

SMALL CLAIMS SUCCESS MEANS BIG WIN FOR DECEASED VETERAN'S FAMILY

Attorney Keith Moskowitz, a partner with Sonnenschein Nath & Rosenthal LLP, took a case referred to him by the Veterans Legal Support Center & Clinic (VLSC) at The John Marshall Law School, and successfully represented the family of deceased soldier Albert Bitton in a small claims case.

"At the time the Illinois Department of Veteran's Affairs referred the Bittons to the VLSC, we were focused exclusively on assisting veterans in obtaining the benefits to which they are entitled," said Assistant Professor Joseph Butler, co-executive director of the VLSC.

"However, the Bitton's case was so compelling, and their grief over their son so all-consuming, that it was impossible to tell them that we couldn't help," he added, explaining why they sought help from Moskowitz.



Assistant Professor Joseph Butler, co-executive director of the Veterans Legal Support Center & Clinic at John Marshall (left) visits with Elie Bitton, father of deceased veteran Albert Bitton, at a street dedication ceremony in Albert's honor in February 2009.

Moskowitz is a member of the VLSC's *pro bono* network. He recruited the help of three first-year associates at the firm to work on the case.

"I asked them if they wanted the experience," Moskowitz said. "Not only because this case was unique, but also because I knew there would be a trial and younger lawyers don't get that much experience trying cases."

"We were up against formidable opposition," he added. "I knew this would be a complicated case."

The case began after the defendants sold Albert Bitton a car for which his parents paid. Though the woman who'd sold it to him said it was in good condition, the car broke down before Albert had driven it 100 miles. Albert had filed a *pro se* complaint before his death in Iraq in 2008. His parents decided to continue the claim on their son's behalf.

An investigation into the car's sale revealed that the woman had sold the car on behalf of an unauthorized used car dealership that would buy cars cheap at auction and have individuals pose as private owners to sell them.

The non-appealable judgment of \$3,000 plus attorneys' fees, in favor of the Bitton's, means a lot to the soldier's father, Elie. He expressed his gratitude to the VLSC at John Marshall, saying "...they found me the right lawyer, and I'm so happy with the decision."

Moskowitz is certain any winnings and attorneys fees that are successfully collected will be donated to charity.

"I hear people saying they support our troops," he said. "But, the actual support for the troops doesn't match the number of people who say they will do something. That's why I got involved," he added.

Butler also is pleased with the results of the case.

"To me, it appeared that the Bittons were pursuing this car case because it was one of the few ways they could avenge a wrong done to their son," he said.

"Keith and his team have done a fantastic job, not only in litigating the case, but in helping the Bittons heal."





ADVISORY BOARD ESTABLISHED

Attending the first Veterans Legal Support Center & Clinic Advisory Board Meeting were (from left) Dr. Henry Betts, former president and CEO of the Rehabilitation Institute of Chicago; Jack Amberg, senior director of veterans programs at the McCormick Foundation; Assistant Professor Joseph Butler, co-executive director of the VLSC; Dale A. Hauser, III sitting in for John Anderson of the Veterans' Rights Project of the Legal Assistance Foundation; Mick Grady, of the "Veteran's Forum" segment on CAN TV; Julie Yriart, VLSC center associate; Kevin Hull, of Hull Partners and chair of the advisory board; and Julie Govreau of Morgan, Lewis & Bockius LLP.

