

MARGARET UNGER

Of Counsel

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Margaret “Peggy” Unger concentrates her practice in health care. Ms. Unger is an accomplished civil trial lawyer with an outstanding record of defense verdicts on behalf of doctors and hospitals in Illinois. She has tried to verdict over 35 civil cases and was recognized for her skill, integrity, and experience in the art of advocacy by election to the American Board of Trial Advocates (ABOTA) in 2004. She served as President of the Illinois Chapter of ABOTA in 2011 and 2012. Ms. Unger has come to specialize in sensitive claims against health care providers, in matters of alleged boundary violations, medical battery, and sexual assault. She has represented physicians in all medical specialties, multiple hospitals, and mental health care facilities.

Ms. Unger is engaged in two emerging areas of practice involving health care providers – invasion of privacy claims and medical professional disciplinary proceedings. Claims against health care providers for publication of private facts, intrusion upon seclusion, and commercial appropriation have become prevalent as medical privacy laws are in the public eye. Damages in privacy claims are generally based upon emotional distress, humiliation, and embarrassment. Although hospitals generally have strong policies for preserving patient privacy, claims are seen in instances of negligent and intentional employee access and disclosure of Protected Health Information. Increasingly, she is working with hospital compliance officers who become witnesses in privacy claims.

With regards to Illinois disciplinary proceedings, heightened scrutiny of mandatory NPDB reports by the Illinois Department of Financial and Professional Regulation (IDFPR) has led to an increase in disciplinary actions against physicians – many for

relatively minor issues. The IDFPR has the authority to take disciplinary action or non-disciplinary action. The goal is always to avoid disciplinary action as it becomes of public record and will appear on a physician's license. She has demonstrated expertise in preparing physicians to present their case at Informal Conferences and in developing supporting information to submit to the IDFPR which provides the best chance of avoiding a disciplinary finding.

In her general negligence practice, she has defended property owners, serving as trial counsel in premises liability claims arising from third-party crimes. She has worked with property owners in lawsuits arising from other intentional torts, including assault and battery, malicious prosecution, slander, and libel.

Holder of an AV rating from Martindale-Hubbell, Ms. Unger was elected to the American Board of Trial Advocates, the Trial Lawyers Club of Chicago, and the Illinois Society of Trial Lawyers.

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ADMISSIONS & EDUCATION

ADMISSIONS

Illinois Supreme Court

U.S. District Court, Federal Trial Bar, Seventh Circuit

U.S. District Court, Northern District of Illinois

EDUCATION

The John Marshall Law School, J.D., 1979

Loyola University, B.S., 1975

AFFILIATIONS

Illinois Society of Trial Lawyers

President, Illinois Chapter of the American Board of Trial Advocates (ABOTA) 2010-2012

Member, Illinois Supreme Court Committee on Character and Fitness 2011-2013

Chicago Bar Association, frequent panelist and demonstrator at seminars

HONORS

AV rating from Martindale-Hubbell

Illinois Super Lawyers 2006, 2018-2019

Leading Lawyers 2006, 2017-2019, 2021

CLIENT RESULTS

[Appellate Court Affirms Defense Verdict in \\$3.4 Million Compartment Syndrome Case](#)

Hospital Sued Under Doctrine of Res Ipsa Loquitur When Patient Developed Compartment Syndrome While Hospitalized

PRESENTATIONS & PUBLICATIONS

PRESENTATIONS

Trial Demonstration, ABOTA: Masters in Trial Program, University of South Carolina, February 2011

CLE Presentation, "Retention, Disclosure and Preparation of Expert Witnesses for the Defense", December 2012

CLE Presentation, "Apparent Agency", April 2011

"Informed Consent, Defense Research Institute's Medical Professional Negligence Seminar, Has the Law Really Changed to a Consumer-Driven Issue?" September 1997

"Patient Self-Determination and the Right to Die," American College of Hospital Executives, Annual Meeting, March 1992