehicle. Plaintiff had suffered from prior cervical problems; however, plaintiff underwent a cervical discectomy and fusion after the impact with defendant's vehicle. Plaintiff had accumulated approximately \$60,000 in medical specials. Defense argued plaintiff's need for surgery was not a result of the accident in issue. The jury returned a verdict in favor of the plaintiff for \$27,500.

Goodrich v. Thornley. Sangamon County, IL. Plaintiff brought suit against the defendant for injuries sustained in an automobile accident. Liability was not really an issue since the defendant turned left in front of the plaintiff on a green light. Plaintiff sought medical treatment the day after the accident with complaints of right foot, right ankle, right wrist, and right elbow pain. Plaintiff continued to treat conservatively and eventually was treated by three different orthopedic surgeons. All of plaintiff's symptoms somewhat subsided with conservative care; however, several months after the incident, the plaintiff began complaining of right shoulder pain, which she attributed to the accident. A glenoid labrum tear was eventually diagnosed and operated on. The orthopedic surgeon performing the operation indicated that the injury was consistent with the mechanism of injury as described by the plaintiff and as it pertained to the automobile accident in issue. Other physicians really had no opinion regarding the cause of the condition. It should be noted that plaintiff had denied any prior shoulder problems, but subpoenaed medical records reflected that she did, in fact, suffer from prior right shoulder injuries. Plaintiff did not work, so there was no lost wage claim. She claimed a little over \$12,000 in medical specials. Result: verdict for plaintiff - \$4,165 after being reduced by 15% comparative fault on plaintiff's part in causing her own injuries and damages.

Burdine v. Bridgestone/Firestone. Macon County, IL. A contractor's employee was injured at the plant after tripping over debris. Plaintiff had collected worker's compensation, and when plaintiff brought his action against the owner of the premises, the contractor's insurance policy provided for the defense and indemnity of Bridgestone/Firestone. Since the same insurance carrier had the worker's compensation coverage as well as the general liability coverage, no third-party action was filed. The worker's compensation lien of \$28,000 was waived so that the defendant had a set off of any verdict rendered against it. Jury returned a verdict of \$67,886, which was reduced by 50% comparative fault as attributable to the employee's conduct in causing his own injuries and damages. After the net verdict

was reduced by the worker's compensation lien set off, plaintiff had a recovery of approximately \$16,000.

Schnapp v. Vern's Chatham 66. Sangamon County, IL. Case involved a claim for negligent repair of an automobile causing total engine loss. Plaintiff replaced the engine with a new motor for \$4,070. The defense presented evidence of the cost of a motor for \$1,460. Jury awarded \$2,575 by computing the cost of a like motor plus payment for labor and materials to complete installation.

Rossmiller v. Hamilton. Adams County, IL. Plaintiff was a passenger in a vehicle that approached the vehicle being driven by the defendant from the rear on a state highway. The defendant was test driving a car and stopped in traffic with his left directional signal on waiting for oncoming traffic to clear so he could proceed with his turn. Traffic had cleared at the time defendant saw the vehicle in which the plaintiff was a passenger approaching at a fast speed from the rear. Defendant testified he did not know what to do since he thought that plaintiff might attempt to pass him on the left so that he did not want to complete his turn. Defendant remained stationary, and the approaching vehicle veered to the right and rolled into a cornfield several times. The defendant filed a third-party complaint against the driver of the other vehicle. Before trial, the third-party complaint was dismissed with an agreement that should an adverse verdict be rendered against the defendant, the insurance carriers for the defendant and the third-party defendant would share the liability on a pre-determined percentage basis. Case went to trial, and a verdict was rendered in favor of the defendant: not guilty.

Buchanan v. Kirchner. Sangamon County, IL. Plaintiff's vehicle was rear-ended by defendant when plaintiff slowed for stopped traffic ahead. Plaintiff claimed she suffered a cervical strain as a result of the collision. Plaintiff had approximately \$5,000 in medical specials and \$2,000 in lost wages. Jury returned a verdict in favor of defendant: not guilty.

Whitlock v. Brennan. Sangamon County, IL. Defendant rear-ended the plaintiff's vehicle while plaintiff was stopped at a stop light. Plaintiff claimed whiplash as a result of the accident and accumulated approximately \$8,000 in medical specials, majority of which were chiropractic. Plaintiff was not making any lost wage claim. The jury returned verdict in favor of defendant: not guilty.

Felchner v. Van Proven. Sangamon County, IL. Plaintiff suffered a ruptured biceps tendon when he struck the vehicle being driven by the defendant after she had disobeyed a stop sign. Plaintiff had accrued \$19,790 in medical specials and lost earnings of \$4,482.90. Jury awarded a net verdict of \$57,845.68, finding plaintiff 10% at fault in causing his own injuries and damages.

Sides v. Moorman. Brown County, IL. Plaintiff sued defendant for property damage. Defendant had pulled from a stop sign to turn left while plaintiff was approaching from defendant's right. Defendant had secured his lane, yet the plaintiff still struck the rear of the defendant's vehicle. Result: not guilty.

