

Gerald T. Rohrer, Jr.

PARTNER

Gerald Rohrer has built a stellar reputation as a strong and knowledgeable advocate for his clients, not only in the trial and appellate courts, but in the Illinois Supreme Court as well. He uses his experience as a litigator, trial attorney and appellate advocate as the cornerstone for the full range of services he provides. From negotiating complex contracts, to counseling businesses and governmental entities, he is able to incorporate a litigator's perspective into all his work. Gerald believes helping clients avoid the courtroom is just as important as achieving success there.

Gerald's accomplishments in managing major multiparty defense litigation are an outgrowth of his experience early in his career helping run political campaigns and working in the upper echelons of a major governmental entity. High-pressure, high-stakes positions are a common thread in his professional life. While attending law school at night, Gerald held various administrative and policy positions at the Cook County State's Attorney's Office, where he advanced to the position of assistant to the State's Attorney. In that capacity he advised the State's Attorney, First Assistant and Chief Executive Assistant regarding policy, law-enforcement matters and legislative issues. He also participated extensively in media relations. In addition, he authored testimony given before a Congressional subcommittee and helped form the Coalition for Truth-in-Sentencing, which contributed to the historic revamping of Illinois' criminal code regarding good-behavior prison credit for felons. Prior to his government work he served as field director for a successful countywide political campaign.



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PRACTICE AREAS

Commercial and Employment Litigation
Professional Liability Litigation
Construction Contracts and Litigation
Insurance/Reinsurance Coverage
Appellate Practice
Real Estate
Securities/Commodities Litigation
Probate/Trust Litigation

Before joining Schuyler, Roche & Crisham, Gerald practiced law at another Chicago firm where he concentrated, as he does today, in tort defense litigation, commercial litigation, insurance coverage and business counseling. Attracting him to Schuyler, Roche & Crisham was the reputation of our partners in these areas of law and our expertise in numerous other arenas, the breadth and depth of which, he says, have ensured the highest quality of representation for clients and a stimulating environment for the practice of law.

AREAS OF PRACTICE

Gerald's extensive history in high-pressured jobs has contributed to the quality of his representation today and the trust he has earned from clients. Confident, forthright and service-oriented, he has successfully defended and advised clients regarding a wide range of subjects. He counsels major construction firms, real estate developers and local governmental entities regarding insurance coverage and commercial or general liability. His litigation practice includes defending both corporate and governmental clients in complex cases involving insurance coverage disputes and automobile, property and construction liability resulting in injury or wrongful death. He also litigates mechanics' lien matters and commercial disputes. In addition, he is a skilled appellate practitioner.

Gerald has acquired extensive experience in the Circuit Courts in Lake, Cook and Will counties and in the Federal District Court for the Northern District of Illinois, which has established qualifications attorneys must meet before trying cases there. His practice continues to evolve in its scope and complexity. For example, he currently is representing a governmental entity in complex, multi-party suits arising out of work being done on a sewage-treatment plant.

EXPERIENCE

Schuyler, Roche & Crisham, P.C.
Chicago, Illinois

Partner
2009 to Present

Associate
1998 to 2009

Johnson & Bell, Ltd.
Chicago, Illinois

Associate
1997 to 1998

Cook County State's Attorney
Chicago, Illinois

Assistant to the State's Attorney
1992 to 1996

Citizens for Jack O'Malley
Chicago, Illinois

Campaign Field Director
1992

APPOINTMENTS

Illinois State Bar Association, Tort Law Section
Council, 2003-2007.

ACHIEVEMENTS

In addition to obtaining a growing number of trial court victories, Gerald has developed an impressive record in the Appellate Court of Illinois. Of note was his victory in *Martens v. MCL Construction Corporation*, 807 N.E.2d 480 (1st Dist. 2004), wherein the summary judgment he obtained in the trial court on behalf of an owner/general contractor was unanimously affirmed. The case was a construction negligence action in which an ironworker sustained extensive injuries after falling several stories from a steel beam. The decision addressed, in part, whether an owner/general contractor owed a duty to the employee of a sub-tier contractor.

Further, Gerald argued before the Illinois Supreme Court in January 2004 in a matter that affects every unit of local government in the state. The Supreme Court in *Paszkowski v. Metropolitan Water Reclamation District* held that the four-year statute of limitations that generally applies to construction matters does not apply when suing a governmental entity. Rather, as Gerald argued, the one-year limitation period applies as found in the Tort Immunity Act. An interesting aspect of this case is that after Gerald successfully secured trial court dismissal and following the plaintiff's appeal, the appellate court, in an unusual move, refused to uphold one of its own prior decisions on point and reversed the dismissal of the case. This reversal created a clear split in legal authority, as reported on the front page of the *Chicago Daily Law Bulletin*, thus setting the stage for intervention by the Illinois Supreme Court [*Paszkowski v. Metropolitan Water Reclamation District* 289 Ill.Dec. 625, 820 N.E.2d 401 (Ill. 2004).]

Cases in which Gerald has secured appellate affirmation of his trial court successes include:

Appellate Cases Briefed and Argued

1. *Mercantile National Bank v. Metropolitan Water Reclamation District* (April 27, 2001, 1st Dist. No. 1-00-2502). Gerald obtained summary judgment in a wrongful death action wherein the deceased was killed during the construction of the Water Reclamation District's Deep Tunnel Project. The plaintiff appealed. Gerald both briefed and presented oral argument to the Appellate Court. The Appellate Court issued a Rule 23 order affirming the summary judgment which addressed the relationship of a construction site owner to the actual construction activities and what duty, if any, the owner has to employees of an independent contractor. The Supreme Court denied the plaintiff's Petition for Leave to Appeal. The plaintiff was represented by the firm of Corboy & Demetrio.

