

12-Person Jury

Hearing Date: No hearing scheduled
Courtroom Number: No hearing scheduled
Location: No hearing scheduled

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12/18/2019 11:24 AM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019L013922

THE UNITED STATES OF AMERICA
IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT-LAW DIVISION

7777063

ALFREDA BUGAJ,)
Plaintiff,)
v.) Case No.: 2019L013922
RAJESH KANURU and KP LAW, LLC,)
Defendants.) JURY DEMAND OF 12

COMPLAINT AT LAW
(LEGAL MALPRACTICE)

NOW COMES your Plaintiff, ALFREDA BUGAJ (herein also referred to as "BUGAJ"), by her attorneys, THE GOOCH FIRM, and as and for her Complaint at Law against RAJESH KANURU and KP LAW, LLC, (herein also referred to as "KANURU") states the following:

COUNT I: LEGAL MALPRACTICE AGAINST RAJESH KANURU

1. ALFREDA BUGAJ is a resident of Addison, DuPage County, Illinois and was a resident at all times relevant to the allegations in this Complaint.
2. RAJESH KANURU was an attorney licensed to practice law in the State of Illinois and was licensed at all relevant periods to this Complaint. KANURU is no longer licensed nor authorized to practice law in Illinois and has been disbarred as of January 2018.
3. At all times relevant to the Complaint, KANURU was doing business under the name of KP LAW, LLC located in Chicago, Cook County, Illinois. Upon information and believe KP LAW, LLC has dissolved in 2018.
4. That in 2007, Plaintiff was injured at her place of employment, resulting in wrist laceration, right hand pain and nerve damage.

5. Plaintiff's Workers' Compensation claim was initially filed on or around February 27, 2008 by her attorney David Menchetti of Cullen, Haskins, Nicholson & Menchetti, case number 08 WC 8587.
6. On or around June 5, 2011, Plaintiff retained RAJESH KANURU and KP LAW, LLC to represent her in her Workers' Compensation claim.
7. As part of the retainer agreement, RAJESH KANURU and KP LAW, LLC had an implied duty to abide by the standard of care and all Illinois Rules of Professional Conduct.
8. While representing the Plaintiff, Defendant KANURU missed numerous court appearances in Plaintiff's matter which resulted in the Workers' Compensation claim being dismissed.
9. On or around April 27, 2012 the worker's compensation claim was dismissed because Defendant failed to appear at a commission status hearing date.
10. Defendant then had to file a Petition to Reinstate, and the matter was reinstated on or around July 31, 2012.
11. The Workers' Compensation claim was dismissed again on or around October 29, 2012 because Defendant again failed to appear at a commission status hearing date.
12. Defendant then had to file another Petition to Reinstate, and the matter was reinstated on or around December 3, 2012.
13. For the third time, the Workers' Compensation claim was dismissed on or around July 23, 2013 because Defendant again failed to appear at a commission status hearing date.
14. Defendant filed a Petition to Reinstate on or around August 29, 2013.
15. On December 30, 2013 the Petition to Reinstate was denied by the Arbitrator.

16. On December 30, 2013 Defendant filed a Petition for Review before the Workers' Compensation Commission.
17. On December 31, 2013, a duplicate Workers' Compensation claim was filed, case number 13 WC 42595. The case docket reflects that the claim was filed *pro se*, however Plaintiff BUGAJ has no knowledge of ever filing a Workers' Compensation claim in 2013. Therefore, upon information and belief, Plaintiff believes that Defendant KANURU filed the duplicative case in 2013.
18. On April 7, 2014, Defendant requested review of the Arbitrator's denial of the Petition to Reinstate.
19. On March 23, 2015, the Workers' Compensation Commission affirmed the Arbitrator's denial of the Petition to Reinstate on December 30, 2013.
20. On November 8, 2017 the 13 WC 42595 claim was dismissed for want of prosecution and, then reinstated on December 8, 2017.
21. Defendant KANURU continued to represent BUGAJ and informed her that by March of 2018 the case would be resolved.
22. On or around May 7, 2018 Defendant KANURU and KP LAW, LLC were dismissed as the attorneys for BUGAJ.
23. On October 15, 2018 a Motion to Dismiss the 13 WC case was granted by the Arbitrator.
24. An Order was entered by the Workers' Compensation Commission on June 18, 2019 denying Plaintiff's Motion to Reinstate, finding that the 13 WC case was duplicate filing of the 08 case, and there was no evidence to give jurisdiction to reinstate the 13 WC case.

