



## Philip Lading

SHAREHOLDER IN EDWARDSVILLE, IL

Philip Lading is a shareholder and primarily practices in the firm's Business and Business Litigation practice groups. Phil has extensive experience in municipal law and governmental relations, business and commercial litigation, insurance defense litigation and insurance coverage disputes. He also serves as an Assistant State's Attorney in Effingham and Madison County, City Attorney for Staunton, Illinois and the Village Attorney for Hamel and Roxana, Illinois.

618.659.9522

plading@sandbergphoenix.com

### SERVICES

Commercial Litigation

Insurance Coverage & Bad Faith

Labor & Employment Counseling

### INDUSTRIES

Insurance Litigation

### REPRESENTATIVE EXPERIENCE

*Huon v. Mudge*, 597 Fed. Appx. 868 (7th Cir. 2015): affirmance of award of summary judgment in favor of sheriff's department and state's attorney in false arrest action brought by former criminal defendant.

*Tipton v. Madison County*. The Fifth District of Illinois Appellate Court unanimously affirmed the decision of the trial court in favor of the firm's client, Madison County, and upheld the decision of the Madison County Board denying a request for rezoning by the applicant.

*Baker v. Stiverson*. In a unanimous decision from the Illinois Appellate Court for the Fifth District, the defense verdict obtained by the firm in an excessive force case was successfully affirmed. The case involved complicated issues related to what constitutes judicial admissions for purposes of trial, and also excessive force in the context of use of a taser by a law enforcement officer. The firm further successfully argued for and were validated by the appellate court in its decision that an "abuse of discretion" standard applied, as opposed to a "de novo" standard on appeal requested by the Plaintiff.

*Dominic Choate v. Indiana Harbor Belt Railroad Company.* A monumental decision involving premises liability claims, this opinion of the Illinois Supreme Court reversed a body of existing case law. Philip Lading and two other Sandberg Phoenix attorneys were brought in by the Illinois Civil Justice League, the Washington Legal Foundation, and the Allied Educational Foundation to assist with amicus curiae briefing on appeal. The Supreme Court's decision centered upon the ability of a child to appreciate the risk and danger of a moving train, and established a precedent for future cases involving the risks of trespassing children and the expense of remediating dangerous conditions.

*Smith-Silk v. Nelson, et al.* In a class action lawsuit filed in St. Clair County, Illinois, plaintiffs challenged the constitutionality of a "Neutral Site Fee" approved by the Illinois Legislature and imposed by Madison and St. Clair counties. At issue was the constitutionality of the law authorizing counties to impose a fee on all civil lawsuit filings fund a neutral site custody exchange where parents could safely exchange physical custody of their minor children. After oral arguments, the court granted Madison County's Motion to Dismiss, upholding the constitutionality of the legislation, and entering judgment in favor of the Madison and St. Clair Counties. The decision of the trial court was successfully defended by the firm in the Illinois Appellate Court Fifth District.

*Hutson v. Rice.* This case involved a lawsuit against the Madison County Recorder wherein the Plaintiff alleged retaliatory discharge in connection with her separation from employment. After some early briefing and motion practice by Madison County, the lawsuit was voluntarily dismissed by the Plaintiff.

*Barrett v. Hirsch.* Philip and other Sandberg Phoenix attorneys fought a complicated child custody case in Madison County, Illinois, where multi-state jurisdictional issues were present. After winning a temporary child custody order for our client, the decision was appealed to the Fifth District Appellate Court in Illinois, who affirmed the decision of the Circuit Court. Opposing party's attempt to seek a writ of certiorari in the Illinois Supreme Court was denied.

*Mark Hale et al. v. State Farm Mutual Automobile Insurance Company et al.* A team of Sandberg Phoenix attorneys represented Citizens for Karmeier, a political committee supporting the election of Justice Lloyd Karmeier to the Illinois Supreme Court in an alleged federal RICO violation. Filed in the Federal Court in the Southern District of Illinois, the plaintiffs alleged that Citizens for Karmeier was advocating on behalf of State Farm in order to fund the campaign of Justice Karmeier. Sandberg Phoenix was able to obtain a voluntary dismissal of the portion of the lawsuit directed at Citizens for Karmeier.

*Bazzell v. MN Hospitality, Inc.* Circuit Court of Madison County, Illinois. Phil obtained a defense verdict after a week jury trial, and two-hours of deliberation. A 25-year old man was shot by a motel guest, and rendered a paraplegic. Plaintiff claimed the defendant failed to protect him from the foreseeable criminal acts of the shooter.

*Freeman v. Apex Physical Therapy, LLC.* Circuit Court of Madison County, Illinois. Phil successfully litigated and substantially invalidated a series of restrictive covenants which the defendants sought to enforce against their former partner.

