



Karen Kies DeGrand

Partner

(312) 422-0910

karen.degrand@dbmslaw.com

Donohue Brown Mathewson & Smyth LLC
140 South Dearborn Street
Suite 800
Chicago, IL 60603

Education

J.D., University of Illinois College of Law, 1985

B.A., University of Illinois – Urbana-Champaign, 1982

Admissions

Illinois Bar, 1985

U.S. District Court for the Northern District of Illinois, 1985

U.S. Court of Appeals for the Seventh Circuit, 1995

United States Supreme Court, 2006

KAREN KIES DEGRAND leads the appellate practice of Donohue Brown Mathewson & Smyth LLC in Chicago. She has extensive experience representing clients before the appellate and supreme courts of Illinois, the Seventh Circuit Court of Appeals, and the appellate and supreme courts of Wisconsin and Indiana. In addition, she advises trial counsel regarding preservation of issues for appeal and handles post-trial proceedings.

An experienced trial lawyer, Ms. DeGrand defends attorneys and physicians in a wide range of professional liability matters. She has defended attorneys in a variety of practice areas including criminal defense, domestic relations, transactional work, estate planning and tort litigation.

Ms. DeGrand also has successfully defended product liability and employment actions and litigated business and insurance coverage disputes. She has guided her clients through insurance disputes involving contested interpretations of professional liability and commercial general liability policies.

Ms. DeGrand, the firm's managing partner, is a former President of the Appellate Lawyers Association and is included in the annual listing of "Super Lawyers" and "Leading Lawyers" in the area of appellate practice. In 2015 she was named to Leading Lawyers' list of Top 10 Women in Civil Appellate, and in 2016 she was inducted into the American Academy of Appellate Lawyers, an organization with its membership limited to appellate lawyers with a minimum of 15 years of practice focusing substantially on appeals and possessing a reputation of recognized distinction as an appellate lawyer. Ms. DeGrand currently serves as a member of the Illinois Supreme Court's Committee on Professional Responsibility.

Ms. DeGrand received her law degree from the University of Illinois College of Law, where she served as an associate editor of the University of Illinois Law Review. She received her undergraduate degree in journalism from the University of Illinois, where she was awarded Bronze Tablet, the University's highest recognition for academic excellence.

Awards

- The Best Lawyers in America® 2020 (Appellate Practice)
- Fellow – American Academy of Appellate Lawyers (inducted 2016)
- "Leading Lawyer" by Leading Lawyer Magazine (2012 - present)
- Named "Top Ten Women Civil Appellate Attorneys in Illinois" by Leading Lawyer Magazine (2015)
- Member of Illinois Supreme Court Committee on Professional Responsibility (2015 - 2018)
- President of the Appellate Lawyers Association (2012 - 2013)
- Illinois Super Lawyer (2007 - 2020)

Experience

Recently, Ms. DeGrand handled the briefing and oral argument in a medical negligence case in which the Illinois Supreme Court vacated a circuit court decision, resulting in dismissal of the case based on a statutory immunity defense. *Gonzalez v Union Health Service, Inc.*, 2018 IL 123025. Ms. DeGrand's client, a "health services plan corporation" organized under the Voluntary Health Services Plans Act, moved to dismiss plaintiff's negligence claims based on the Act's provision immunizing certain types of health services plans from civil liability. 215 ILCS 165/26 (West 2016). Plaintiff opposed the motion based, in part, on a claim that the 1988 version of the Act's statutory immunity provision was unconstitutional. The trial court ruled that a 1988 amendment of the immunity provision constituted special legislation and violated federal and state equal protection guarantees. Based on its declaration that the immunity provision was unconstitutional, the trial court denied the defendant's motion to dismiss the claims against it.

Ms. DeGrand sought a direct appeal to the Illinois Supreme Court. Overcoming a jurisdictional obstacle, Ms. DeGrand persuaded the supreme court to exercise its supervisory authority to address and reverse the circuit court's ruling. The supreme court held that the circuit court need not have addressed the 1988 amendment to the immunity provision, because the effect of a finding that that the amendment was unconstitutional would not abolish the statutory immunity conferred on the defendant by the original version of the statute. Rather, even if the amendment were unconstitutional, the provision would simply revert back to its original version, which has been upheld by the appellate court against a constitutional challenge. Based on that immunity, the supreme court observed that the defendant still would be entitled to seek dismissal.

