

# THE ORIGINALS *The Professor*

THE LEGAL PROFESSION HAS CHANGED A LOT OVER THE PAST 40 YEARS. AS PART OF OUR 40TH ANNIVERSARY CELEBRATION, WE THOUGHT IT WOULD BE INTERESTING TO TAKE A STEP BACK IN TIME WITH “THE ORIGINALS” – THE SEVEN ATTORNEYS WHO JOINED JOHNSON & BELL IN THE 1970S AND STILL ARE PRACTICING TODAY. WE SAT DOWN WITH EACH OF THEM TO FIND OUT HOW THE LEGAL PROFESSION HAS EVOLVED, WHAT CASES BUILT THE FIRM OR THEIR OWN INDIVIDUAL CAREERS, AND THE VARIED PATHS THEIR RESPECTIVE CAREERS HAVE TAKEN OVER THE PAST FOUR DECADES. WE HOPE YOU ENJOY THEIR INDIVIDUAL STORIES.

Johnson & Bell shareholder Bill Beatty isn't a full-time professor, but he sure looks like one on paper. In recent years, Beatty, who joined the firm as its first law clerk in 1977, has studied with the Universities of London, Oxford and Edinburgh (and come November, a brief stint at Cambridge University), primarily in bioethics and medical law. Call it a lifelong quest for knowledge. “It's kind of become a hobby with me,” he says, “since I am so bad at golf.”

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The lifelong learning concept also applies at the office. “If you work with somebody like John Bell, you can literally learn something new every day that will make you a better lawyer,” says Beatty, who was assigned to work with Bell on product liability cases soon after passing the bar, a year after he joined the firm as a law clerk. “If you look and listen, you can pick up new things, learn new ideas and skills, and see how other attorneys in the firm apply those skills, especially with the talented group of lawyers who work here.”



In fact, Beatty still recalls how fortunate he was during his third year at the Chicago-Kent College of Law to get an interview for a clerking position with Johnson & Bell since the firm, at that time, had no history of hiring law clerks. “I joined the firm with the intention of practicing with a group of attorneys that would grow to about 20 or so over time,” he adds, noting that he had previously clerked for a firm of four lawyers. Twenty seemed like the right-size firm that wouldn't be “so big that you would get lost in the crowd, but still big enough to afford some interesting opportunities.”

He has since watched the firm grow far beyond all of his expectations. “It's been a controlled and steady growth, far beyond the number that I ever anticipated.”

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Beatty knew early on that product liability was an area on which he wanted to focus. “I like products work mostly because it deals with how things break, why they break, and what happens when they do,” he says. “As a little kid, I used to take my toys apart since I was always interested in what they looked like on the inside. I still take things apart and can’t get them back together again, much to my wife’s consternation.”

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Beatty recalls many things about his early days at the firm, such as the cigar smoke that hung in the air in Bill Johnson’s office. “Now you’d get thrown out of the place if you lit up a big stinky cigar,” although Beatty regularly indulges in that vice outside of the office. He also remembers the cave-like, windowless office where he completed his first project, writing a summary judgment motion in a case involving corporate successor liability. “One of our former appellate lawyers made the law in Illinois on this issue,” he adds. After the bar exam, and employment as a first-year lawyer, came a series of trials that he second chaired with John Bell, doing the discovery in the case and preparing the evidence for presentation to the jury by Bell. He recalls a construction equipment case in federal court in Little Rock, Arkansas, in which he assisted Bell in defending a crane manufacturer. They obtained a not guilty verdict for their client after a memorable

trial in which their client’s local counsel kept talking about this young upstart governor named Bill Clinton. The plaintiff’s attorney in that case was “a big deal construction injury lawyer from out East who ran us ragged during discovery,” Beatty recalls. “He was always accusing us of something such as not giving him the documents he requested. He’d file motions to compel and motions for sanctions against us almost weekly. I was flying out to Little Rock every other week, but never got to meet Governor Bill or Hillary.”

In another case involving a scissors-lift injury that was tried in federal court in West Lafayette, Indiana, the Johnson & Bell team again came out with a not guilty verdict for their lift manufacturer client. “It was like a war of attrition,” Beatty recalls. “The plaintiff’s attorney and his partner really tried to wear us down, coming into court every morning with a series of motions that the trial judge would have us argue before we barely got a chance to read them.”

When the plaintiff in that case was testifying as to how the injuries he had sustained had changed his life, “over half the jury was in tears,” he adds. “When you see something like that happening, it can be pretty worrisome. Due to the severity of the plaintiff’s injuries, the plaintiff’s attorney was looking for a great deal of money, but we didn’t think there was liability. The lift manufacturer took a big chance in going to the jury with the case – it was potentially a very big verdict, but John Bell did a superb job in presenting the evidence and the defense eventually won the day.”

After that, Bell and Beatty tried a number of other product liability cases together, both statewide and nationally. “We had a pretty good track record,” he says.

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Over the years, Beatty has expanded his practice beyond product liability cases to include employee benefits (ERISA) and employment litigation, as well

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as the defense of asbestos cases. He comments that relatively few cases actually go to trial because many clients are risk-adverse and very conscious about the costs of protracted litigation. “When you find the rare client that is ready to go to trial on everything, and to defend themselves out of pride in their products and the preservation of their corporate integrity, they turn out to be excellent clients.” With clients of this type, he says, “you don’t have to engage in a lot of second-guessing about what to offer and when to offer it. The instructions are simple: ‘We know you; we trust you; go out and win the case and let us know when it’s over.’ That’s definitely the minority approach by clients, but I think it’s very

admirable and effective in dissuading the filing of some of the more marginal cases, since the plaintiff’s lawyer knows that every case filed against that client will have to be tried.”

As he approaches his 38th anniversary with the firm, Beatty has a simple explanation for his longevity at Johnson & Bell: “I’ve almost always felt at home here, and have almost always enjoyed the work. We have great lawyers here and a superb support staff. Personnel-wise, I think the firm is as good or better as it has ever been. It’s a very talented group of women and men, and even at my age, I am still able to learn something from them almost every day.”

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#### CHICAGO OFFICE

33 W. Monroe St. / Suite 2700 / Chicago, IL 60603  
phone (312) 372-0770 / phone (312) 372-9818

#### INDIANA OFFICE

11051 Broadway / Suite B / Crown Point, IN 46307  
phone (219) 791-1900 / phone (219) 791-1901  
info@johnsonandbell.com

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