EDUCATION AND DISTINCTIONS

J.D., The John Marshall Law School, Chicago, Illinois, 1997.

B.A., Communication Management major, Political Science minor, University of Dayton, Dayton, Ohio, 1991.

Vice President for Operations, Student Government Association, 1990 to 1991.

Vice President for Public Relations, National Association of Students at Catholic Colleges and Universities (NASCCU), 1990 to 1991.

Curry Intern for the Office of the Governor; Illinois Department of Public Aid, Office of Communications; 1990.

Vice President, Student Senate, 1989 to 1990.

LECTURES

"So You Want the Claim to Disappear," panel discussion at the seminar Engineering Through the Legal Issues (see "So You Want the Claim to Disappear: The Right Indemnification Provisions and Clear Intention Regarding Beneficial Rights Can Limit Your Liability Exposure"), Structural Engineers Foundation, 2004.

Gerald makes presentations to business trade groups and insurance companies on a wide range of topics concerning complex litigation and associated insurance coverage. He welcomes opportunities to speak on issues involving construction claims, personal injury, wrongful death, property damage and insurance coverage.

2. *Robert Elsinga v. Kenny Kiewit Shea, a Joint Venture* (December 30, 2002, 1st Dist. No. 1-01-3848). Gerald obtained summary judgment in a construction negligence action wherein an employee of a subcontractor was injured during the assembly of a crane on a Metropolitan Water Reclamation District project. The plaintiff appealed. Gerald briefed the matter and without oral argument the Appellate Court issued a Rule 23 order affirming the summary judgment which addressed the question of proximate cause as a matter of law. The plaintiff was represented by Clifford A. Silverman.

3. *Michael Dahlen v. Metropolitan Water Reclamation District, et al.* (April 21, 2003 1st Dist. No. 1-01-3145). Gerald obtained summary judgment on behalf of the Metropolitan Water Reclamation District of Greater Chicago in a construction negligence/products liability action wherein the plaintiff was allegedly injured by falling debris from a mining machine used in the construction of the Water Reclamation District's Deep Tunnel Project. Summary judgment was granted, the Court having found a lack of duty owed to the plaintiff by the owner of the construction project. Gerald briefed the matter and without oral argument the Appellate Court issued a Rule 23 order affirming the summary judgment entered in favor of the MWRD. The plaintiff was represented by the firm of Marvin A. Brustin, Ltd. n/k/a Brustin & Lundblad, Ltd.

4. *Martens v. MCL Construction, et al*, 347 Ill.App.3d 303, 807 N.E.2d 480 (1st Dist. 2004). Gerald obtained summary judgment in a construction negligence action wherein an iron worker sustained extensive and permanent injuries from a multi-story fall from a steel beam. The issue involved, in part, was whether a duty is owed by the owner/contractor to the employee of a sub-tier contractor. The plaintiff appealed. Gerald briefed the matter and without oral argument the Appellate Court issued its opinion on February 27, 2004 affirming the summary judgment. The Supreme Court denied the plaintiff's Petition for Leave to Appeal. The plaintiff was represented by the firm of Anesi, Ozmon, Rodin, Novak, & Kohen, Ltd.

BAR AND COURT ADMISSIONS

Illinois, 1997

United States District Court for the Northern District of Illinois, General Bar, 1997

PROFESSIONAL MEMBERSHIP

Chicago Bar Association

Illinois State Bar Association

American Bar Association

Illinois Assoc. of Defense Trial Counsel

5. *Paszkowski v. Metropolitan Water Reclamation District, et al*, 289 Ill.Dec. 625, 820 N.E.2d 401 (Ill. 2004). Gerald obtained a motion to dismiss in a construction negligence action arguing that the appropriate statute of limitations to sue a governmental entity for a construction accident is one year. The plaintiff appealed. Gerald briefed the matter and without oral argument the Appellate Court reversed the trial court. Upon the Supreme Court granting a Petition for Leave to Appeal, Gerald assembled an *amicus curia* committee which included the City of Chicago, Illinois Association of Defense Trial Counsel, and the Illinois Municipal League. Gerald briefed the matter and presented oral argument to the Supreme Court on January 21, 2004. The Supreme Court reversed the Appellate Court and affirmed the trial court on November 18, 2004 favorably resolving what had been a split in authority regarding the application of the one-year statute of limitations to governmental entities. The plaintiff was represented by the firm of Marvin A. Brustin, Ltd. n/k/a Brustin & Lundblad, Ltd.

In addition, Gerald has:

- tried complex commercial matters in both courtroom settings and financial regulatory arbitration settings
- negotiated several pretrial settlements for general contractors, developers and property owners in a wide range of personal injury matters
- counseled large construction firms and developers regarding contract language and job-site safety programs
- litigated construction lien matters for major construction firms.

The breadth and complexity of Gerald's career have proven a notable asset to clients who depend not only on his courtroom abilities, but on his sound judgment, advice and insight. If Gerald Rohrer's qualifications and record of success appeal to you, we encourage you to call him.