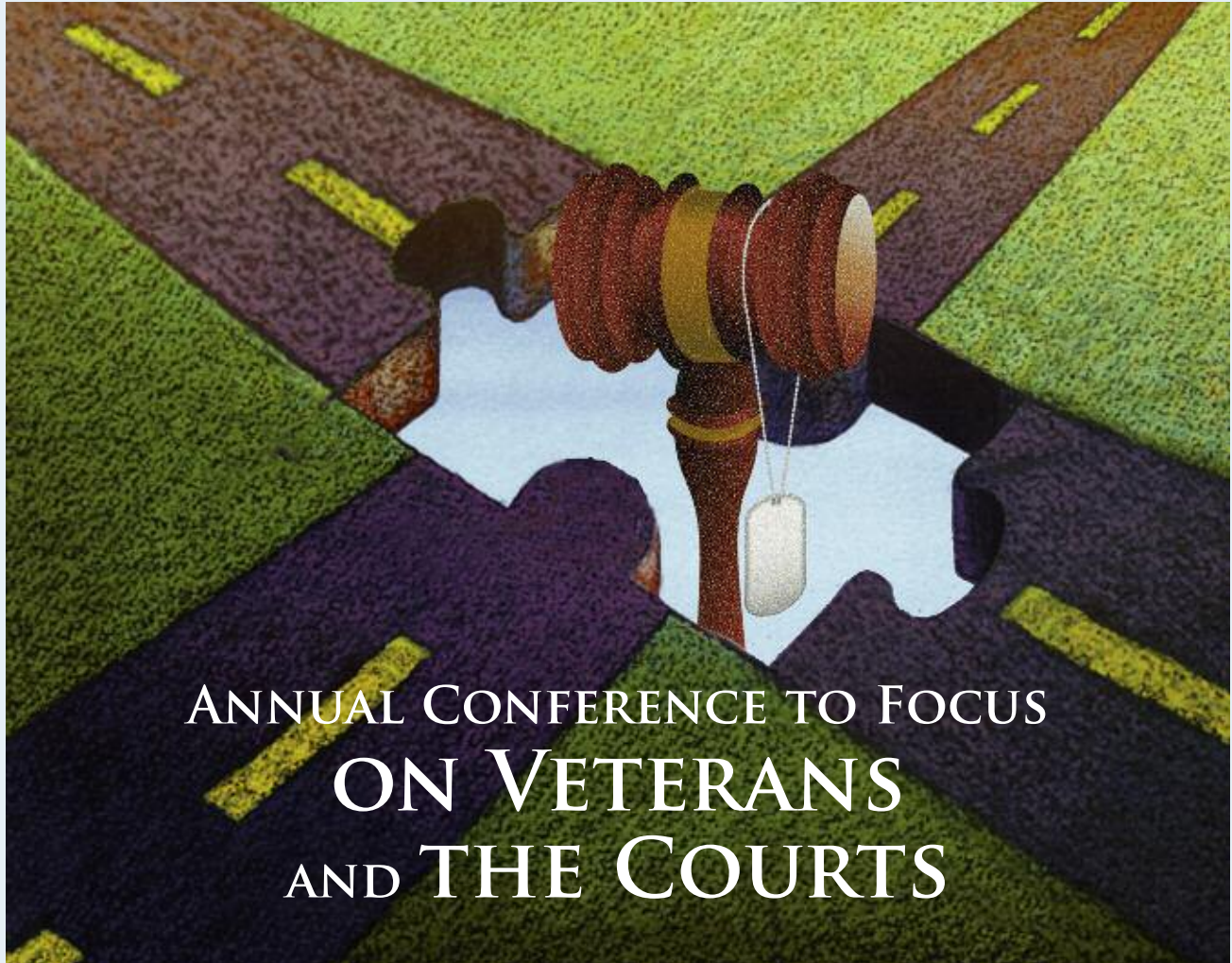
Joining the meeting via webcast was Joseph C. Zengterle, executive director for the Clinic for Legal Assistance to Service Members at George Mason University School of Law. Attending via teleconference were Tom Aiello, vice president of Public Relations for Sears Holding Corporation; Capt. Ryan

Coward (JD '08), of the US Army JAG Corps; Ceara Donnelley; Amy Garrett, a partner at SimmonsCooper LLC; Dan Grant, director of Illinois Department of Veterans' Affairs; 1st Lieut. Nick Henry (JD '08/LLM/EB '09), a US Marine Corps Student Judge Advocate.

Additional advisory board members that did not attend the first meeting were 1st Lt. Michael Barnicle (JD '08), of the U.S. Army JAG Corps; John F. Costello, Jr., (JD '03), bureau chief for the Military and Veterans' Rights Bureau in the Illinois Attorney General's Office; Charlene Foss, corporate counsel consultant for LexisNexis; Judge Charles P. Kocoras, of the U.S. District Court for the Northern District of Illinois; John Lee (JD '73), president of The John Marshall Law School Foundation; Brig. Gen. Steven J. Lepper, staff judge advocate with the Headquarters Air Mobility Commandat, Scott Air Force Base in Illinois; Kermit Lowery, vice president and lead Customer Solutions counsel for LexisNexis; and James Vroman, a partner at Jenner & Block, LLP.



