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CLIFFORD® LAW OFFICES
NEWS

Drowning Death of Suburban Boy Results in Record \$21.5 Million Verdict

CHICAGO, IL (December 2018) – Clifford Law Offices late today (Tuesday, Dec. 4, 2018) obtained a \$21.5 million verdict on behalf of a south suburban family whose son drowned during Justice Park District “Fun in the Sun” summer camp program on a weekly trip to the Bridgeview Park District Pool four years ago. The verdict is the highest for a drowning in the state of Illinois. It is also the highest in the state for the death of a minor excluding medical malpractice and child abuse cases.

The jury deliberated less than 90 minutes following the month-long trial. Michal Duda, 6, was attending the Justice Park District summer camp when camp counselors took the group to swim at the Bridgeview Park District pool on June 17, 2014. He did not know how to swim and could not stand anywhere in the general pool with his head above water and the camp counselors were made aware of that fact, according to testimony that was revealed during the four-week trial. The boy, who should have been in the wading pool, was found unresponsive in the main pool, and rescuers and hospital personnel were unable to revive him.

“This is a terrible tragedy for the entire Duda family,” said Bradley M. Cosgrove, partner at Clifford Law Offices who led the trial before Cook County Circuit Court Judge Marguerite Quinn at the Daley Center. “Although no amount of money will bring back their little boy, the parents and his two siblings, including his twin sister, needed to have accountability. They needed justice and the jury found that here today.”

The trial consisted of experts who testified that the defendants, the Justice and Bridgeview park districts, were willful and wanton in their failure to properly supervise the day camp group during the swim outing. The jury held the Justice Park District 80 percent at fault and the Bridgeview Park District 20 percent at fault.

During the trial, video also was shown of camp counselors, including the three camp counselors in charge of Duda’s age group who were inside the facility’s locker room at 8100 S. Beloit Av., and not outside monitoring the children. Duda was found approximately 10 feet from the edge of the pool without any flotation device.

The parents of the boy emigrated from Poland to Chicago where they met, married and had three children. “These wonderful, hard-working people came to America to find a better life for their future children,” Cosgrove said. “Now they will have to live with this tragedy for the rest of their lives. They will never be the same.”

Charles R. Haskins and Tracy A. Brammeier, associates at Clifford Law Offices, assisted at trial at the Daley Center. The seven-men-five women jury deliberated one hour and 20 minutes before reaching its verdict.

For further information, please contact Clifford Law Offices Communications Partner Pamela Sakowicz Menaker at 847-721-0909.