



# MATTHEW G. GORSKI

SHAREHOLDER



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## Practice Areas

- Workers' Compensation Defense

Matthew G. Gorski primarily focuses his practice on workers' compensation and civil litigation matters. He also has experience handling matters on behalf of staffing agencies transportation companies, school districts, hospitals, municipalities, construction companies, hardware stores, and insurance companies. Matt uses aggressive litigation tactics to obtain favorable settlements and trial awards for his clients. He values a team environment with his clients for the most beneficial outcome in litigation. He often presents adjuster seminars on handling Illinois Workers' Compensation claims, law updates, ethics, and risk management.

While in law school, Matt was a clerk at two different law firms representing plaintiffs/petitioners in personal injury and workers' compensation matters. He worked closely on a trial that rendered the largest personal injury verdict in Illinois history and the second largest in US history. It involved an ironworker who sustained a serious spinal cord injury leaving him a quadriplegic. Also in law school, Matthew earned the CALI Award in complex litigation.

Matt was born and raised in the south suburbs of Chicago. He currently resides in Chicago with his wife and daughter. In his spare time, he enjoys playing golf and following the Chicago White Sox, Chicago Bears, Chicago Bulls, Chicago Blackhawks, and University of Illinois sports.

## Articles

- "Workers' Compensation: Critical Legislation and Case Law Update – Illinois"

## Memberships

- Chicago Bar Association
- Workers' Compensation Lawyers Association

## **Trial and Case Highlights**

- Matt successfully handled a case involving a bookkeeper who alleged a repetitive trauma bilateral hand condition as a result of her work duties. At the trial level the arbitrator found the petitioner did not prove her case based on her own testimony because she did not testify to the proper force, flexion, and frequency required to prove a repetitive trauma claim. On appeal to the Commission, they agreed and also made some evidentiary rulings denying the evidence deposition of the respondent's IME doctor into evidence because of the "48-hour rule" and striking the second day of evidence deposition testimony of the petitioner's treating doctor, which he flipped his causation opinion. On appeal to the Circuit Court, they affirmed the decision of the arbitrator and Commission that Petitioner did not prove a work-related repetitive trauma claim. They also found harmless error by the Commission in denying the evidence deposition of the respondent's IME doctor and the second day of evidence deposition testimony of the petitioner's treating doctor as those pieces of evidence only helps Respondent's case. The Appellate Court affirmed the decision of the Commission and Circuit Court denying the claim in its entirety as the petitioner did not prove her case for a repetitive trauma bilateral hand injury. They also agreed it was harmless error for the Commission to deny the evidence deposition of the respondent's IME doctor and the second day of evidence deposition testimony of the petitioner's treating doctor as they further support Respondent's case.
- Matt successfully defended a manufacturing company in a repetitive trauma case alleging bilateral carpal tunnel, bilateral cubital tunnel, right thumb basilar joint arthritis, and left ulnar nerve neuropathy injuries. At trial, Matt was able to prove the bilateral cubital tunnel, right thumb basilar joint arthritis, and left ulnar nerve neuropathy injuries were unrelated to the petitioner's work duties. The petitioner appealed this decision to the Commission level of the IWCC, and Matt successfully argued for an affirmed decision. In addition, he has obtained successful fully disputed settlements at nuisance values, as well as, obtained dismissals for his clients by effectively arguing motions to dismiss prior to trial.
- Matt recently obtained a trial victory on a case wherein the petitioner alleged a serious wrist injury requiring a surgery and possible fusion recommendation. We maintained that he was that he was not an employee, but an independent contractor; therefore, WC benefits should not be awarded. We faced exposure up to \$100,000 in WC benefits for PPD, TTD, and medical expenses. The arbitrator found in favor of the defense and denied the claim in its entirety finding the petitioner was an independent contractor.

## **Admissions**

- Illinois

- Wisconsin
- U.S. District Court for the Northern District of Illinois

## **Education**

- The John Marshall Law School, J.D.
- University of Illinois at Urbana-Champaign, B.A.