

Illinois Workers' Compensation Newsletter October 2014





Top 5 List: Top 5 Ways To Protect Your Lien

By: <u>Rich Lenkov</u>

Chair, Bryce Downey & Lenkov Workers' Compensation Department

One of the most important, yet often overlooked, aspects of handling a workers' compensation claim is identifying subrogation. If you keep these tips in mind, you may be able to get some of the money that you paid back. Here are the top five ways to protect your lien:

1/Identify Whether Subrogation Exists

Prior to asserting your lien, you must determine whether a viable third party action exists. Subrogation commonly involves claims involving motor vehicle accidents and products, although there are a host of other scenarios that could involve subrogation.

2/Consider Fault

While workers' compensation is typically a no fault system, that is not the case in a civil setting. You must consider the degree to which Plaintiff is at fault, as his or her right to recover will be diminished commensurate with his or her level of fault. Illinois is a modified comparative fault state. This means that Plaintiff can only recover if he/she is 50% or less at fault.

3/Put Everyone On Notice

While technically your lien exists without you putting the other parties on notice, it is important for you to assert your lien clearly and often. Do so in writing, and be specific about the benefits that are recoverable.

4/File a Petition to Intervene

Once a lawsuit is filed (assuming that it was not you who filed it), file a Petition to Intervene. This allows you to access pleadings, discovery and case management conferences, all of which are very valuable parts of the case that you want to track. It will also make it almost impossible to settle the case without your agreement.

5/Be Tough Remember, when the civil parties

Remember, when the civil parties are pressuring you to waive your lien, stand firm. You have a statutory right to recover a portion of the benefits that you've paid. While we often do negotiate our liens, it is important to maintain your leverage during negotiations.

Bryce Downey & Lenkov has attorneys who handle both workers' compensation and personal injury defense. Accordingly, we are uniquely situated to advise our clients on successfully protecting their workers' compensation liens. If you have any questions about subrogation, or would like an inhouse seminar on the issue, please contact me at 312-327-0032.

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Legal Faceoff - WGN.FM



Legal Faceoff is a fast-paced, high-energy legal program dealing with the hottest issues of the day. Rich Lenkov and plaintiff's attorney Jason Whiteside will provide a legal point / counterpoint perspective on issues ranging from celebrity scandals to sports controversies and everything in between. Listen to the podcast on <u>WGN.FM</u> every other Friday.

Commission News

Arbitrator Zanotti Resigned

Arbitrator Zanotti, who covered the Collinsville, Mt. Vernon and Herrin venues, resigned his position as arbitrator. Mr. Zanotti has been sworn in as a State's Attorney in Williamson County. We will update you once a new arbitrator is assigned to that region.

Governor Quinn Appointed Four New Arbitrators

On 9/8/14, Governor Quinn appointed four new arbitrators: Maria Bocanegra, Stephen Friedman, Steven Fruth and Michael Nowak. After completing their training, they will be assigned territories.

2015 Fee Schedule Rates Will Increase 1.7%

Medical fee schedule rates will increase 1.7% on 1/1/15. The 2015 rates will be 38% lower than medical inflation since the fee schedule took effect in 2006. The rates are usually posted at the end of the year. We will keep you posted.

Carpal Tunnel: A Defensible Diagnosis By: <u>Michael Milstein</u>



In Horton v. Illinois, State of/Dept. of Human Services, 22 ILWCLB 100 (III. W.C. Comm. 2014), the Illinois Workers' Compensation Commission reversed the arbitrator's decision and found that Petitioner's carpal tunnel syndrome was not related to her employment.

Petitioner, a caseworker for the State of Illinois, was required to interview clients, type and perform data entry. At trial, Petitioner testified that she typed at least 5 $\frac{1}{2}$ hours a day. Petitioner had a history of comorbidities, including gastric bypass, hypertension and obesity. Petitioner was diagnosed with bilateral carpal tunnel syndrome by her treating physician. The Arbitrator found Petitioner's injuries to be compensable.

The Commission reversed, finding that Petitioner's treating physician lacked credibility. First, the physician ran several tests and diagnosed Petitioner with bilateral carpal tunnel syndrome when there was no objective support for the left wrist diagnosis. Second, the Commission found the doctor's opinion that morbid obesity does not cause carpal tunnel syndrome to lack credibility.

In reversing the arbitrator, the Commission relied on Respondent's IME, Dr. Michael Vender. Dr. Vender testified that most cases of carpal tunnel are idiopathic. He noted that there are risk factors, including forceful activities on a regular basis, age, gender and obesity. Dr. Vender opined that although Petitioner's job was repetitive, it lacked the forceful quality which would cause carpal tunnel syndrome.

