

Shawn Kasserman

'Pure Serendipity' of a Career in Personal Injury Law

by Dan Campana



A rooftop might not be the usual spot someone contemplates law school.

For Shawn S. Kasserman, that's exactly where it dawned on him as a college student that he wasn't sold on a life working construction and he needed to look at his options.

"It was a very cold December day when I was sitting on a roof with a man who was 70. I thought to myself, 'I can't do this for the next 50 years,'" Kasserman recalls, acknowledging the law wasn't even on his horizon at any point beforehand.

What Kasserman has done for the last 25 years — and continues to do at **Tomasik Kotin Kasserman LLC** — is build a personal injury practice he's proud of not for the numbers attached to the successful cases he's handled, but for how he's helped change the lives of people dealing with tragedy and catastrophic experiences.

"When jurors sit and listen to me, they

know how much I care about my client," he explains. "You have to understand they're going through the worst time of their life. They're all tragedies. This is their reality, and it becomes yours."

Kasserman speaks with a direct, yet easygoing, tone indicative of his passion for the work he does, as well as for the things he believes in strongly. He took over as the Illinois Bar Foundation's president in June 2015 with a goal to collect greater amounts of money that can be dispersed through grants to organizations bringing legal services to those in need.

"I'm a big believer in what the Illinois Bar Foundation is doing, which is quite simply trying to raise funds to provide access to justice to folks who can't afford it," Kasserman, 50, says. "It's a hard thing to do, but it's important."

David Anderson, the foundation's executive director, praises Kasserman for

being well thought out in his approach and in his motivation to tackle the responsibility of raising money.

"He's always willing to step up to the task," Anderson says. "He doesn't get rattled."

While serving on the board foundation's grant committee, Kasserman got to see firsthand the work being done by the Lawndale Christian Legal Center and became "more than enamored" with the successful impact the organization is making in the community. Kasserman is hands on as a mentor to a young man trying to overcome difficult life circumstances that have frequently found him in trouble with the law.

Cliff Nellis, the center's executive director and lead attorney, says Kasserman goes "above and beyond" with his involvement in the center. Kasserman isn't one to just write a check. He's visited his mentee in jail and helped him get a driver's

license, among other things.

“That’s what separates him from some others,” Nellis offers. “Professionally, he has a great deal of respect for what we do. I know he’s been a champion of our cause ... in his many spheres of influence.”

Raised by the Community

Looking back on his early days, Kasserman recognizes the adversity he experienced growing up and the ways it shaped him.

Kasserman’s mother raised him and his two sisters as a single parent in west suburban Glen Ellyn. His mother suffered a stroke when he was 14, which brought family members and coaches into the mix to help out.

“I like to say Glen Ellyn, as a community, raised me. It was a blessing to be where I was when what happened to my mom happened,” he shares.

He played quarterback at Glenbard West High School, which he says was an important experience on a couple levels — earning a college scholarship and having parental figures around him.

“When I screwed up, I had five coaches standing in line to address my screw up,” he says. “Football was really good for me.”

Kasserman initially attended Western Illinois University on a football scholarship, but after qualifying for student loans, he gave up the football ride to play rugby while studying political science. He describes the time in Macomb a few different ways. He picked up a good education, including strong writing skills which would benefit him in law school. He worked as a bartender for a couple of years, and did construction during breaks. And Kasserman met his future wife, Dawn, “which was the best thing that ever happened.”

“I was living the dream there for a

while,” Kasserman says with a smile.

The construction work was provided by a friend who had his own company. Kasserman always kind of figured they would eventually go into business together. That was until the moment on the roof. His motivation to attend law school might have been a strong LSAT score, but it was also rooted in a bit of family history. Kasserman’s grandfather, George Kasserman, sat on the bench at the circuit and appellate level in the Fifth District.

“He was a great guy and always an inspiration to me,” Kasserman says. “I know the day I was sworn in as a lawyer was a very proud day for him, and that made me happy.”