The supreme court, accordingly, vacated the order denying the motion to dismiss and remanded the case for further proceedings in the circuit court. On remand, the circuit court dismissed all claims against Ms. DeGrand's client based on the statutory immunity defense.

- [Plaintiff v. Defendant Railroad Company](#)^{10/16/2019}

Client: Defendant Railroad Company

Outcome: Appellate Court Victory for Defense

- Plaintiff v. Defendant Supportive Living Facility06/24/2019

Client: Defendant Supportive Living Facility

Outcome: Appellate Court Victory

- Plaintiff v. Defendant Neurosurgeon 201906/21/2019

Client: Defendant Neurosurgeon

Outcome: Appellate court affirmed judgment entered on jury verdict

- Daley v. Teruel07/02/2018

Client: Defendant Teruel

Outcome: Appellate Court Victory

- Plaintiff v. Defendant Law Firm10/02/2017

Client: Defendant Law Firm

Outcome: Summary Judgement for the Defense

- Plaintiffs v. Defendant Attorney09/26/2017

Client: Defendant Attorney

Outcome: First District Affirmed Circuit Court's Dismissal

- Matrix Basement Systems Inc. v. Defendants04/11/2017

Client: Defendant Law Firm and Attorneys

Outcome: Appellate court affirmed order denying sanctions and attorney fees for firm's clients

- Sondergaard v. Defendant Physician01/09/2017

Client: Defendant Physician

Outcome: Appellate court affirmed judgment entered on jury verdict

- Epstein v. Defendant Attorney12/14/2016

Client: Defendant Attorney

Outcome: Seventh Circuit affirmed dismissal of claim

- Williams v. Defendant Physician and Professional Corporation12/07/2016

Client: Defendant Physician and Professional Corporation

Outcome: Appellate court affirmed judgment entered on jury verdict

- Whiting v. Defendant Healthcare Services Company10/12/2016

Client: Defendant Healthcare Services Company

Outcome: Seventh Circuit affirmed summary judgment order entered in favor of firm's client

- Weston v. Hospital and Physician06/06/2016

Client: Defendant Hospital and Physician

Outcome: Appellate court affirmed order entering summary judgment for firm's clients

- Wilkins v. Defendant Ambulance Driver and Ambulance Service06/20/2013

Client: Defendant Ambulance Driver and Ambulance Service

Outcome: Supreme Court reinstated order granting summary judgment to the defendants after reversal by the appellate court.

- Show v. Defendant Automobile Manufacturer09/19/2011

Client: Defendant Automobile Manufacturer

Outcome: Affirmed judgment in favor of the firm's client

- Smith v. Defendant Driver and Corporate Employer^{06/28/2011}

Client: Defendant Driver and Corporate Employer

Outcome: Defense Verdict; Verdict Affirmed on Appeal

- Uldrych v. Defendant Surgeon and Hospital^{01/21/2011}

Client: Defendant Surgeon

Outcome: Affirmed judgment in favor of surgeon and against hospital on implied indemnity cross claim

- Iaccino v. Defendant Obstetrician et al.^{12/20/2010}

Client: Defendant Obstetrician

Outcome: Not guilty verdict in first trial and affirmed judgment on jury verdict on appeal

- Davis v. Defendant Ophthalmologist^{10/08/2010}

Client: Defendant Ophthalmologist

Outcome: Affirmed Verdict in Favor of Client Medical Corporation and an Ophthalmologist