Practice Tip

We have successfully defended numerous carpal tunnel cases. You can too. While there are numerous causes of carpal tunnel syndrome, typing is generally not one of them. If a repetitive task causes carpal tunnel, it must be forceful in nature. When you receive a carpal tunnel case, be ready to put on a strong defense.

The 'Reach' of a Workers' Increased Risk of Injury

By: <u>Jessica Rimkus</u>



In Young v. IWCC, 2014 IL App (4th) 130392WC, the Appellate Court addressed whether Petitioner was exposed to the risk of reaching (a neutral risk) to a greater degree than the general public.

Petitioner, a parts inspector, testified that he

was "reaching into the box to grab the last (spring set) when I felt a 'pop' in my shoulder." Petitioner admitted that reaching is an activity of daily living, like reaching for a pair of shoes at home. Respondent argued that the injury must have been caused by an increased risk of injury unrelated to the activites of daily living or caused by a risk unique to Petitioner's job duties, citing factually similar cases like *Nardi v. Village of Harwood Heights*, 05 IWCC 663 (police officer denied benefits when he injured his shoulder reaching for a flashlight in his squad car). The arbitrator agreed and denied benefits. The Commission affirmed and adopted the arbitrator's decision.

Petitioner appealed, arguing that the Commission erred in finding that his shoulder injury did not arise out of his employment. The Appellate Court stated that 'arising out of' is satisfied when Petitioner has shown that his injury originated from some risk connected with, or incidental to, the employment. The Court held that Petitioner was performing acts that the employer might reasonably have expected of him in fulfilling his assigned job duties. The Court reversed and remanded the Commission's decision, finding in favor of Petitioner.

Practice Tip

In assessing compensability, it is still important to first note the type of risk involved. While the Young decision broadens the criteria, Petitioner still has the burden of showing that the risk at issue is connected to his employment.

FREE Webinars

Bryce Downey & Lenkov hosts monthly webinars on pressing issues and hot topics.

Here is what attendees had to say about our 8/25/14 webinar

"It was very informative and I like how you have doctors discuss the topics and provide actual case studies."

"I liked Dr. Shapiro's presentation and explanation for back injuries as well as how this correlates to the Commission awards on PPD."

"A useful look at the types of work comp back claim exposures and review of available defenses."

"I liked the case law examples to back up the medical that was covered. Giving the real life claim examples help make training 'stick."

Upcoming

10/29/14 - Click Here to Register Rich Lenkov & Jorge Rovelo Illinois Workers' Compensation Legal Process: From Application To Appeal

11/13/14 - Click Here to Register Rich Lenkov & Tony May, Litigation Solutions LLC Using Surveillance In Your Workers' Compensation Claim

Recent

Preferred Provider Programs Illinois vs. Indiana:

5 Key Issues & How Each State Deals With Them AMA Guidelines: A Legal And Medical Perspective Traveling Employees In Illinois Workers' Compensation Defending Pain Claims: A Medical & Legal Perspective Defending Back Pain Claims: A Medical & Legal Perspective Illinois Case Law Update

If you would like a copy of any of our prior webinars, please email Marketing Coordinator Jason Klika at jklika@bdlfirm.com.

Upcoming Seminars

 On 10/17/14, Justin Nestor will present at a multi-state breakout session regarding effective workers' compensation claims handling in Dallas, TX. For more info and to register, Click Here



 On 10/24/14, Rich Lenkov, Robert Baer and Grant Dixon will present "Point/Counterpoint: Key Workers' Compensation Issues from the Perspective of an Employee Attorney and an Employer Attorney" at the CLM 2014 Workers' Compensation Conference in Costa Mesa, CA. For more info and to register, Click Here.

