

**EDUCATIONAL MALPRACTICE -- STUDENT'S
PANTS CATCH FIRE DURING SHOP CLASS**

TRIAL ATTORNEYS: **MICHAEL E. KUJAWA & JAMES B. MILLER**
JUDGE, JAMES & KUJAWA, LLC

INSURANCE COMPANY: **SSCRMP (SECONDARY SCHOOL
COOPERATIVE RISK MANAGEMENT POOL)**
MICHAEL D. NUGENT

(WW 50/4) EDUCATIONAL MALPRACTICE -- STUDENT'S PANTS CATCH FIRE DURING SHOP CLASS

Marques Officer, minor v Township High School District, Greg Rogus 01L-14988 Tried Jul. 12-15,
2005 (12X)

VERDICT: \$11,409

JUDGE: Thomas E. Flanagan (IL Cook -- Law)
PLTF ATTY: Timothy R. Ocasek of *Cooney & Conway* DEMAND: \$50,000 ASKED: \$75,409
DEFT ATTYS: Michael E. Kujawa and James B. Miller of *Judge, James & Kujawa* (Park Ridge) for both
defts (SSCRMP) OFFER: None
PLTF MEDL: Dr. Peter Johnson (Plastic Surgeon)

FACTS: Dec. 5, 2000, pltf Special Ed student at Palatine High School was operating a "plaz-cut" machine, which emits sparks when metal is cut. He was given a protective apron, a welder's mask, and gloves, but no protective leggings. As a result, sparks ignited pltf's pants leg and caused him to be burned. Pltf M-16 sustained 3rd degree burn on his lower leg and underwent skin graft (\$5,409 medl. bills). Defense contended teacher and school district were not wilful and wanton in their supervision of pltf student's safety, protective leggings were not required, and decisions as to what safety equipment student used were discretionary decisions for which teacher and district are immune per Section 2-201 of the Tort Immunity Act.