Before he got to the bar admission part, Kasserman had to get through law school. He acknowledges going in with a somewhat skewed idea of what to expect.

“I went into law school thinking it would be like college,” he recalls.

That changed by Thanksgiving break of his first year when fellow students were focused on outlines and hardcore study habits. Kasserman caught on and settled in to finish the first year on a high note. While classmates clerked that first summer, Kasserman took two classes and tended bar to make some much-needed money. His grandfather suggested networking might be in order and connected him with a friend in the legal world. The friend gave Kasserman five names of people to get to know the old-school way — a phone call.

The names included Bob Clifford, Phil Corboy and a partner at Jenner & Block.

“So, I just started going to meet these folks and Bob Clifford offers me a job,” Kasserman says.

Even with the offer, Kasserman sat down with Corboy for good measure.

“I didn’t know who Phil Corboy was.

As he walks into the room, he’s majestic. You immediately know he’s different,” Kasserman says, noting they talked on-and-off for two hours because Corboy left the room a few times. “The last time he came in he said, ‘If I hired you, when would you start?’ I said I’ll start right now. So, we worked for like an hour that night.”

He began clerking in August and by late fall, Corboy and Tom Demetrio had each gone to trial and emerged with multimillion dollar verdicts.

“I didn’t even know how plaintiff’s lawyers got paid, I just knew that we took care of these guys, and I was doing this the rest of my life. I was hooked,” Kasserman explains.

Law school was a relative breeze after getting on board with Corboy & Demetrio. He started his second year having seen “the best of the best” in action. It also didn’t hurt that he was handling trial motions and solving real-world problems. In one instance during his third year, Kasserman took a torts class in which the final exam was based off a Corboy & Demetrio case he had helped with.

“I sat down and laughed. I didn’t say a word. I probably got a ‘B,’” Kasserman recalls with a smile. “When someone hands you a law school exam which is a hypothetical, it’s easy.”

The firm didn’t have a history of hiring recent law school graduates, preferring instead for new lawyers to get trial experience as a prosecutor or public defender. Kasserman didn’t exactly worry about staying on, but he also didn’t have a job in hand immediately after graduation or passing the bar.

“I’m just kind of working there as a glorified law clerk,” he remembers, noting the situation was stressful because his wife was pregnant. “I trusted them.”



Finally, the day after Kasserman was admitted to the bar in November 1990, Corboy officially hired him. His patience paid off.

Learn From Best, Outwork the Rest

Kasserman leaves no doubt about his feelings of his career trajectory.

"It was pure serendipity. It was such a blessing to meet these guys and see how they do it, what they do and learn the right way to do it," he says.

Kasserman won his first trial within a year of going full time. He represented a woman who fell down the stairs at a party. A lack of handrails proved to be the difference. After working behind the scenes on massive cases, Kasserman realized a common thread with his new workload which had smaller monetary implications.

"The things you do in a multimillion dollar case, you have to do in a case worth \$100,000," he says.

It's all about fundamentals and preparation, two core values he took to heart early on and carries with him to this day.

"I was taught to outwork folks and to be the most prepared, most credible, the most believable, and it worked in that first case," he explains.

The next case, a defeat, proved to be equally as important in his development.

"I tasted a loss, and I didn't like it. So, there was a certain amount of inspiration. Instead of going to bed at 1 o'clock, you go to bed at 3 o'clock," Kasserman explains. "When you prepare, your clients are going to be taken care of."

It's no secret that a vast majority of personal injury cases never make it to trial. Kasserman's early loss came from a jury in a case in which the client's family wanted its day in court. They appreciated getting the opportunity, Kasserman says. The point is, he's always believed you have to be ready to go the distance.

"You don't get ready so the case settles, you get ready to try the case," Kasserman explains. "Often times, over 25 years, through preparation you answer ready, the jury comes out, and your opponent sees you're ready, and the case resolves."

Tom Demetrio calls Kasserman a "quick study" under his early guidance and that of Corboy, who encouraged young attorneys to watch their mentors in court. Kasserman's key qualities of empathy and adaptability come naturally, while the preparation aspect was always a point of emphasis at the firm, according to Demetrio.