 On 11/4/14, Bryce Downey & Lenkov and Willis Insurance are cohosting "Forecast For 2015" at Willis Tower. This annual seminar will include a bankers' round table and presentations on distressed assets, construction defects and surety and insurance updates. To attend this seminar, please RSVP to <u>rsvp@bdlfirm.com</u>



11/4/14

8:00 - 11:30 AM New York Boardroom, 20th floor Willis Tower* 233 S Wacker Dr. Chicago, IL 60606

If you would like to attend this free seminar, please RSVP to rsvp@bdlfim.com by 10/30/14

Presented at this seminar will be:

- · Bankers' Round Table
- Construction and Surety Insurance Update
- Distressed Assets and Foredosure Options
- Insurance Coverage Construction Defect Update
- . And more

"Please note, a government issued picture ID (such as a U.S. state driver's license or ID card) is required for entry On 11/19/14, Rich Lenkov & Jill Dulich, Senior Director of Marriott Claims Services, will present "Top 10 Ways to Reduce Legal Expenses Now" at the National Workers' Compensation & Disability Conference in Las Vegas. This seminar will give you real-world, practical takeaways to mitigate your litigation expenses. For more info and to register, Click Here



23rd Annual National Workers' Compensation and Disability Conference® & Expo

NOVEMBER 19 - 21, 2014 MANDALAY BAY | LAS VEGAS

For 22 years, the National Workers' Compensation and Disability Conference® (NWCDC) has provided the best workers' compensation and disability management training available — attracting thousands of industry professionals each year.

Top 10 Ways To Reduce Your Legal Expenses NOW

Join Marriot Claims Services Senior Director Jill Dulich and Bryce Downey & Lenkov Partner Rich Lenkov at the 23rd Annual National Workers' Compensation and Disability Conference & Expo as they teach you how to reduce—and in many cases—eliminate legal expenses.

- Force vendors to stick to a budget
 Analyze
- Recognize appropriate trial strategies
- Analyze legal bills
- es Cut through legal jargon

And many more practical tips!



- On 12/11/14, the CLM Greater Chicago chapter will be hosting an educational and networking event. Stay tuned for more details
- On 2/5/15, Rich Lenkov, Sherri Johnson (Senior Director of Corporate Claims, Interstate Hotels & Resorts) and Steve Truono (Vice President of Global Risk and Insurance, Starwood Hotels and Resorts) will present "General Liability and Workers' Compensation Issues Unique to the Hotel Industry" at the 2015 Retail, Restaurant & Hospitality Committee Conference in Orlando, FL. For more information and to register, <u>Click Here</u>
- On 6/9/15, Rich Lenkov will be speaking at the 35th Annual National Workers' Compensation and Occupational Medicine Conference. For more information, <u>Click Here</u>

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Bryce Downey & Lenkov is Growing Kirsten Kaiser



Kirsten focuses her practice on Indiana worker's compensation and general litigation defense. She has successfully tried and argued numerous cases before Administrative Law Judges of the Indiana Worker's Compensation Board and Social Security Disability Administration. Kirsten has also successfully tried personal injury and criminal cases before the Lake, Porter and Starke County trial courts. Kirsten is also experienced in mediation

and subrogation matters, including ERISA, Medicare and Medicaid.

Kirsten has served on numerous occasions as Judge Pro Tempore for the Honorable Judge Cantrell in Lake Superior Court. Kirsten also frequently volunteers her time with the Porter County Animal Shelter and donated a year of pro bono legal services to aid in its representation. She is an active member of the Women Lawyers Association and the Lake and Porter County Bar Associations.

Kirsten graduated from Valparaiso University School of Law, where she was President of the Women Lawyers Association, Executive Board Member of the Hellenic Law Association and an active volunteer with the Richard Blennerhasset Tax Law Society, providing tax preparation assistance to the community. She graduated from Ball State University with a degree in Political Science and English. In her free time, Kirsten enjoys spending time with her fiancé, family and friends and walking her two dogs, both of which are rescues from shelters.

Meet Our Clients Eric Spalsbury Director, Risk Management Stanley Steemer International, Inc.

What are your responsibilities? Oversight of comprehensive risk management functions. This includes proactive programs (loss control, operational improvement, risk transfer, fleet maintenance) and reactive mitigation efforts (claims and litigation management, etc.). Our basic charge is that of "profit stewardship" – i.e. making a dollar earned a dollar banked.



Where are you originally from and where are you currently based? I was born in Houston, Texas and grew up in central Ohio. I've spent approximately 30 years in the RM business in one form or fashion, including chemical manufacturing, waste management and global distribution.

What is the biggest challenge facing your workers' compensation program? Medical management.

What is your biggest pet peeve about Illinois workers' compensation? Inflexibility – especially when it concerns terminated employees and the ability to change compensation programs as needed and/or justified.

What do you do for fun when you're away from work? I'm always in the service of the company!

Other Newsletters

Bryce Downey & Lenkov regularly issues several practice area newsletters. If you would like a copy of any of the below articles from other BDL newsletters, please email our Marketing Coordinator, Jason Klika, at jklika@bdlfirm.com.

