

Curriculum Vitae: Timothy M. Palumbo



Timothy M. Palumbo
Managing Partner

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ADMISSIONS

Illinois

Trial Bar of the U.S. District Court for the Northern District of Illinois

U.S. District Courts for the Northern, Central, and Southern Districts of Illinois

Multiple *pro hac vice* admissions in various state and federal courts

EDUCATION

St. Louis University School of Law, J.D

Bradley University, B.A.



KOPKA PINKUS DOLIN

Timothy M. Palumbo has more than 30 years of trial experience in the insurance defense industry handling litigated matters involving construction, product liability, automobile, property damage claims, lawyers and psychologists malpractice, transportation, aviation, restaurant and retail, excess coverage, employment practices liability, legal malpractice, employment law, contract litigation and commercial premises liability matters. Tim also specializes in the defense of product liability litigation defending national product manufacturers and distributors.

Tim is well-versed in all areas of risk transfer and contractual indemnity issues. He has successfully argued before both the First District and Fifth District of the Illinois Appellate Court, and tried cases in multiple jurisdictions in Illinois and several other states. Tim is also national litigation counsel for a nationwide manufacturer of hospitality industry furniture and for a manufacturer of inflatable structures for the amusement rental industry.

Trial and Case Highlights

- Represented an intermodal rail yard in a case involving nine defendants where the plaintiff was injured when attempting to change a tire on a Side Loader (large forklift) at a rail yard when the multi-piece rim and wheel assembly exploded. Plaintiff was in a coma for five months and was a quadriplegic. Multiple issues were involved including contractual tenders, excess coverages, federal removal and jurisdiction, foreign defendants and the Hague convention, site inspections and protocols, and a myriad of liability and medical experts. Our attorneys were able to extricate the insured's liability insurance carrier through a series of successful tenders of defense, resulting in no indemnity payout by the carrier. The case eventually settled for more than \$5 million.
- Tim also represented a manufacturer of women's beauty supplies. Plaintiff purchased hair bonding glue from a store manufactured by our client. Plaintiff alleged that when attempting to remove the glue after application and use, her hair was torn out leaving her with multiple patches of baldness which resulted in several cosmetic surgeries and alleged psychological damage. The plaintiff's deposition resulted in favorable testimony regarding misapplication, misuse and a general failure to follow specific instructions on the label. Our client was extricated with a successful motion for summary judgment. Approximately 15 months after the dismissal, plaintiff challenged the ruling with new counsel attempting to set aside the dismissal with "new evidence." Plaintiff's post-judgment motion was briefed and argued, resulting in a denial of the motion, thereby allowing the original dismissal with prejudice to stand.

Trial and Case Highlights *(continued)*

- Tim recently represented a manufacturer of an overhead crane which was sold to a steel company. Several years after sale and manufacture, the pendant operated crane was lifting a load over workers underneath. As the load was being lifted, the operator two-blocked the load, causing the chain to snap, the load to drop, severely injuring the plaintiff standing below working in the area. Plaintiff sustained a serious brain injury, but managed to survive, resulting in partial paralysis, partial sight loss, and a loss of smell and taste. The court ruled that no dispositive motions could be filed until the completion of fact discovery. Site and product inspections involving engineering experts with comprehensive protocols resulted in numerous depositions showing the product had been altered and modified by the subsequent users. We were able to extricate manufacturer for a nuisance value settlement when the case eventually settled for more than \$2 million.

MEMBERSHIPS

Defense Research Institute

American Bar Association

Illinois State Bar Association