Illinois Gov. Patrick Quinn signs the Military and Veterans Court Act in to law in July 2009. The VLSC staff worked directly with members of the Illinois Department of Veterans' Affairs in drafting the legislation that will create special courts throughout Illinois after a task force has given input on how best to serve Illinois' veterans.



ANNUAL CONFERENCE TO FOCUS ON VETERANS AND THE COURTS

The Veterans Legal Support Center & Clinic (VLSC) at The John Marshall Law School is hosting a two-day conference on veterans and the courts.

“Checkpoints & Roadblocks: The Intersection of Veterans & the Law,” will be held Nov. 6 and 7 at the law school.

Panel topics will include “Special Issues Concerning OIF/OEF Veterans,” “Intervention Programs and Diversion Programs,” “Domestic Violence,” and “The Impact of Military Service on the Family.”

Confirmed panelists for the conference include Chief Judge William P. Greene of the US Court of Appeals for Veterans Claims; Maj. Gen. William Enyart, The Adjutant General of The Illinois National Guard; Dan Grant, director of Illinois Department of Veterans Affairs; Army Brig. Gen. Clyde “Butch” Tate, deputy Judge Advocate General; and Judge Annette Eckert of the Illinois Circuit Court; and Judge John Kirby, of the Circuit Court of Cook County.

Chief Justice Thomas Fitzgerald, of the Supreme Court of Illinois; Lt. Col. Scott Bleichwehl, of USA Midwest Public Affairs; Maj. Thomas White (LLM/IBT '08), an assistant professor with the Department of Law at The United States Military Academy at West Point; Steven Rosenbaum from the Department of Justice (DOJ), Housing and Civil Enforcement Section; and Karen Woodard, DOJ deputy chief in the Employment Litigation Section.

Thomas Kniffen (JD '79) of the US Department of Veterans Affairs; Kevin Calia, of Morrison & Foerster LLP; Lt. Jeffry Murphy, of the Chicago Police Department; Courtney Wheeler, of the US Postal Service; Shauna Boliker, of the Cook County State’s Attorney’s Office; and Capt. Lyndsey Kimber Olson.

For more information about the program, visit www.jmls.edu/veterans, e-mail VLSC@jmls.edu or call 312.427.2737 ext. 346.



JOHN MARSHALL VLSC HOSTS VETERANS ADVOCACY TRAINING

The Veterans Legal Support Center & Clinic (VLSC) at The John Marshall Law School recently held a Veterans Advocacy Training for attorneys interested in assisting veterans obtaining benefits on a *pro bono* basis. Participating in the training were (from left) John Anderson, of the Legal Assistance Foundation of Metropolitan Chicago's Veteran Rights Project; Julie Yriart, a John Marshall graduate and VLSC associate; Maria Metropulos, VLSC senior clinical student; co-founder Nicholas Henry, a John Marshall graduate and past administrative director of VLSC; co-founder Michael Barnicle, a John Marshall graduate and past special projects coordinator for VLSC; Lt. Col. Scott R. Bleichwehl, director of the US Army Public Affairs-Midwest; and Professor Joseph Butler, co-executive director of VLSC. Not pictured is Adjunct Professor Brian Clauss, an arbitrator and mediator and co-executive director of VLSC.

Participants in the Veterans Advocacy Training were able to view a webcast featuring Capt. Lindsey Kimber Olson, an international law officer and trial counsel with the US Army's 34th Combat Aviation Brigade in Balad, Iraq, who discussed the issues that will soon face returning veterans. Law schools around the country were able to tune into the webcast, as well as ask Kimber questions via teleconference.



TWO TEAMS COMPETING IN VETERANS ADVOCACY COMPETITION



Michael Driscoll and Jessica Thornhill

The John Marshall Law School is sending two teams to compete in the Veterans Law Appellate Advocacy Competition in Washington, DC. The teams are Michael Driscoll and Jessica Thornhill and Alyson Emery and P. Christopher Williams.



