

## Dan Kotin

By Steven R. Strahler September 14, 2013

### Dan Kotin

*Partner, Tomasik Kotin Kasserman*

Dan Kotin is Philip Corboy's nephew, but that didn't excuse him from a nervous and repetitious rite of passage at Corboy & Demetrio PC—proving to the boss he was ready for trial.

A dozen years ago, Mr. Kotin was auditioning at Mr. Corboy's Water Tower condo. When Mr. Corboy offered advice, Mr. Kotin said there wasn't enough time to switch gears with a trial date looming.

Mr. Corboy exploded. As Mr. Kotin recalls, he threatened to take on the assignment himself, adding: "I'll try the case when I'm goddamn ready to try the case!"

**Mr. Kotin**, 47, is now the one in charge of strategy, after launching a personal injury law firm in April with two Corboy & Demetrio partners, Tim Tomasik, 49, and Shawn Kasserman, 47. But while Mr. Corboy in his heyday had a dozen or more significant trials each year, exercising, in Mr. Kotin's words, "utter and complete control not just over the case but the system," Mr. Kotin is at the mercy of a new order of things.

With Mr. Tomasik, he handled his only post-Corboy & Demetrio trial in May, winning \$1.36 million for a botched circumcision. Next up, with Tom Demetrio, is a case set for trial Oct. 11 involving a nanny injured in 2011 by a city garbage truck.

"Very rarely do my clients want a jury trial," Mr. Kotin says. "When (defendants) start making offers, you can't ignore them, and the client's interest is much more important than my personal preference to have a jury trial." Still, he says, "You don't tell dramatic, fun stories about that mediation you had."



In 2007, Mr. Kotin helped secure a \$9.5 million verdict for the estate of Keith Magnuson, a former Chicago Blackhawk and passenger in a fatal car crash in Canada. In a novel approach, Mr. Kotin relied on Canadian law that held National Car Rental (Canada) Ltd. liable but tried the case in St. Louis, residence of driver Robert Ramage and where court-imposed limits on damages did not apply.

Two years later, he and Mr. Demetrio got a \$29.5 million verdict for the victim of a Metra train derailment. But Mr. Kotin's biggest recent payday—\$5.1 million last year for the estate of a man killed by a Megabus—involved a settlement.

Mr. Kotin thinks the decline of courtroom work, with its rigors, has further restricted opportunities for younger lawyers by extending courtroom careers of more established personal injury attorneys.

“A generation ago, they would have been gone,” Mr. Kotin says. Despite his bluster, Mr. Corboy stepped away from trials long before he retired, Mr. Kotin says.

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