

Ridiculous Irony Abounds in Illinois Supreme-Court Race

Written by Rich Miller

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A top advisor to an Illinois Supreme Court candidate who wants to end the lawsuit “crisis” has filed suit against two men who champion the rights of people who file lawsuits. Enough irony for you? There’s more. Much more.

Doug “Wojo” Wojcieszak is a former Illinois House Republican staffer who created a Web site a few years back that poked great fun at frivolous lawsuits and the plaintiffs and trial lawyers who file them. The Web site was supported by the Illinois Civil Justice League, a group founded and run by Ed Murnane that, among other things, helps identify judges who too heavily favor the trial lawyers.

Wojo eventually decided that he was on the wrong side of the issue. A close family member had died years earlier because of a doctor’s mistake. After his moment of clarity, he formed a group called Victims & Families United, which holds rallies, organizes lobby days, sends out press releases, and does research to buttress its claim that plenty of legitimate medical-malpractice lawsuits are filed every year and physicians should not be given immunity from their errors. Opponents have dismissed the group as simply a front for wealthy and powerful trial lawyers.

For weeks, Wojcieszak sent out e-mails to reporters challenging Ed Murnane to a debate. Murnane refused, claiming the group is too inconsequential for him to worry about. Murnane is on the e-mail distribution list, and he has occasionally responded to Wojcieszak’s tirades, although he insisted that his responses were not technically responses. It’s been quite a show.

Wojcieszak co-owns a public-relations firm called Tactical Consulting with a former police chief of Pinckneyville, and he lives in southern Illinois, the base of perhaps the hottest political campaign in the entire state.

The 5th Supreme Court District contest pits Democrat and trial-lawyer ally Gordon Maag against Republican and friend-of-business Lloyd Karmeier. The outcome of the contest won’t reverse the court’s Democratic majority, but it will give the tort-reform issue some serious traction, which might spread to other contests and could even force the issue at the court itself.

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One of Karmeier's biggest contributors is a corporate-sponsored tort-reform group called JustPAC. JustPAC's treasurer is Ed Murnane.

Karmeier's finance-committee chair is Dwight Kay, a Metro East businessman. Wojcieszak and his business partner were tipped that Kay's background might contain some interesting material, so they started digging. They eventually wound up at the home of Kay's ex-wife, and asked her some questions before giving her their business card and leaving.

Kay called the cops, then he called Wojcieszak's office and apparently spoke to Wojo's partner, who allegedly said that he also planned to talk to Kay's neighbors. Shortly thereafter, Kay filed his lawsuit.

Yes, you read that right. Kay, who is working for the candidate who supposedly wants to end needless litigation, filed a lawsuit against two guys who defend the rights of litigants for asking his ex-wife some questions. Sweet, sweet irony.

And get this: Kay's lawyer is Steve McGlynn, the co-chair of the Illinois Republican Party. That would be the same state GOP that wants to see Karmeier win so frivolous lawsuits can be banned.

Kay's suit claims that the defendants' visit made his daughter "fearful for her own safety and well-being," and alleges that the defendants' actions were designed to prevent Kay and his children from working for Karmeier's campaign.

Murnane, that bulwark against frivolous lawsuits and champion of defendants, defended the litigious Kay, pointing out that Kay hadn't filed a "tort" case so it didn't qualify as something he'd be opposed to at the Illinois Civil Justice League. Instead, Murnane explained, Kay was pursuing a "constitutional" issue.

Meanwhile, friend to plaintiffs everywhere Doug Wojcieszak has been screaming "Frivolous lawsuit! Frivolous lawsuit!" and has threatened to file a malicious-prosecution suit.

This situation is completely ridiculous. Kay should drop his stupid lawsuit, and if he doesn't then candidate Karmeier should immediately disassociate himself from a man who sues at the drop of a hat. The state GOP co-chair ought to refrain from using his law license to stifle the opposition. Murnane needs to realize how intellectually dishonest he sounds defending this nonsense.

Wojcieszak said recently he had no plans to continue participating in the Supreme Court race. That's a good start. He ought to learn from this little spanking that plenty of frivolous or needless lawsuits are filed in Illinois and we need to do something about it.

Rich Miller also publishes Capitol Fax, a daily political newsletter. He can be reached at (<http://www.capitolfax.com>).