

# Won Summary Judgment and Sanctions for Construction Client in the Circuit Court of Cook County

Jack Sanker and Constantine Gavrilos obtained summary judgment for an underground utility contractor in a complex construction negligence case. The plaintiff claimed they were severely injured, requiring multiple surgeries, after tripping on construction debris allegedly left over from the backfilling operation of the excavation.

Jack and Constantine based their argument on three main points: 1) that any debris was “open and obvious,” meaning that the client had no obligation to warn or prevent the alleged incident; 2) the evidence produced in discovery was insufficient to establish liability for the client; and 3) the plaintiff’s evidence fell short of proving causation.

After over two years of litigation, the court ruled in favor of the client. The plaintiff’s claims of severe injury and multiple surgeries fell short of legal standards, as the court determined that the evidence was insufficient to establish liability. Additionally, a motion for sanctions was won, including attorney fees, costs, and discovery sanctions, which allowed for a thorough and aggressive defense.

## PROFESSIONALS

Constantine Gavrilos  
Associate

Jack T. Sanker  
Partner

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