Redland Insurance v. Newingham. Christian County, IL. A young man was injured while visiting his father at the farm where he was employed. While a harvest of corn was being unloaded from a truck with an auger, the boy's shirt sleeve was caught in the auger and his arm was amputated. The homeowner's insurance company settled the claim on behalf of the farm owner. A contribution claim was ultimately brought against the farm owner's auto insurer. Result: not guilty.

Pedigo v. Miller. Sangamon County, IL. Plaintiff was a passenger in a vehicle that was allegedly rear-ended by defendant/insured. Plaintiff was diagnosed with a cervical strain and bilateral carpal tunnel syndrome, which her treating physician related to the alleged accident. Defendant denied there was a collision, and photographs of the vehicles did not demonstrate any visible damage, although Plaintiff's counsel suggested vehicle in which Plaintiff was a passenger had a broken strut after the alleged occurrence. Plaintiff claimed \$6,300 in medical specials and no lost wages. Jury returned a verdict in favor of defendant: not guilty.

Sprinkle v. Olandese. Adams County, IL. Plaintiff sought recovery for property damage to his motor vehicle. Plaintiff argued defendant passed in a parking lane to go through an intersection as he was waiting for cross traffic to clear to turn right. Defendant argued that it passed she passed in a parking lane; thus, not leaving the roadway during the pass. The collision occurred as Plaintiff turned right as Defendant passed. Result: not guilty.

Kelly, et al. v. Norman. Sangamon County, IL. Four different plaintiffs claiming injuries sustained in a motor vehicle accident. Plaintiffs' vehicle was hit in the side by another vehicle traveling at 30 m.p.h. that ran a red light. Defendant was found not guilty on two of the claims. (Plaintiffs were not injured.) Two other plaintiffs were awarded a portion of their medical specials and minimal amounts for non-special damages (one plaintiff for \$1,000 and another for \$463.93). No lost wages claimed.

Adams v. Gaffney. Sangamon County, IL. Plaintiff brought suit for injuries and damages sustained in an accident after being struck by a motor vehicle while she was riding a bicycle. Plaintiff claimed she entered an intersection attempting to turn left on a yellow light when a motor vehicle struck her coming through the intersection in the opposite direction. Plaintiff sustained a concussion, missed three days of work, and had \$12,000 in medical specials. Result: not guilty.

Auten v. Franklin, et al.. Sangamon County, IL. Case revolves around a motor vehicle accident. Defendant Franklin made a left-hand turn in front of the vehicle in which plaintiff, Dawn Auten, was a passenger. Plaintiff sustained ulna and radius fractures to her right arm. She also sustained an injury to her radial nerve and a dislocated right index finger. Plaintiff alleged that the defendant Larry Nord, M.D., was negligent in failing to timely diagnose the right index finger dislocation. Patient had an open reduction and internal fixation performed on her ulna and radius fractures. After the dislocation of the index finger was diagnosed six months post accident, the plaintiff underwent three procedures to that finger. Jury rendered a verdict in favor of plaintiff for \$307,000, finding defendant Franklin 75% at fault and defendant Nord 25% at fault.

McIntyre v. Anderson. Montgomery County, IL. Rear-end motor vehicle accident with soft tissue cervical injury and C6 radiculopathy to the right. No claim for lost wages. Plaintiff accumulated \$17,174.18 in medical specials. Treatment consisted of physical therapy and epidural steroid injections (Plaintiff was taken by ambulance to emergency room.) Plaintiff also attended 10 visits with her family physician. Plaintiff's husband has his own loss of consortium claim. Verdict in favor of Plaintiff for medical specials of \$17,174.18. Judgment entered in favor of Defendant on Plaintiff's husband's loss of consortium claim.

Goode v. Donovan. Greene County, IL. Plaintiffs were allegedly injured when defendants' St. Bernard attacked plaintiff, Lisa Goode. Ms. Goode sustained a bite to her right forearm resulting in nerve damage and allegedly injured her shoulder requiring arthroscopic surgery. Ms. Goode also claimed she suffered from increased psychological problems as a result of the accident and suffered from nightmares on a regular basis. Plaintiff Roger Goode claimed the dog attack ruined his relationship with his wife and destroyed his marriage. Plaintiff had approximately \$17,500 in medical specials and no lost wages. Verdict for \$33,000 in favor of plaintiff Lisa Goode and judgment in favor of defendants as to the claim of plaintiff Roger Goode.

Zino v. Neighbors, et al.. Sangamon County, IL. Plaintiff allegedly sustained a cervical strain, concussion, and torn right rotator cuff as a result of a motor vehicle accident. Verdict was directed in favor of plaintiff and against defendants on the issue of negligence. There were issues regarding the cause of the plaintiff's rotator cuff tear since he had complaints of right shoulder pain prior to the accident in issue. Plaintiff had been in an automobile accident approximately six weeks before the accident in issue. He did sustain a cervical strain and concussion in that accident. Plaintiff had \$46,000 in medical specials and no lost wages. Verdict in favor of plaintiff for \$85,000.

