



Lyndon M. Flosi

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Lyndon Flosi concentrates his trial practice on the defense of cases involving product liability and primarily toxic tort and asbestos litigation. He is also experienced in automobile and trucking litigation, premises liability, and construction litigation. Lyndon represents motor vehicle insureds, trucking companies, construction contractors, elevator and escalator companies, property owners and managers, hotel chains, employers, and product manufacturers.

During his 30-plus years of practice, Lyndon has primarily emphasized trial work, including 13 first chair jury verdicts, over 100 bench trials and arbitration hearings, and extensive motion practice. He has also taken and participated in hundreds of depositions, including those of expert witnesses and treating physicians.

Before joining Hinshaw in 1993, Lyndon was in-house counsel for American Family Insurance Group, where his practice focused on personal lines defense, automobile, and premises liability matters. His responsibilities as an in-house litigator included a caseload of approximately 100 files in which he handled all litigation phases from inception to ultimate resolution or verdict.

Honors & Awards

- Member of the Leading Lawyers Network, where he was selected by his peers as a Leading Lawyer in Personal Injury Defense: General and Products Liability Defense
- Recognized on the Super Lawyers list by *Illinois Super Lawyers* magazine, 2005
- Holds the AV® Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability

Representative Matters

A selection of representative defense cases that Lyndon has handled include:

- *Koehler v. Harley Davidson*: This double fatality case involved an intersection collision between a Harley Davidson motorcycle and an Oldsmobile operated by the defendant, William Lindsey. Mr. Lindsey turned left in front of the motorcycle, resulting in the deaths of both husband and wife riders. In addition to asserting a negligence claim against Mr. Lindsey, the estates of

Practices

Complex Tort & General
Casualty

Education

J.D., University of Illinois
Chicago School of Law, 1985
B.A., DePaul University, 1982

Admissions

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

Languages

Italian



both plaintiffs also set forth strict products liability counts against Harley Davidson and its brake manufacturer/designer, Nissin Brake Ohio, and Nissin Kogyo. Hinshaw represented the Nissin defendants. The plaintiffs asked the jury for \$6 million for both estates. After a three-week trial, the jury returned a no liability verdict in favor of Harley Davidson and both Nissin defendants.

- *Ioan Dumitru v. Juan Mendoza*: The plaintiff, a neighbor of the defendant, allegedly was asked to come up on the roof of the defendant's two-story building to assist with the removal of a tree branch that weighed several hundred pounds. The plaintiff subsequently fell off the roof and filed litigation against the defendant under a negligence theory. The plaintiff sustained left hip fractures, bilateral fractures, and dislocations to his elbows. The case was tried over four days before Judge Abishi Cunningham in the Circuit Court of Cook County. The plaintiff's medical bills totaled in excess of \$115,000. Prior to trial, the plaintiff had demanded the policy limits of \$500,000. The offer before the trial was \$50,000. The plaintiff asked the jury for \$1.6 million. The jury returned a "no liability" verdict in favor of the defendant.
- *Stojkovich v. Westinghouse Electric Corporation*: In this case, the plaintiff was a young man who worked as a computer consultant for Kemper Insurance Company and was regarded as a bright, innovative, and up-and-coming consultant. During a holiday party, the plaintiff and other co-employees became stuck in an elevator that had stopped for unknown reasons. When those in the elevator attempted to extricate themselves, the plaintiff fell three stories to the bottom of the elevator shaft and sustained severe head injuries, including permanent brain damage. The plaintiff brought suit against the elevator company (Westinghouse) and the building owners. Defended Westinghouse and second-chaired the trial with another Hinshaw partner. The demand was \$3 million from both defendants before trial, and no offers were made. After approximately seven weeks of trial, the jury returned a verdict in favor of the plaintiff in the amount of \$3.7 million and apportioned liability as follows: Building 60-percent, Westinghouse 25-percent, and the plaintiff 15-percent.
- *Ragona & Gartner v. American Family Mutual Insurance Company*: The plaintiffs were passengers in a large Chevy Suburban, which was destroyed after being struck by an uninsured driver and submitted a claim to their insurance carrier, American Family, pursuant to the uninsured motorist clause of their policy. The parties could not agree on a reasonable and fair settlement of the claim so the case was tried over five days. The lawsuit was brought under a theory of breach of contract. The only issue before the court was the nature and the extent of the damages sustained. The plaintiffs sustained soft tissue injuries and submitted medical evidence of permanency at trial. Alleged damages introduced at trial included prior, and future medical bills in excess of \$50,000 and prior and future lost wages of approximately \$200,000. Demands prior to trial amounted to \$235,000 for all three plaintiffs, and the offers totaled \$27,000. The plaintiffs requested in excess of \$300,000 from the jury. The jury returned a verdict totaling \$29,391.