General Liability

- Illinois Court of Appeals Broadens Distraction Exception to Open and Obvious Doctrine
- Two Illinois Appellate Courts Reach Different Conclusions in Accumulation of Ice Cases

Labor & Employment Law

- Medical Marijuana Update: Eye on the Pot
- Game Changing News: NLRB Rules Northwestern Football Players are Employees

Corporate & Construction

- Trade Secrets: If It's Not A "Trade Secret," How Do I Protect It?
- Federal, State And Local Incentives Available For Businesses

Advertising Material

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Meet The Team Jeanmarie Calcagno



I've been with Bryce Downey & Lenkov for over two years. I thoroughly enjoy being a member of the BDL team and concentrate in the defense of workers' compensation matters. The great thing about working at BDL are our phenomenal clients, outstanding attorneys and terrific support staff. I'm surrounded by attorneys who are accomplished and experienced in various areas of law, and together we create the best legal product on the market for our clients.

I have a Bachelor of Science in Commerce from DePaul University, a Master of Business Administration from Illinois Institute of Technology and a Juris Doctorate from Chicago Kent College of Law.

I started my career as an Assistant State's Attorney for Cook County, where I defended the County in its workers' compensation claims. Throughout the years, I've represented clients of all types, including small businesses, middle market and large corporate clients. I've also managed claims for a global insurance carrier. I'm very sensitive to the direct impact each claim has on my clients, and am committed to a proactive and expedient resolution of each case.

I live in the western suburbs with my husband and daughters. My husband is retired after having worked for the State of Illinois and served in the military. I'm extremely proud of my daughters. My older daughter is a sophomore in college majoring in pre-veterinary medicine. My younger daughter is a high school senior, who serves as Class President and Secretary to the National Honor Society. When not at work, I enjoy spending time with my daughters and watching them compete in their athletic endeavors. I am a film buff, and enjoy watching classic movies from the 1930s-1950s-typically anything shown on Turner Classic Movies. I watch Perry Mason every evening to keep my legal strategies and skills sharp. I have three dogs and recently adopted a puppy which I will train to provide pet therapy.







Giving Back "CHILL" With Bryce Downey & Lenkov

Bryce Downey & Lenkov is a longtime supporter of the Respiratory Health Association and is a benefactor at its upcoming event on 11/13/14. The CHILL event is a 2 ½ hour wine and food grazing event among the kitchen and bath showrooms on the first floor of the Merchandise Mart. Guests will mingle, and sample food and wine, and tour the Mart's first floor showrooms. All proceeds support RHA and their mission to protect clean air and ensure proper lung health care.



Every year, the Respiratory Health Association of Metropolitan Chicago offers the "Skyline Plunge" to those who are daring (or crazy) enough to rappel down a 27 story building. Geoff and Sharon were also featured in WGN's coverage of the event. <u>Click here to watch the full interview</u>.



Race Judicata 2014

"Top 10 Mistake Law School Graduates Make"

On 9/16/14, Rich Lenkov and Michael Cklamovski gave a webinar to NIU College of Law students. Rich and Mike shared their personal stories both in front of and behind the interviewing desk and left students with a powerful list of 10 mistakes not to make.

•Geoff Bryce Rappelled 27 stories for Lung Health

On 9/7/14, Managing Partner, <u>Geoff Bryce</u>, and his wife, Sharon Syc, rappelled 27 stories to help raise awareness and funds for lung disease research, education and advocacy. Geoff also received the "Making a Difference Awesome Event Supporter" award.

Bryce Downey & Lenkov was proud to sponsor Chicago Volunteer Legal Services' (CVLS) Race Judicata 5K Race on 9/4/14. In addition to our sponsorship, this year, Bryce Downey & Lenkov sponsored the wine tent. Team BDL grows larger each year. This year we had 45 and were joined by our friends at Chicago Legal Prep, Chicago's first and only legal-themed charter high school, and NIU college of Law. Our fastest times were David Savin – 25:02, Jason Klika – 25:20 and Kassy Lopez – 26:31. Great job Team BDL!