P. Christopher Williams and Alyson Emery

The Veterans Legal Support Center & Clinic thanks all attorneys who have taken cases from us on a *pro bono* basis, including:

Richard Bernet
Christopher J. Boudi
Karoline Carstens
Ron Casten (paralegal)
Louis Chiapetta
James Comerford (JD/LLM/EB '02)
Thomas Crawford
Frank Del Barto (JD/LLM/EB '07)
Adrienne Detanico (JD '07)
Joann Dineen
Jennifer Dlugosz
Brian Duncomb
Harris Eisenberg
Jacinta Epting
Bart French
Amy Garrett
James Garrett
Julie Govreau (JD '04/LLM/EB '06)
Dale Hauser (JD '08)

Brian Hector
Tracey Holtshirley (JD '06)
Eddie Houlihan
Kelly Huggins
Katie Kelleher (JD '07)
Stephen Kinslow
Frank Kinson
Emily Kirk
James McCarthy
Brian Morris (JD '98)
Marie Irene Murphy (JD '87)
Mike Murphy
Julie Neubauer
Lisa Nutter
Robert Olson
Pat Orler
Caroline Padmanabhan
Farzin Parang
Steve Perlis

Melinda Podgor
Matt Renauld
Gail Renshaw
Mark S. Riley (JD '05)
Steve Ross
Steven Sayre
Mark Schwartz
Linda Self
Peter Sfikas
Matthew Stevens
Nina Stillman
Daniel M. Trevino
James Vroman
David Wagener
Giles M. Walsh
Alexa Warner
Michael Wiesman
William S. Wigoda (JD '74)
John Zabriskie

“I decided to attend a Veterans Advocacy training at John Marshall because I thought it would be a good opportunity to learn a new area of law and, as I’ve been made more aware of the sacrifices of our soldiers during the recent conflicts, to return the service our veterans have given us. The presentation at the training was so moving that had I not been convinced before, I would have signed up for the pro bono network of attorneys on the spot.”



Since 2008, Chicago attorney Joann Dinneen has been representing, *pro bono*, a Vietnam War veteran who has been struggling with obtaining his rightful health benefits. Diagnosed with hypertension during, and as a result of, his service, the veteran later experienced more serious health problems, including an aneurism and carotid artery disease. Dinneen has been helping the veteran prove the more serious injuries were a result of his service-related health problems, and therefore entitle him to full-disability benefits.

Dinneen now is a full-time attorney at Cutler & Associates, where she had practiced civil litigation part-time after retiring from her 23-year career as a public defense attorney.

The Veterans Legal Support Center & Clinic (VLSC) is committed to serving as a resource for *pro bono* attorneys helping veterans obtain benefits. In addition to conducting day-long *pro bono* attorney trainings and assisting individual attorneys who have taken cases from the VLSC, the VLSC offers CLE courses on various issues, including attorney accreditation requirements and ways of gathering lay evidence, as well as a general refresher course. If you are interested in any particular veterans issue, the VLSC can tailor a CLE program to address it. Please contact Julie Yriart, center associate, at 312-427-2737 x310 for details.





VLSC Recognizes Senator Durbin During Visit to John Marshall

During a recent visit to a Torts class at John Marshall, Sen. Richard Durbin (D-Ill.) (center) accepted a commemorative coin representing John Marshall's Veterans Legal Support Center & Clinic (VLSC) from Dean John E. Corkery (left) and second-year student Jessica Thornhill (right), a lieutenant in the US Naval Reserves and student in the VLSC. Durbin was recognized for his efforts in helping US veterans.



JAG Corps is Topic of Student Organization Discussion

The Military Law Society, Veterans Law Society and Veterans Legal Support Center & Clinic hosted a panel from the United States Army Judge Advocate General (JAG) Corps. Panelists (seated, from left) Capt. Daniel Papajcik, Capt. Joanne Gordon, and Lt. Col. Phillip Jussel, Brian Morris (standing, second from left), VLSC staff attorney, and Maj. Joseph Topinka (standing, right), discussed the qualifications for the JAG Corps, areas of military practice, and life in the JAG Corps. Welcoming the panelists to the law school were Daniel Lacy (standing, left), president of the Military Law Society, and Daniel Breen (standing, third from left), president of the Veterans Law Society.

