



## **HENRY W. AUSTIN**

**SENIOR ASSOCIATE**



**Chicago, IL**  
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### **Practice Areas**

- Arbitration
- Automobile Accident Defense
- Commercial Lines (Premises Liability)
- Personal Lines (Premises Liability)
- Trusts, Wills, and Estates
- UM/UIM
- Wrongful Death Defense

Henry W. Austin, Jr. practices in the areas of auto, property and casualty, and commercial insurance liability defense. Prior to joining the firm in 2002, he practiced law for a decade in Tidewater, Virginia, in the areas of insurance defense, workers' compensation defense, and domestic relations law.

Henry has tried well over two hundred jury cases and successfully argued appeals before the Seventh Circuit Court of Appeals, Illinois First District Appellate Court, Fourth Circuit Court of Appeals, Virginia Supreme Court, and Virginia Industrial Commission.

Prior to his legal career, Henry served on active duty in the United States Navy JAG Corps for three years and is a recipient of the Navy Commendation Medal. He served as Commanding Officer of the reserve Legal Service Office unit in the Washington Navy Yard, and subsequently retired from the Naval Reserve as a Commander in 1998.

### **Memberships**

- Phi Beta Kappa

### **Trial and Case Highlights**

- In a premises liability case with a claimed traumatic brain injury, both experts agreed that the injury developed as a result of the accident, although the expert felt the plaintiff's condition had resolved. The demand at trial was \$2,800,000. Henry creatively used demonstrative evidence to successfully argue that the object the plaintiff tripped over was an open and obvious condition. After only one hour, the DuPage County jury delivered a not-guilty verdict.
- During his practice in Virginia, Henry won a reversal of an adverse jury verdict and dismissal of the case following argument in the Virginia Supreme Court, in a case

involving the applicability of the “Fireman’s Rule” (assumption of risk as a matter of law) as it applied to an animal control officer bitten by a dog.

- In Henry’s first Illinois trial, he obtained a defense verdict in a rear-end collision case, arguing that the accident was caused by black ice and not any negligence of the defendant.
- Henry won a summary judgment in Federal Court, in a §1983 Civil Rights case involving an arrest based on a mistaken identity. The dismissal was upheld after argument in the Seventh Circuit Court of Appeals.
- Henry obtained a defense verdict after admitting negligence in an auto accident case. He successfully argued that all the plaintiff’s alleged injuries were the result of preexisting conditions, which the accident neither caused nor aggravated.

## **Admissions**

- Illinois
- U.S. Seventh Circuit Court of Appeals

## **Education**

- University of Texas School of Law, J.D.
- University of Texas, B.A.