ILLINOIS RATES AT A GLANCE

EFFECTIVE DATES	MAXIMUM TTD	MINIMUM PTD and DEATH	STATE AVERAGE WEEKLY WAGE
7/15/04 to 1/14/05	1034.56	387.96	775.92
1/15/05 to 7/14/05	1051.99	394.50	788.99
7/15/05 to 1/14/06	1078.31	404.37	808.73
1/15/06 to 7/14/06	1096.27	411.10	822.20
7/15/06 to 1/14/07	1120.87	420.33	840.65
1/15/07 to 7/14/07	1148.51	430.69	861.38
7/15/07 to 1/14/08	1164.37	436.64	873.28
1/15/08 to 7/14/08	1178.48	441.93	883.86
7/15/08 to 1/14/09	1216.75	456.28	912.56
1/15/09 to 7/14/09	1231.41	461.78	923.56
7/15/09 to 7/14/10	1243.00	466.13	932.25
1/15/10 to 7/14/10	1243.00	466.13	922.45
7/15/10 to 1/14/11	1243.00	466.13	925.08
1/15/11 to 7/14/11	1243.00	466.13	930.39
7/15/11 to 1/14/12	1261.41	473.03	946.06
1/15/12 to 7/14/12	1288.96	483.36	966.72
7/15/12 to 1/14/13	1295.47	485.80	971.60
1/15/13 to 7/14/13	1320.03	495.01	990.02
7/15/13 to 1/14/14	1331.20	499.20	998.40
1/15/14 to 7/14/14	1336.91	501.34	1002.68
7/15/14 to 1/14/15	1341.07	502.90	1005.80

EFFECTIVE DATES	MAXIMUM PPD
7/1/04 to 6/30/05	567.87
7/1/05 to 6/30/06	591.77
7/1/06 to 6/30/07	619.97
7/1/07 to 6/30/08	636.15
7/1/09 to 6/30/10	664.72
7/1/10 to 6/30/11	669.64
7/1/11 to 6/30/12	695.78
7/1/12 to 6/30/13	712.55
7/1/13 to 6/30/14	721.66
7/1/14 to 6/30/15	Will be posted 1/15

Minimum Rate Death & Total Permanent Disability: 50% of the Statewide Average Weekly Wage

Maximum Rate Death Benefit: The greater of \$250,000 or 20 years *Effective* 2/1/06 – the greater of \$500,000 or 25 years

Temporary Total Disability (TTD) Rate: 66-2/3% (.667) x AWW

Permanent Partial Disability (PPD) Rate: 60% (.6) x AWW

MINIMUM	SINGLE	MARRIED	1 DEP.	2 DEP.	3 DEP.	4+ DEP.
TTD & PPD 1/15/08-7/14/08	200.00	*	230.00	260.00	290.00	300.00
TTD & PPD 7/15/08-7/14/09	206.67	*	237.67	268.67	299.67	310.00
TTD & PPD 7/15/09-7/14/10	213.33	*	245.33	277.33	319.00	330.00
TTD & PPD 7/15/10-7/14/13	220.00	*	253.00	286.00	319.00	330.00
TTD & PPD 7/15/13-1/14/14	220.00	*	253.00	286.00	319.00	330.00
TTD & PPD 1/15/14-7/14/14	220.00	*	253.00	286.00	319.00	330.00
TTD & PPD 7/15/14-1/14/15	220.00	*	253.00	286.00	319.00	330.00

*number if children and/or spouse = number of dependents

SCHEDULE OF INJURIES FOR DISABILITY IMPAIRMENT

NOTE: New 2005 rates:

column indicates the rates for incidents that occurred before July 19, 2005, and for incidents that occurred from November 16, 2005, through January 31, 2006.

> column indicates the new rates for incidents that occur on or after February 1, 2006, and for incidents that occurred from July 20, 2005, through November 15, 2005.

BODY PART	WEEKS		BODY PART	WEEKS	
	<	\checkmark		<	\succ
Man as a Whole*	500	500	8c Disfigurements – Max	150	162
Eye	150	162	Thumb	70	76
Leg	200	215	Index Finger	40	43
Foot	155	167	Middle Finger	35	38
Arm	235	253	Ring Finger	25	27
Hand	190	205	Little Finger	20	22
Great Toe	35	38	Other Toes	12	13
Loss One Testicle	50	54			
Loss Both Testicles	150	162			
Hearing Loss One Ear	50	54	Hearing Loss One Ear	100	100
Accident			Occupational Disease		
Hearing Loss Two Ears	200	215	Hearing Loss Two Ears	200	200
Accident			Occupational Disease		

BODY PART	ADD # WEEKS		
	<	\succ	
Leg Amputation – above the knee	25	27	
Leg Amputation – at the hip	75	81	
Arm Amputation – above the elbow	15	17	
Arm Amputation – at the shoulder	65	70	
Eye Enucleation	10	11	

STATUTORY FRACTURES	MINIMUM AWARD
Vertebra	6
Facial Bone	2
Transverse Process	3
Skull	6
Nasal Bone	2

SETTLEMENT DAY

Close Dozens of Files NOW!

