

# LivingstonBarger

## Professional Profile

115 W. Jefferson St., Suite 400, Bloomington, Illinois 61701

(309) 828-5281 P  
(309) 827-0473 F  
rstites@resjd.com

## Richard E. Stites

Richard began his work at LivingstonBarger in 1979 and became a partner in 1985. He is currently the Managing Partner for the firm's three locations. Though most of his practice has always generally been centered around civil defense litigation, he has specifically been involved in business planning, risk management and litigation, defense of law enforcement, medical malpractice, hospital and pharmaceutical defense litigation, insurance contract issues and is called upon by others in the profession to mediate matters of substance. Richard has served as counsel for law enforcement relative to National Security Events (*e.g.*, NATO and G20 meetings in the United States) and Illinois state agency formation/status. Over the years, Richard has handled over 800 cases of various kinds in trial and appellate courts, state and federal, in Illinois, principally involving cases with alleged damages of a significant nature. He has also served as corporate counsel to local enterprises. In recent years, he has focused on business law and litigation, medical malpractice defense and other catastrophic loss cases.

### Court Admissions

#### *Federal Court:*

United States District Court, Central and Southern Districts (1980, 1995)  
United States Court of Appeals, Seventh Circuit (1982)  
United States Supreme Court (1984)

#### *State Court:*

All Courts in Illinois, Supreme, Appellate and trial (1979)

### Education

- University of Illinois at Urbana, IL (1972-1976) A.B., *cum laude* (Double Major of Economics and Finance) (Highest Departmental Distinction in Finance) (Phi Beta Kappa, Phi Kappa Phi, James Scholar)
- Indiana University School of Law, Bloomington IN (1976 – 1979) J.D., *Magna cum laude*, (Order of the Coif, Administrative Editor – Indiana Law Journal)

## Publications

- "The Moment of Inadvertence Concept in Strict Products Liability; The Seed of Destruction for the Assumption of the Risk Defense?," Indiana Law Journal, Vol. 53, No. 3, 1977-78.
- "Catastrophic Injury and Structured Verdicts - Confronting the Healing Art Malpractice Act," IDC Quarterly, Vol. 2 No. 2 (1992).
- "Instructions and Special Interrogatories," Illinois Civil Practice, Vol. III, Ch. 11, 1991, 1995 Supp., 1997, 2000 Supp., 2003 (Illinois Institute for Continuing Legal Education)
- "Substituted Medical Care Decision-Making," 2008
- "Legal Aspects of First Responder Care," 2014 (Keynote presentation)
- White Paper – "Formation of Illinois State Agencies by Intergovernmental Agreement" 2012
- Associate Training Materials Program (2021) ("Civil Discovery in Illinois, A Primer on the Basics," "Drafting of Common Litigation Documents," *etc.*)

## Professional Recognition

- Federation of Defense & Corporate Counsel <http://thefederation.site-ym.com/page/AboutUs>
- International Association of Defense Counsel <http://www.iadclaw.org/about-iadc/about-the-association/>
- Leading Lawyers, Illinois (Selected by Peers in Areas of: Commercial Litigation; Insurance, Insurance Coverage and Reinsurance; Medical Malpractice Defense Law; Personal Injury Defense Law, General; Products Liability Defense Law) <http://www.leadinglawyers.com/meth.cfm>
- Martindale Hubbell (AV Preeminent Rated (from 1992 to date) and "Judicial Edition" AV Preeminent Rating status achieved based on the opinions of not only their practicing peers, but also members of the Judiciary familiar with the candidate's work) 25 year recognition of AV status in 2017) <https://www.martindale.com/ratings-and-reviews/>
- Litigation Counsel of America, Senior Fellow, <http://www.litcounsel.org/about/>
- Society of Trial Lawyers <http://www.thesocietyoftriallawyers.org>
- America's Top 100 Civil Defense Litigators <http://www.top100civildefenselitigators.com/selection-methodology/>
- Super Lawyers <http://www.superlawyers.com/about.html>

### Professional Associations

- Illinois State Bar Association
- McLean County Bar Association
- Central and Southern Federal Districts of Illinois Bar Association
- Illinois Association of Defense Trial Counsel
- Defense Research Institute

### Representative Corporate Clients Served

- Advocate Health and Hospitals Corporation d/b/a Advocate BroMenn Medical Center
- Clarkson Grain Company, Inc.
- Commercial Bag Company
- Glaxo Wellcome n/k/a GlaxoSmithKline
- ILEAS (Illinois Law Enforcement Alarm System)
- Laidlaw Transit
- Lederle Laboratories
- Novartis Pharmaceuticals Corporation / Sandoz
- State Farm Insurance Cos
- Viking Corporation
- Insureds of:
  - Constitution States Insurance Company
  - Empire Fire & Casualty
  - Darwin Professional Underwriters / Allied World • Interstate Insurance Companies
  - ProAssurance Insurance Company
  - The Doctor's Insurance Co. / OHIC Insurance
  - St. Paul/Travelers
  - State Farm Insurance Cos

