

Bond Case Briefs

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LIABILITY - ILLINOIS

Dynek v. City of Chicago

Appellate Court of Illinois, First District, Fourth Division - June 11, 2020 - N.E.3d - 2020 IL App (1st) 190209 - 2020 WL 3097469

Bicyclist brought action against city for negligence allegedly stemming from injuries sustained when, during his commute to work, his bicycle's front tire went into a hole created by a broken grating bar on a bridge.

The Circuit Court entered judgment on the jury's verdict in favor of city. Bicyclist appealed.

The Appellate Court held that:

- Evidence justified use of non-pattern jury instruction about statute of repose;
- City's statements found in withdrawn summary judgment motion did not constitute judicial admission of danger;
- Errors in form of special interrogatories did not prejudice bicyclist and did not confuse jury;
- Any error in exclusion of evidence of city's improvements to other metal grate bridges as irrelevant to issue of city's knowledge that such bridges were dangerous to bicyclists did not prejudice bicyclist;
- Issue of notice of bridge not being safe for cyclists was for jury;
- City's statements during closing arguments were proper, relevant, and of reasonable inference; and
- Sanctions for city's alleged discovery violation about prior lawsuits were not warranted.