WHAT?

We invite opposing attorneys and their clients for claims that have languished to meet and discuss settlement

WHERE?

At the Illinois Workers' Compensation Commission in Chicago (and by conference call if they are not local)

WHO?

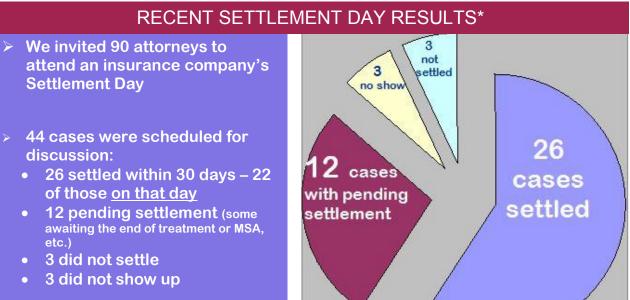
Decision-makers from the insured and/or TPA arrive with settlement authority. Bryce Downey & Lenkov attorneys consult together with them to present our best offers

WHEN?

Two or three cases scheduled for each 30-minutes block between 9 am and 5 pm, over one or two days

WHY?

From 3/1/12 – 3/1/13, we closed 99 cases through settlement days.



If you would like our assistance in closing your claims during settlement days

or through other innovative strategies, please contact

Rich Lenkov at rlenkov@bdlfirm.com

*Past performance does not guarantee or indicate future results.

Free Seminars!

Our attorneys regularly provide free seminars on a wide range of workers' compensation topics. We speak to a few people or dozens, to companies of all sizes and large national organizations. Among the national conferences at which we've presented:

- Claims and Litigation Management Alliance Annual Conference
- Illinois Work Comp Forum
- National Workers' Compensation and Disability Conference[®] & Expo
- SEAK Annual National Workers' Compensation and Occupational Medicine Conference
- REBEX
- RIMS Annual Conference

Some of the topics we presented are:

- Turning The Tables: Using An Employee's Own Actions As A Defense To Their Workers' Compensation Clam
- Closing The Nightmare Case
- Workers' Compensation 101
- Mandatory CMS Reporting Requirements: What You Need To Know
- Managing & Closing WC Claims In A Cost-Effective Manner
- Obtaining A Winning Medical Opinion
- The Mediation Process
- Balancing Aggressive Pursuit Of Lien Recovery With Associated Litigation Expenses
- Dealing With Difficult Claimants
- Health-Related Leave: Workers' Compensation, ADA, and FMLA

If you would like us to come in for a free seminar, please email Rich Lenkov at rlenkov@bdlfirm.com.

Bryce Downey & Lenkov is a firm of experienced business counselors and accomplished trial lawyers who deliver service, success and satisfaction. We exceed clients' expectations while providing the highest caliber of service in a wide range of practice areas. With offices in Chicago, Crown Point, IN, Memphis and Atlanta and attorneys licensed in multiple states, Bryce Downey & Lenkov is able to serve its clients' needs with a regional concentration while maintaining a national practice. Our practice areas include:

Business Litigation Business Transactions & Counseling Corporate/LLC/Partnership Organization and Governance Construction	Employment and Labor Counseling & Litigation Entertainment Law Insurance Coverage Insurance Litigation Intellectual Property	Medical Malpractice Professional Liability Real Estate Transportation Workers' Compensation
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The attorneys at Bryce Downey & Lenkov are committed to keeping you updated regarding the latest developments in workers' compensation law in Illinois and Indiana. If you would like more information on any of the topics discussed above, or have any questions regarding these issues, please contact Rich Lenkov at 312.327.0032, Storrs Downey at 312.327.0007, or any member of the Workers' Compensation team. © Copyright 2014 by Bryce Downey & Lenkov LLC, all rights reserved. Reproduction in any other publication or quotation is forbidden without express written permission of copyright owner. The content of this newsletter has been prepared by Bryce Downey & Lenkov LLC (the Firm) for informational purposes and does not constitute legal advice. This information is not intended to create, and receipt of it does not constitute, a lawyer-client relationship. You should not act upon this information without seeking advice from a lawyer licensed in your own state of country.

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Tel: 312.377.1501 Fax: 312.377.1502	Tel: 219.488.2590 Fax: 219.213.2259		Tel: 901.753.5537 Fax: 901.737.6555	Fax: 678.352.0489