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Jane E. Garrott
44 E. Mifflin Street, Suite 103
Madison, Wisconsin 53703-2897
Telephone: 608/257-5741
Fax: 608/255-9285
Email: contact@watl.org

PRESS RELEASE

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Contact Person:
Jane Garrott (608) 257-5741

***The Wisconsin Academy of Trial Lawyers Awards Lynn R. Laufenberg
The Robert L. Habush Trial Lawyer of the Year Award***

The Wisconsin Academy of Trial Lawyers (WATL) named Lynn R. Laufenberg the Robert L. Habush Trial Lawyer of the Year. Attorney Laufenberg received the award at WATL's Presidents' Dinner on Friday, December 1, 2002 in Milwaukee, Wisconsin.

The Robert L. Habush Trial Lawyer of the Year Award is bestowed on a WATL member who has made an outstanding contribution to the public interest or who has demonstrated compassion and commitment to advocacy on behalf of injured consumers.

WATL President Daniel A. Rottier stated, "Lynn is a fierce advocate who lets the facts and legal theory drive his advocacy. He is never driven by anger or animosity. Tort law in Wisconsin has benefited by his contributions as have hundreds of his clients. We all owe him a debt of gratitude. He is a fitting recipient of the Robert L. Habush Trial Lawyer of the Year award."

Lynn R. Laufenberg is the senior member of the Milwaukee law firm of Laufenberg & Hoefle, S.C. He concentrates his practice in personal injury litigation, representing persons and families harmed by medical negligence, defective products,

unsafe premises and other careless acts. He is a 1975 *cum laude* graduate of Marquette University Law School. Later he clerked for former Supreme Court Justice Bruce F. Beilfuss.

Laufenberg served as President of WATL in 2003 and continues to serve on the Board of Directors. He has been a co-editor of *The Verdict*, WATL's quarterly publication, has co-chaired WATL's Constitutional Challenge Committee and serves on WATL's Amicus Curiae Brief Committee and the Jury Instruction Committee. He is a frequent lecturer and writer on the subjects of tort law and trial advocacy. He has been elected to three terms on State Bar of Wisconsin's Litigation Section and served as Chair of that Section as well as chair of the Section Leaders Council. He is a member of the Wisconsin Chapter of the American Board of Trial Advocates and has been recognized as a Civil Trial Specialist by the National Board of Trial Advocacy.

Laufenberg's scholarship and impact on Wisconsin law has been immense. He has been an active developer of Wisconsin tort law, appearing before state and federal appellate courts in numerous cases. His work in the area of products liability successfully led to the formulation of enhanced injury doctrine, which precludes consideration of fault of an injured party in causing the accident when determining liability for enhanced injuries. *Farrell v. John Deere Co.*, 151 Wis. 2d 45, 443 N.W.2d 50 (Ct. App. 1990) and *Kutsuheras v. AVCO*, 973 F.2d 1341 (7th Cir. 1992)

Laufenberg's work on stray voltage cases has been cutting edge, arguing successfully that the Public Service Commission's "level of concern" did not establish the sole basis for a utility's liability for damages caused by stray voltage in *Hoffmann v. WEPCO*, 2003 WI 64, 262 Wis. 2d 264, 664 N.W.2d 55.

In the area of medical malpractice, Laufenberg argued successfully that the “alternative methods of treatment” concept did not apply to determination of liability for negligent diagnosis. *Miller v. Kim*, 191 Wis. 2d 187, 528 N.W.2d 72 (Ct. App. 1995)

Laufenberg has been generous in his support of other lawyers and improving the law, providing assistance in over a dozen amicus briefs and participating in oral argument in many precedent-setting cases, including, *Strenke v. Hoger*, 2005 WI 25, 279 Wis. 2d 52, 694 N.W.2d 296, where he successfully argued on behalf of the plaintiff that proof of intent to cause injury to a specific person was not required to support an award of punitive damages under Wis. Stat. § 895.85(3); *Haferman v. Vangor, et al.*, 2005 WI 171, 286 Wis. 2d 621, 707 N.W.2d 853, helping to convince the Supreme Court they should reject the contention that the 3-year statute of limitations applied to claims of medical malpractice asserted on behalf of developmentally disabled child; *Fuchsgruber, et al v. Custom Accessories, Inc., et al.*, 2001 WI 81, 244 Wis. 2d 758, 628 N.W.2d 833, where the Supreme Court rejected the contention that modification of joint and several liability rule contained in the amended comparative negligence statute, Wis. Stat. § 895.045, applied to strict product liability claims; *Rebernick v. Wausau General Insurance Co.*, 2006 WI 27, 289 Wis. 2d 324, 711 N.W.2d 621, which confirmed that “notice of availability” of UIM coverage required by § 632.32(4m) applies to excess/umbrella coverage and *Lagerstrom v. Myrtle Worth Hospital, et al.*, 2005 WI 124, 285 Wis. 2d 1, 700 N.W.2d 201, which established that collateral source payments in medical malpractice cases are admissible solely for the purpose of a jury’s consideration in determining the reasonable value of medical care.

Laufenberg is a prolific writer, authoring articles for magazines and publications concerning medical malpractice, collateral source rule, informed consent, joint and several liability, and stray voltage.

Finally Laufenberg has been a strong advocate for the civil justice system in the halls of the Legislature, appearing as a witness in the legislative process on behalf of WATL, the Litigation Section of the State Bar of Wisconsin and the State Bar of Wisconsin over 20 times to present testimony in opposition to efforts to restrict access to the courts by injured consumers, overturn common law rights of recovery and undermine the independence of the judiciary.

On receiving the award, Laufenberg expressed his appreciation and humility in receiving the award, saying, “It is an honor and privilege to be put in the company of those who have already received this recognition in the name of someone who has done so much for this organization and the civil justice system. I have always believed that the true value of this recognition should be the inspiration and motivation its namesake and the recipients provide to all of us to be the best we can be as trial lawyers.”

Laufenberg went on to describe the common attributes of a successful trial lawyer — “hard work, willingness to take a risk, competitive drive, courage, and fear of failure.” Not only that, “but we all have the opportunity and, perhaps, the responsibility to be so much more. To do so much more,” Laufenberg said.

Laufenberg discussed the previous winners of the Trial Lawyer of the Year Award and shared with the audience what they represent to him, stating, “How they continue to inspire, motivate and teach me to continue to strive to follow in their footsteps.”

Laufenberg lives on Moose Lake in Waukesha County with his wife Mary Jane. They have four children, including Mike, who is also a member of the law firm.

WATL is the largest voluntary statewide bar organization in Wisconsin with approximately 1,000 members. Members of the Academy are attorneys who represent consumers seeking to hold wrongdoers accountable for injuries arising from accidents, malpractice or unsafe products.

The Academy's principle objectives are to promote continuing legal education for the betterment of the trial bar profession; and to preserve Wisconsin's civil justice system by working with the state legislature and other governmental bodies, as an advocate for the legal rights of all Wisconsin citizens.

WATL established the Robert L. Habush Trial Lawyer of the Year Award in 2000 to recognize a trial lawyer who has made contributions to the trial bar by handling a case involving a significant change in the law or a precedent-setting suit, or by donating time on a committee or project that benefited injured consumers. The award is named in honor of Robert L. Habush for his years of dedication and commitment to the fight for the rights of accident victims nationwide and for the tremendous time and energy he has devoted to WATL. Mr. Habush has served WATL in many capacities, twice being president (1968-69 and 1971-72) and for ten years chairing the Legislative Committee. He also served as president of the national Association of Trial Lawyers of America from 1986-87.