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Amicus Curious

Stellato: I'm alive!

By Bethany Krajelis
Law Bulletin staff writer

When Donald E. Stellato turned to page 1,206 of the latest edition of the Sullivan's Law Directory, he got a surprise that left him speechless.

Right after the listing of his name and before his date of birth, the longtime Chicago attorney saw a word used to describe him that he never expected to see during his lifetime: deceased.

"I must say my first reaction was the feeling of being chopped liver," said the very-much-alive Stellato. "And then I started to worry about the business angle."

Stellato, a defense attorney with Stellato & Schwartz, Ltd., first learned of his erroneous listing late last month, shortly after Sullivan's released its 2010-2011 edition.

He received an e-mail from a former colleague, Craig A. Tomassi, who told him to "check out your listing on page 1,206 of the new edition. It's a bit premature, don't you think?"

Premature, indeed. Stellato's listing as "deceased" was a rare mistake, said Peter Mierzwa, general manager for codes and verdicts at the Law Bulletin Publishing Co., which owns Sullivan's and the Chicago Daily Law Bulletin.

Mierzwa said there have only been a handful of incorrect "deceased" listings in the 134 years that the legal directory has been published. It's so rare that he compared such a mistake to Halley's Comet, which is only visible from Earth every 75 or so years.

Mierzwa said the company discovered that a certain sequence of key strokes could trigger the "deceased" flag in the system after a temporary worker kept accidentally "killing people off" a few years ago.

That spurred the staff, which manually enters all the attorney information into the system, to compile a separate list of all of the deceased listings in order to prevent such errors from occurring.

But Stellato somehow managed to slip through the system's safeguards. Though there's no way to change his listing in the current print edition of Sullivan's, Mierzwa said the company plans to prominently place a correction in a supplement

that comes out in November.

Needless to say, Stellato wishes the mistake never happened. He has heard the Mark Twain quote — "The reports of my death have been greatly exaggerated" — more in the past week than in his entire lifetime.

Though he may be listed as deceased, Stellato and his legal career are far from it.

Stellato, who is in his 60s, has been practicing law in Chicago for more than three decades, during which time he has garnered dozens upon dozens of successful results for his clients.

Being a trial lawyer was something this Chicago native always wanted to do. His passion only grew during a clerkship for Prentice H. Marshall, the late federal judge who ran the trial advocacy program at the University of Illinois College of Law.

After graduating from law school in 1973, Stellato took a job with the Chicago law firm now known as Williams, Montgomery & John Ltd.

He had a heavy trial practice, defending clients in business and insurance matters. Stellato became a partner within six years and, in 1989, left to form his own firm.

At Stellato & Schwartz Ltd., his practice continues to focus on insurance and business defense. He's handled cases for several insurance companies and self-insured corporations, as well as for the Chicago Housing Authority, the Museum of Science and Industry and the Chicago Motor Club, among others.

One of his more recent clients was the council that runs the Girl Scouts. A woman sued the council, claiming it was liable for a Brownie troop volunteer who hit her with a car in a grocery store parking lot where the troop was selling cookies.

The 1st District Appellate Court in June ruled in favor of the Girl Scouts, handing Stellato another victory to add to his scorecard. In 1995, 1996 and 1998, he was recognized by the Chicago Lawyer magazine for obtaining favorable verdicts in the top 10 cases for each of those years.

He also holds the state's record for the largest percentage of comparative fault (99 percent) assessed by a jury against a plaintiff. This case was featured in a recent Jury



Donald E. Stellato

Verdict Reporter article on the five most noteworthy defense verdicts in the last 15 years.

Thomas A. Demetrio, a partner at the Chicago law firm of Corboy & Demetrio P.C., said Stellato is a well-known attorney whose hard work has earned him a good reputation within the defense bar.

Demetrio, a plaintiff's lawyer, and Stellato started their careers at about the same time and have continued to cross paths over the years.

The cases in which they have faced each other as opposing counsel were "always competitive," said Demetrio, who was unaware of Stellato's incorrect listing in Sullivan's.

He said Stellato, an avid golfer who has four French bulldogs with his wife, Paula, is a tenacious lawyer who leaves no stone unturned.

"My experience with him is when he has a case where there is absolute liability, he will work toward a fair and reasonable settlement," Demetrio said. "But when there's a chance he could prevail, he'll go to the mat."