



Offices in Libertyville, Chicago, and Wisconsin.

Law Offices of Douglas Rallo, P.C.

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\$450,000 SETTLEMENT FOR ANKLE INJURY AT GAS STATION

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The claimant went to a Clark gas station in Lake Zurich and pulled her van next to a pump. She stepped out, placing her right foot on the seam between a

concrete island where the pumps were, and the surrounding blacktop. There was a height differential at that seam, and the claimant twisted her ankle. The gas station denied that it was responsible for the accident, claiming that the height differential was small and the result of ordinary wear and tear --- not negligence. The station also alleged that the claimant caused her own injuries by not watching where she put her foot while exiting her van.

The gas station denied that it caused claimant's injuries. In the emergency room, claimant was able to dorsiflex her ankle (bend the foot upward). While at home that evening, claimant's small child ran into her knee and upper shin, causing severe throbbing and shooting pains. She returned to the hospital where a splint was applied. Three days later, claimant could not dorsiflex

nerve. The peroneal nerve is located behind the knee and descends down the leg.

The medical question involved in this case was whether claimant's inability to dorsiflex the ankle was caused by the gas station incident, or some other cause. Claimant's orthopaedic surgeon felt that the injury "could" have been caused by the accident, but that the facts and medical presentation didn't fit together cohesively. The gas station's medical expert testified that claimant sustained only an ankle sprain at the time of the accident and that the dorsiflexion problem would have had some other cause, possibly the child running into her knee and upper shin that night. However, claimant's pain treatment doctor testified that the original ankle sprain caused swelling which, either by itself or in combination with the splint on the second emergency room visit, caused compression on the peroneal nerve and delayed the onset of drop foot, which he described as "rare and unusual".

Despite these serious questions about liability and the cause of claimant's injury, the case settled for \$450,000.

DOUGLAS RALLO PROFILED IN WHO'S WHO IN AMERICA

Personal injury attorney Douglas Rallo of Libertyville has been selected for Who's Who in America, published by Marquis Who's Who, the leading biographical reference publisher of the highest achievers and contributors from across the country and around the world.

Rallo has been selected for the inclusion in the 62nd edition of Who's Who in America. This is the sixth time Rallo has been chosen for this high honor. Rallo has also been selected nine times for Who's Who in American Law.

Attorney Rallo pioneered the concept, and coined the term "hedonic damages" in personal injury lawsuits, which compensates a person for the loss of enjoyment of life. He was the first attorney in the country to obtain a court ruling allowing an economist to testify to the value of a victim's expected life, in a 1985 wrongful death lawsuit in federal



Important Changes to Workers Compensation Laws

Recent amendments to the Workers Compensation Act benefit injured workers in many ways. Among other things, the new laws do the following:

- Ensures prompt payment of medical bills within 60 days after submission to the employer.
- Prohibits a medical provider from billing an injured worker for the balance of charges not paid by the employer or its insurance company.
- Simplifies procedures for introduction of injured workers certified medical records into evidence before the Workers Compensation Commission.
- Requires the Workers Compensation Commission to certify vocational rehabilitation counselors who provide rehabilitation services to injured workers.
- Enhances penalties for the unreasonable delay in payment of worker' compensation benefits, from \$10 to \$30 per day not to exceed \$10,000.
- Increases the number of weeks of compensation allowed for loss of use of scheduled body parts and disfigurement.
- Provides for cost containment in workers compensation cases by creating a medical fee schedule indexed to the Consumer Price Index (CPI).
- Provides for Utilization Review of proposed or provided medical treatment for injured workers to ensure the treatment is reasonable and necessary, by using nationally recognized medical standards.

