

Hinshaw's Diane Webster and James Lydon Secure Complete Defense Verdict in \$6.25 Million Wrongful Death Case

Press Release | 1 min read

Jan 11, 2019

A Hinshaw trial team led by Diane Webster with assistance from James Lydon recently secured a complete jury defense verdict in the retrial of a \$6.25 million wrongful death action filed against their nursing home physician client.

At issue in the case were serious allegations of abuse and neglect of the 36 year-old plaintiff's decedent, while under the care of the client physician. At the time of treatment, the plaintiff was in the advanced stages of degenerative neurological disease. A previous trial seeking damages in excess of \$11 million resulted in a hung jury.

The retrial involved complex issues requiring expert examination and cross examination to determine if plaintiff's injuries and death were the result of neurodegenerative disease or abuse and neglect. Hinshaw's legal team confronted a number of challenges in the retrial, including publication of a Chicago media story detailing the plaintiff's allegations during the initial trial and an additional news story the night before closing argument in the retrial. Notwithstanding these challenges, Webster and Lydon secured a complete not-guilty defense verdict, saving their client millions of dollars in damages.

The case is *Mims v. Paintsil*, Cook County Circuit Court, No. 2014-L-11878.

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