



Charles J. Prochaska IV

Partner

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Charles (Chuck) Prochaska focuses his practice on general liability and professional liability. Chuck has represented clients in the insurance, transportation, construction, entertainment, government and legal industries, among others. He assists clients with premises liability, wrongful death, catastrophic events, trucking and auto, construction injury, construction defect, contract dispute, fraud, product liability, civil rights, professional malpractice and subrogation matters.

Chuck's clients value his tenacity as a trial lawyer, which he blends with his collegial and collaborative spirit to provide the highest quality attention and service to their cases. As a former prosecutor, Chuck leverages his investigative experience in both pre-suit and in-litigation claims to put his clients in the best position to shed light on the truth within a case. Chuck was an adjunct professor at Chicago-Kent College of Law for more than 10 years, teaching courses on trial advocacy, evidence and legal ethics. He routinely presents continuing education programs for claims professionals on a range of industry-specific topics.

Before joining Wilson Elser, Chuck rose to senior partner at a large Midwestern firm where he tried several cases to verdict, won dismissal of many more, never lost an arbitration, and was a cochair of the Associate Development Committee. He was the lead attorney on hundreds of cases, many involving 7-to-9-figure damages claims. Prior to that, Chuck was a prosecutor for the Cook County State's Attorney's Office, where he tried more than 50 felony cases, including 13 jury trials.

Education

- Chicago-Kent College of Law, Illinois Institute of Technology (J.D., 2010)
 - Trial Advocacy Team, 2010 National Trial Competition, semi-finalist

Services

- Complex Tort & General Casualty
- Commercial Litigation
- Toxic Tort

- Student Bar Association
- University of Illinois at Urbana-Champaign (B.A. in Political Science, *with Distinction*, 2007)

Bar Admissions

- Illinois

Court Admissions

- U.S. District Court, Northern District of Illinois

Professional Affiliations

- Illinois Defense Counsel, Member

Representative Matters

Obtained a not guilty verdict following a two-week bench trial in the Circuit Court of Cook County, Illinois, on behalf of an uninsured landlord in a mold personal injury case.

Defended a major U.S. oil company in a commercial contract dispute involving a retailer, securing a settlement for 8 percent of the retailer's initial demand and other considerations following the close of discovery and filing of a dispositive motion.

Won summary judgment for a home remodeler in a negligence claim brought by a trespassing minor.

Won defense verdict for a car dealership in Cook County against a trespasser alleging injuries caused by a security guard.

Won pre-suit not guilty verdict in traffic court for the owner of a vehicle transport company in an interstate accident involving a vehicle driving dangerously below the speed limit.

Won jury verdict significantly below policy limits for an insured driver in an undisputed liability trial despite the Plaintiff's \$750,000 award ask.

Won summary judgment on behalf of a snow removal contractor in a slip and fall case at a grocery store.

Won dismissal of a condominium association in a civil rights action following the eviction of a tenant after she was charged with homicide occurring in the building.

Won jury verdict significantly below policy limits for a large Chicago-area general contractor in a personal injury case where the jury assigned 50 percent fault to the Plaintiff floor installer.

Successfully resolved a wrongful death case against a nationwide materials distributor in a

case involving an accident where a contractor's employee was crushed between a train and a truck.

Defended an industrial insulation company against \$1 billion worth of claims stemming from an explosion at an industrial lubricant plant.

Won defense verdict in favor of a carnival that expelled an intoxicated patron who was injured when he retaliated against its employees by attacking them.

Won defense verdict in favor of an insured driver who was struck by a plaintiff that ran a red light.

Secured bargain settlement in a wrongful death case against a medical device manufacturer alleged to have negligently performed maintenance on oxygen equipment.

Won defense verdict in favor of a trucking company and its driver in a case where the plaintiff alleged that the truck sideswiped her car on an interstate.

Client Wins

Goldner & Prochaska Obtain “Not Guilty” Verdict on Behalf of Uninsured Landlord in Mold Personal Injury Case

Chicago partners Anthony Goldner and Charles Prochaska IV obtained a not guilty verdict following a two-week bench trial in the Circuit Court of Cook County, Illinois, on behalf of an uninsured landlord in a mold personal injury case brought by a 47-year-old foreclosure and bankruptcy defense attorney. The complaint, originally filed in 2021 was voluntarily dismissed by the plaintiff prior to the original trial date, was refiled in 2025. The plaintiff alleged there had been at least six leaks lasting up to an hour each time from the ceiling vent in his bathroom, which were not promptly addressed. The plaintiff retained two air quality experts who found minimal to moderate amounts of mold in his apartment, but he complained of chronic headaches, insomnia, cognitive deficiencies, and inflammation in all areas of his body that continue to the present day with little improvement. The claims were supported by several treating physicians who testified that the exposures to mold led to the development of chronic inflammatory response syndrome (CIRS), a permanent condition that could lead to a lower life expectancy. Plaintiff further alleged that the CIRS significantly reduced his income as a practicing attorney and his retained economist expert forecast a past and future loss of income up to \$5 million. With a demand of \$3.75 million to settle, talks at a mediation and before the first trial date were not successful. At trial, Anthony and Chuck mounted a full defense and lengthy cross-examination of the plaintiff that successfully challenged the plaintiff's claims. The court distinguished the relative paucity of expertise of the plaintiff's air quality inspectors and treating physicians with the industrial hygiene and medical experts retained by the defense. The fundamental weakness of the plaintiff's medical causation case was fatal to his case.