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## City OKs \$5M for lost leg after accident on icy street

BY **MARC KARLINSKY**

*Law Bulletin staff writer*

The city has agreed to pay \$5 million to a man who lost his leg when a leaking water main caused a driver to lose control on an icy street and hit him.

On Nov. 20, 2008, 23-year-old Chicago State University student Edwin J. Hill was waiting for a CTA bus at 95th Street and Indiana Avenue when Denise Dickerson's Ford Mustang spun out and hit him.

Hill was pinned against a lamp pole by Dickerson's car. The collision severed his right leg above the knee.

After the accident, Hill's attorneys, Philip Harnett Corboy Jr. and Edward G. Willer of Corboy & Demetrio P.C., found the road glazed in black ice.

"Once we got out there and found out there was this sheet of ice, we were scratching our heads," Corboy said.

They canvassed businesses in the Roseland neighborhood and identified several business owners who said they reported a leaking water main to the city's water management department at the intersection the previous winter when the wet street froze over.

Hill filed a complaint in July 2009 in Cook County Circuit Court, alleging the city failed to repair the water main and prevent the black ice condition from occurring.

Corboy said the city disputed it ever received complaints about a leak or recurring icy conditions.

"When we asked the city of Chicago for written confirmation, the city got back and said they didn't exist," he said. "They fought us on that."

Had the case gone to trial — it was assigned to former Circuit Judge Richard J. Elrod's call in January — Corboy said he planned to rely on testimony from two businessmen who run an auto repair shop and an accounting office in the building near the crash site.

Lawyers representing the city and Dickerson informally settled on Jan. 17 under the condition the city council's finance committee and the full city council approve the agreement. The settlement provides \$5 million from the city and \$20,000 from Dickerson's insurance policy.

City clerk records show the council voted to approve the settlement at its April 30 meeting.

Corboy said Hill returned to school and is currently working on a master's degree in computer technology. The settlement will help make sure Hill can always afford to maintain a state-of-the-art prosthetic leg, he said.

"Edwin is a large man, and the thought from the medical professionals was it's going to take a lot more time and expense for a properly fitted prosthesis,"



**Philip Harnett Corboy Jr.**

Corboy said. "Prosthetics today, the good ones, are by and large driven by computer chips. They're expensive."

Dickerson was represented by Robert Schey and John E. Broussard of Robert Schey & Associates P.C. in Northbrook. Schey said he tendered his client's full policy early on in the lawsuit.

"We were just along for the ride," Schey said.

The city was represented by Senior Counsel Melissa L. Whelan and Assistant Corporation Counsel Daniel Wangler.

A law department spokeswoman did not return a request for comment.

The case is *Edwin J. Hill v. Denise Dickerson, et al.*, No. 09 L 8755.