- Steinhoff v. Defendant Snow Vehicle Manufacturer^{08/04/2009}

Client: Defendant Snow Vehicle Manufacturer

Outcome: Reversed in favor of defendant

- DiGuilio v. Defendant Manufacturer^{03/12/2009}

Client: Defendant Manufacturer

Outcome: Summary judgment in favor of defendant affirmed

- Mikolajczyk v. Defendant Automobile Manufacturer^{02/01/2009}

Client: Defendant Automobile Manufacturer

Outcome: Jury verdict for Plaintiff remanded, new trial ordered

- Favia v. Defendant Automobile Manufacturer^{03/31/2008}

Client: Defendant Automobile Manufacturer

Outcome: Verdict Affirmed in favor of Defendant

- Loughery v. Defendant Truck Manufacturer^{07/01/2007}

Client: Defendant Truck Manufacturer

Outcome: Summary Judgment Granted in Favor of Defendant

- Osman v. Defendant Automobile Manufacturer^{06/01/2005}

Client: Defendant Automobile Manufacturer

Outcome: Summary judgment affirmed in favor of Defendant

- Wade v. Defendant Attorney^{03/01/2005}

Client: Defendant Attorney

Outcome: Judgement at Trial in Favor of Defendant Affirmed

- Plaintiff v. Defendant Commercial Litigator^{05/01/2004}

Client: Defendant Commercial Litigator

Outcome: Dismissal in favor of Defendant Affirmed

- Skowronski v. Defendant Automobile Manufacturer^{04/01/2004}
Client: Defendant Automobile Manufacturer
Outcome: Defense Verdict; Judgment at Appeals Trial Affirmed in Favor of Defendant
- Neal v. Defendant Physician^{02/01/2004}
Client: Defendant Physician
Outcome: Summary Judgment in Favor of Defendants Affirmed
- Morgen v. Defendant Automobile Manufacturer^{03/01/2003}
Client: Defendant Automobile Manufacturer
Outcome: Defense Verdict; Judgment at Appeals Trial Affirmed in Favor of Defendant
- Kambylis v. Defendant Automobile Manufacturer^{01/01/2003}
Client: Defendant Automobile Manufacturer
Outcome: Summary Judgment in Favor of Defendant Affirmed
- Plaintiff v. Defendant Physician^{04/01/2002}
Client: Defendant Physician
Outcome: Appeal Dismissed
- McKnight v. Defendant Attorney^{07/01/2001}
Client: Defendant Attorney
Outcome: Summary Judgment in Favor of Defendants Affirmed
- Kotvan v. Defendant Physician^{01/01/2001}
Client: Defendant Physician
Outcome: Defense Verdict; Defense Verdict Affirmed on Appeal
- Lowe v. Defendant Automobile Manufacturer^{05/01/2000}
Client: Defendant Automobile Manufacturer
Outcome: Dismissal in Favor of Defendant Affirmed
- Bartik v. Defendant Physician^{04/01/2000}
Client: Defendant Physician
Outcome: Jury Verdict for Plaintiff Reversed on Appeal
- Rice v. Defendant Automobile Manufacturer^{03/01/2000}
Client: Defendant Automobile Manufacturer
Outcome: Denial of Defendant's Motion to Dismiss Reversed
- Brown v. Defendant Automobile Manufacturer^{05/01/1999}
Client: Defendant Automobile Manufacturer
Outcome: Defense Verdict; Defense Verdict Affirmed on Appeal
- Norton v. Defendant Insurance Company^{04/01/1999}
Client: Defendant Insurance Company
Outcome: Dismissal of Amended Complaint Affirmed
- General Casualty Company v. Defendant Automobile Manufacturer^{03/01/1999}
Client: Defendant Automobile Manufacturer

Outcome: Dismissal in Favor of Defendant Affirmed

- State Farm Mutual Automobile Insurance Company v. Defendant Automobile Manufacturer^{02/01/1999}

Client: Defendant Automobile Manufacturer

Outcome: Summary Judgment in Favor of Defendant Affirmed

- Wallis v. Defendant Physician^{01/01/1999}

Client: Defendant Physician

Outcome: Summary Judgment for Defendant Affirmed

- Portwood v. Defendant Automobile Manufacturer^{01/01/1998}

Client: Defendant Automobile Manufacturer

Outcome: Dismissal of Plaintiff's Class Action Affirmed

- Blue v. Defendant Automobile Manufacturer^{03/01/1997}

Client: Defendant Automobile Manufacturer

Outcome: Defense Verdict