

# TOBIN PETKUS & MUÑOZ, L.L.C.

## ATTORNEYS AT LAW

2008 Newsletter

### Historic Justice Reaps \$3.1 Million Award

Fox News called it “historic justice.” Popular national and legal media called it the largest award for a minor who drowned in history. A \$3.1 million dollar settlement was reached on the eve of trial. Craig Tobin, Tomas Petkus and Paula Tobin were proud to have successfully represented Roseanne Alexander and the Estate of Damarco Alexander in their pursuit of justice.

Damarco died at the Four Points Sheraton O’Hare hotel. He was attending his 14th birthday party. He entered the pool with friends. He slipped from the shallow to the deep end. The water clarity was so poor that he could not be found for more than 20 minutes.

The defendants included Sheraton Hotel Corporation and the limited partnership that had the license agreement to operate the hotel. The defendants claimed that the cause of Damarco’s death was his inability to swim. We proved that the pool should not have been open that day because of chronic water turbidity. The pool had been open on many prior days in violation of Illinois safety regulations. Pools open to the public should not place children at risk. Tragically, Damarco died because the turbidity of the water – the reason the pool should not have been open – prevented his timely rescue.

The story of the settlement made headlines across the country in features by the Associated Press, ABC News, Fox News and all the major trade publications.



*l. to r., standing, Karl H. Schook, Paula Fuller Tobin, Tomas Petkus and George Muñoz. Seated Craig D. Tobin.*

### Moreno and Daley Lead Cook County Board to Craig Tobin

County government was in crisis; the 2008 Budget was at an impasse. County Board President Todd Stroger filed suit against all of the commissioners. Eight of them, led by the president *pro tem* Joseph Mario Moreno and Commissioner Daley, along with Commissioners Earlean Collins, Robert Steele, Jerome Butler, William Beavers, Deborah Sims and Joan P. Murphy turned to Craig Tobin for representation. Tobin was joined by two other prominent Chicago attorneys. Timothy Wright, former Director of Intergovernmental Affairs for Mayor Harold Washington and a member of the Clinton administration and Michael Del Galdo, general counsel for West Central Municipal Conference, the Town of Cicero and Westchester assisted Tobin. A midnight resolution led to the dismissal of the lawsuit. We are truly honored to have been asked to assist these distinguished public officials.

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