



News

Illinois Appeals Court Affirms Win by Hinshaw Legal Team in \$4 Million Legal Malpractice Case Filed by Minor League Baseball Association

January 4, 2019

The Illinois Appellate Court, First District has affirmed a legal malpractice defense verdict secured at trial by Hinshaw partners Peter Sullivan and Barry MacEntee. Hinshaw represented Chicago law firm Gozdecki, Del Guidice, Americus & Farkas, LLP ("GDAF"), which had been accused of legal malpractice in drafting a League Agreement for an independent baseball league.

The jury verdict is described in detail in the following Hinshaw press release: <https://www.hinshawlaw.com/newsroom-news-Hinshaw-Legal-Team-Prevails-in-4-Million-Legal-Malpractice-Case-Filed-by-Minor-League-Baseball-Association.html>

The appeal was handled on behalf of GDAF by Hinshaw partners Adam Vaught, Sullivan and MacEntee. On appeal, the plaintiff challenged numerous evidentiary rulings made by the trial court. The court rejected all of plaintiff's arguments, including finding the trial court properly barred plaintiff's expert's opinions first disclosed on the eve of trial, and that the trial court was correct to qualify defendants' experts as plaintiff's objections to them went to their credibility rather than admissibility.

In addition, the court found the trial court properly allowed the defense to call signatories to the league agreement to testify to whether they would have signed the agreement if an allegedly missing provision had been included in the final document. The court found a transactional malpractice plaintiff must establish that parties to an agreement would have agreed to a missing provision to prove proximate causation. As a result, testimony from a party to a contract was found to be crucial evidence of that party's intent to the contract.

The case is in *Northern League v. Gozdecki, Del Guidice, Americus & Farkas, LLP, and Steven Leech*, 2018 IL App (1st) 172407.

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