"That is something by osmosis he picked up on," Demetrio says.

Kasserman has applied his skill set to

a variety of cases over the years, but he's particularly driven toward situations where products have injured or killed children. His downtown office includes a shelf with photos of youngsters who lost their lives because of, for instance, a defective crib or a poorly designed soccer goal. Kasserman quickly recalls their names, even the birthday of one young boy who passed away before reaching age 3. Kasserman's collective memory holds many family and client names.

"I don't want them to go away. They all mean a lot to me," he says.

Kasserman's drive is to try to keep the next tragedy from happening, which is one way he places value on his work.

"If you handle a car crash well, you're not likely to prevent another car crash. If you handle a defective crib case well, you're not going to know how many kids you save, but you know that you do," Kasserman explains. "What I lay in bed at night thinking about are cases having to do with dangerous products that affect kids."

He contends that such products are overly commercialized, yet not regulated enough. The recall of an item will get plenty of attention publicly, however it doesn't come without battles that few people actually are aware of. Again, his purpose for tackling these types of cases is steadfast.

"You're preventing future harm," he explains.

What You See Is What You Get

In 2013, Kasserman and his two partners — Timothy Tomasik and Daniel Kotin — spun off from their respective firms to build something new. TKK, as he refers to it, blends the trio's ideals and energy for a firm while holding tight to many of the lessons each picked up from their mentors. Tomasik came from Clifford's office, while Kotin worked at Corboy & Demetrio.

Kasserman wasn't necessarily nervous about telling Demetrio of his plans to leave, instead saying he valued his perspective on the plan.

"He wasn't encouraging me to leave, but when we said this was what we planned to do, he could not have been more supportive," Kasserman says. "It was absolutely under the best of terms."

"I could have stayed at Corboy & Demetrio for the rest of my life and been as happy as any lawyer in the world. I owed it to myself to go out and do my own thing, and start my own firm," he adds.

Kasserman sees the value in experiencing all aspects of running a firm and being in tune with the business side. Paying the bills and developing a strong support staff are new to him, as is a little extra push

from opposing attorneys.

"People challenge you a little more. When you're at Corboy & Demetrio, cases might settle. Here, they want to see your cards a little bit," he explains. "That's fine. You go work the case up and show them your cards."

There are no easy cases, and Kasserman isn't the type to cherry pick ones that are quick settlements with no chance of reaching trial. That's not his style, which is simply "what you see is what you get." Opposing attorneys, whether in the Chicago area or around the country, can expect Kasserman to care more and try hard to outwork them. That didn't prevent defense lawyers from rating Kasserman high enough to earn him induction into the American College of Trial Lawyers in 2013.

For clients, he assures them full access, which he recognizes as late-night phone calls, helping them deal with uncertainty and anger, and giving them an empathetic, yet realistic view of what he can do for them.

"What's most important to me is understanding where they are," he shares.

Kasserman's passion and concern for others extends beyond the dozens of cases currently in progress. He is active with Kids in Danger, which is focused on improving the safety of children's products, and Anchored for Safety, created to highlight the dangers of soccer goals. Both organizations were created by the families Kasserman represented in cases relating to the deaths of children. He praises the strength of those parents to carry on their respective missions for safety.

"Really, it's just a privilege to be associated with them. They're incredible folks," Kasserman offers.

Kasserman admittedly takes nothing for granted, saying tomorrow isn't guaranteed for anyone. He also continues to acknowledge those who have made a difference for him over the years. He points out his wife of 25 years made an indelible mark on his career.

"I would not be where I am without her. She's the real deal," he says.

The couple is enjoying life as empty nesters with their three children — Katherine, Jack and Lucie — all college age and pursuing their interests in ways Kasserman views as more substantial than he did in his day.

"They're all better kids than I was," he says. "I walked in at Corboy & Demetrio at 23 years of age looking for a job. I didn't know where I was going to land." ■