Niebrucige v. Wheat. Effingham County, IL. High-speed rear-end impact accident. Plaintiff sustained cervical ligamentous injury and an aggravation of a pre-existing arthritic condition. Medical treatment consisted of emergency room visit, chiropractic treatment, one orthopedic surgeon consult, and treatment by family physician and a physiatrist. Plaintiff also underwent physical therapy. Medical specials were \$9,900. No lost wages claimed. Verdict \$40,000.

Cook v. Popeye's Chicken. Sangamon County, IL. Plaintiff slipped and fell in ice and/or water, striking her shoulder against a banister. Plaintiff treated conservatively for several months but eventually underwent arthroscopic surgery. Jury awarded plaintiff \$93,854.44. Plaintiff had \$15,854.44 in medical specials and lost wages of \$3,000. Defendant was precluded from introducing any evidence of placement of cones or warning signs. Further, defendant was precluded from describing the type of shoes plaintiff was wearing at the time of the occurrence. Plaintiff was allowed to introduce alleged lack of placement of the cones and warning signs and was also allowed to introduce evidence regarding what plaintiff was wearing as shoes at the time of the incident. The court's ruling was based upon the fact the defendant did not preserve a videotape of the event.

Schatteman-Urish v. Reeves. Sangamon County, IL. Motor vehicle collision where defendant attempted to pass plaintiff at an intersection on a state highway. As the defendant was passing plaintiff, she turned on her directional signal and began to make a left turn down an intersecting roadway. The vehicles collided, and the plaintiff was injured. Defendant pled guilty to the ticket he received for improper passing. Plaintiff had approximately \$10,000 in medical specials and lost earnings of \$720. She sustained strains to her neck and low back and a concussion. Jury awarded a gross amount of \$10,472.90 (no award for chiropractic charges) and reduced that award to a net award of \$5,760.10, finding plaintiff 45% comparatively at fault.

Melton, et al. v. Calef. Adams County, IL. The vehicle a father and two daughters were in was rear-ended by defendant's vehicle in a high-impact accident. Plaintiffs did not treat immediately following the accident but did initiate treatment within a few days. Each of plaintiffs was treated for approximately three months by a chiropractic physician. Jury awarded medical bills for the chiropractic treatment and \$500 in pain and suffering to each of the three plaintiffs.

Crump v. Laws. Sangamon County, IL. Rear-end motor vehicle accident, high impact. Plaintiff claimed \$20,000 in medical bills and \$4,000 in lost wages. There was a gap in treatment, and jury did not award approximately one-half of the medical bills. Jury awarded \$700 in lost wages. Plaintiff asked jury for \$75,000. Jury awarded \$13,000.

McCormick v. McCormick. Sangamon County, IL. Plaintiff brought an action against defendants for alleged violation of the Animal Control Act and for negligence after the defendants' dog bit plaintiff's hand. One of defendants was the ex-wife of plaintiff. She had the dog on a leash in the lobby of a building. It was undisputed that the dog was acting strangely. There was a dispute as to whether the dog was growling and also whether plaintiff approached the dog versus the dog approaching the plaintiff. There was no evidence that the dog had any dangerous propensities. Verdict for defendants.

Representative Plaintiff's Cases

Allen v. Union Pacific Railroad & Browning Township. Franklin County, IL. Plaintiff's decedent was killed by a freight train when she drove her vehicle over a crossing marked only with cross bucks. Plaintiff argued that vegetation on railroad's right-of-way obscured plaintiff's decedent's vision and the crossing was unreasonably dangerous such that mechanical warnings should have been installed. Jury awarded plaintiff \$900,000, which was reduced to \$450,000 due to plaintiff's decedent's contributory negligence.

Hiltabrand V. Gillick. Sangamon County, IL. Plaintiff injured her shoulder after a minimal-impact rear-end collision. Defendant's vehicle had no damage and plaintiff's vehicle sustained damage in the amount of \$390. Plaintiff treated conservatively for approximately one year, at which time a subacromial decompression was performed due to diagnosis of impingement syndrome. Jury awarded plaintiff \$30,277.73. Plaintiff had \$12,000 in medical specials and claimed no lost wages.

JULY 31, 2025

Koepke and Bushnell Obtain Significantly Lower Award in Macoupin County Premises Liability Trial

Honors

Professional Associations

- Adjuster's Association of Central Illinois
- Illinois State Bar Association
- Sangamon County Bar Association

Other Professional/Civic Involvement

- Faculty member, Illinois Institute of Continuing Legal Education
- Advisory Board, Paralegal Studies Program at Robert Morris College (during accreditation process by the American Bar Association) (2005)

Insights

Events & Speaking Engagements

- “Medical Deposition Preparation for Worker’s Compensation Claims,” Illinois Institute for Continuing Legal Education.
- “Employer’s Investigation of Worker’s Compensation Claims,” Lorman Institute.
- Risk Control Workshop, Risk Manager’s Group (Milwaukee, WI).
- “The American Jury System,” Guest Lecturer, University of Illinois (Springfield IL).

Publications

- “Proving Fault in Automobile Cases ‘Across the Center Line,’” Illinois Institute for Continuing Legal Education.
- “The Steps for Perfecting a Review Before the Worker’s Compensation Commission,” Illinois Institute for Continuing Legal Education.