*Handshy v. Macklin.* Circuit Court of Effingham County, Illinois. Phil received a jury verdict in favor of his client and against a tavern that over-served a patron who left the bar and caused an auto accident. Verdict of jury affirmed during successful defense of appeal by the defendant.

*Webb v. Allstate.* Circuit Court of St. Clair County, Illinois. Summary judgment in favor of client's insurance company on insurance coverage issue.

*People v. Hasty.* Circuit Court of Madison County, Illinois. Phil prosecuted and obtained a jury verdict finding defendant guilty of commission of various criminal offenses. The jury returned the guilty verdict in under a half-hour.

*Tuggle v. Peters.* Circuit Court of St. Clair County, Illinois. Phil obtained summary judgment on behalf of the client, a defendant in an auto accident lawsuit, on the issue of liability.

*Hollis v. Bargiel.* Circuit Court of Madison County, Illinois. Phil successfully defended and obtained a defense jury verdict in favor of his client in an auto accident case. Represented defendant against injury claims of passengers in a vehicle who claimed that their vehicle who claimed that their vehicle was side-swiped by our client.

## PROFESSIONAL AFFILIATIONS

Madison County Bar Association

Phil formerly served on both the Illinois State Bar Association's Insurance Law Section Counsel and Bench & Bar Section Counsel. He is a member of the Edwardsville Gun Club, the oldest continuously operational gun club in the United States.

## **EDUCATION**

J.D., Saint Louis University School of Law, *cum laude*

B.A. in English, Illinois Wesleyan University

## **LICENSURE(S) AND ADMISSION(S)**

Arizona

Illinois

Missouri

United States District Court for the Eastern District of Missouri

United States District Court for the Southern District of Illinois

United States Court of Appeals for the Seventh Circuit

United States Court of Appeals for the Eighth Circuit

## **CIVIC ACTIVITIES**

Phil works closely with H.I.S. K.I.D.S., Inc., a local non-for-profit charitable organization based out of Highland, Illinois, whose mission is to serve children and their families who are dealing with cancer and other terminal illnesses.

Phil formerly served on the Board of Directors for the Edwardsville/Glen Carbon Chamber of Commerce and the Greater Edwardsville Area Community Foundation.

Appointed Village Attorney, Village of Roxana, Illinois, 2013 – Present

Appointed Madison County Assistant State's Attorney, 2012-Present

Appointed Effingham County Assistant State's Attorney, 2017 – Present

Appointed City Attorney, City of Staunton, IL, 2004 – Present

Appointed Corporate Counsel, Meadowbrook Public Water District, 2010 – Present

Appointed Corporate Counsel, Moro Public Water District, 2018 - Present

Appointed Village Attorney, Village of Hamel, Illinois, 2011 – Present

Appointed Village Attorney, Village of New Douglas, IL, 2005 – 2014

Appointed Zoning Hearing Officer, Village of Pontoon Beach, IL, 2005 – 2007

Appointed Zoning Attorney, Village of Pontoon Beach, IL, 2003 – 2007

Appointed Assistant Village Attorney, Village of Pontoon Beach, IL, 2001 – 2007

Appointed by Illinois Supreme Court to Fifth Appellate District Judicial Screening Committee, 2006

Appointed by Illinois Supreme Court to Third Judicial Circuit Judicial Screening Committee, 2006

## PRESENTATIONS

"Election Law Ballot Integrity," Sandberg Phoenix & von Gontard Continuing Education Seminar

"Protecting Business Assets From Former Employees: Non-Competition and Other Restrictive Covenants," Effingham Chamber of Commerce

## PUBLICATIONS

"Illinois employers face deadline on sexual harassment training," *Illinois Business Journal* (December 2020)

"Point/Counterpoint intro: Illinois Concealed Carry Explained," *Illinois Business Journal* (February 2013)

"Point/Counterpoint intro: Citizens United Explained," *Illinois Business Journal* (October 2012)

Co-Author, "FMLA, ADA, Military and Other Leave Issues: A Guide for the Illinois Employer," *Illinois Chamber of Commerce* (2011)

## RECOGNITION

2011

MISSOURI LAWYERS WEEKLY

Up & Coming Lawyer

A recognition for Phil's work within his field as well as within the community at large.

2008

ILLINOIS BUSINESS JOURNAL

Rising Stars of Southwestern Illinois

This recognition applauds a class of young professionals who live and work in Southwestern Illinois and are leaders in the region, contributing in innovative ways through their profession and charitable efforts in their communities.

2005

SOUTHWESTERN MADISON COUNTY CHAMBER OF COMMERCE

Community Leader of Tomorrow