25. Defendant did nothing to prepare BUGAJ's case for trial, including failing to conduct any discovery in the matter.
26. Defendant failed to inform Plaintiff of the status of her case, failed to return phone calls and voicemails from Plaintiff.
27. Defendant further negligently informed Plaintiff that her case would be resolved in March of 2018, when he in fact knew that the Commission affirmed the denial of the Petition to Reinstate.
28. Throughout the representation until Defendant were dismissed as attorneys in May of 2018, Defendant continued to misrepresent to BUGAJ the status of her Workers' Compensation claim.
29. BUGAJ continued to have full faith and confidence in KANURU, throughout 2018, because during that same time period, KANURU repeatedly assured BUGAJ that the matter was proceeding properly, and it would soon be resolved.
30. That at all times, KANURU has owed your Plaintiff a duty to adhere to the standard of care for attorneys representing clients. In this connection, the standard of care owed is best defined as acting in such a fashion as a reasonably well qualified attorney with reasonable skill and knowledge in handling the same type of matter, in the same geographic area.
31. KANURU has breached the standard of care owed to BUGAJ in the following ways and respects by committing the following negligent acts and/or omissions:
 - a) Failed to be truthful with his client at all times;
 - b) Failed to attend numerous commission hearing dates resulting in the claim being dismissed each time;

- c) Failed to advise BUGAJ that he was filing a duplicate case in 2013;
 - d) Diluted BUGAJ into believing repeatedly that the case had been properly progressing;
 - e) Failed to secure the necessary evidence, witnesses and proofs in order to obtain an award for loss of income;
 - f) Failed to conduct proper discovery and to prepare for the aforesaid arbitration including the retainage of necessary experts which were KANURU's responsibility;
 - g) Failed to advise BUGAJ in January of 2018 that he was no longer authorized to practice law;
 - h) Continued to represent and give legal advice to BUGAJ after January 2018, after being disbarred;
 - i) Was otherwise negligent in his representation of BUGAJ.
32. That but for the actions and inactions of the Defendants, Your Plaintiff, would not have incurred damages as set forth below.
33. As a direct and proximate cause of the action of KANURU above, your Plaintiff has lost sums that she could have had, should have had, and would have had received had these matters been properly handled in the amount of no less than:
34. The actions and inactions of Defendants proximately caused Your Plaintiff BUGAJ significant costs and damages including but not limited to:
- a) Being off of work without pay for approximately six (6) weeks at a rate of \$640.00 per week, loss of \$3,840.00;
 - b) Approximately \$550,000.00 calculating the life expectancy of Your Plaintiff being approximately 25 years, continuing at a rate of \$640.00 per week, averaging a net of \$426.00 per week;
 - c) Outstanding medical costs in the amount of \$74,700.00:

- i. Almost \$700.00 in out of pocket payments of medical bills by Plaintiff; and
- ii. Approximately \$74,000.00 of unpaid medical bills.

35. Therefore, based on the breaches of the standard of care as described above, Your Plaintiff ALFREDA BUGAJ has been damaged in an amount of approximately \$630,000.00.

WHEREFORE, Your Plaintiff, ALFREDA BUGAJ, pray this Honorable Court enter judgment in her favor and against RAJESH KANURU and KP LAW, LLC in such amount as a Jury of Twelve shall return by verdict together with costs of suit and such other relief as may be just and proper.

COUNT II: VICARIOUS LIABILITY AGAINST KP LAW, LLC

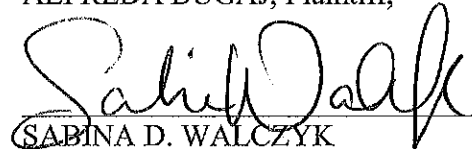
1. BUGAJ restates and realleges paragraphs 1-35 of the and incorporates those paragraphs as HER paragraph 1-35.
36. RAJESH KANURU was a licensed attorney in Illinois during the time frame complained of herein and was doing business under the name of KP LAW, LLC located in Chicago, Cook County, Illinois.
37. Upon information and believe KP LAW, LLC had dissolved in 2018.
38. During the time KP LAW, LLC represented BUGAJ, KP LAW, LLC's partners, managers, and/or employees had actual knowledge of the ongoing activities and issues in connection with KANURU's representation of BUGAJ.
39. The knowledge of KANURU and other partners, managers and/or employees of KP LAW, LLC are attributable to the law firm for purposes of vicarious liability.

40. In the event that the named Defendant RAJESH KANURU, is found liable for the conduct set forth above, KP LAW, LLC is vicariously liable for all damages falling from such conduct of RAJESH KANURU, and managers, partners, associates, paralegals, employees, or agents operating at the behest of KP LAW, LLC.

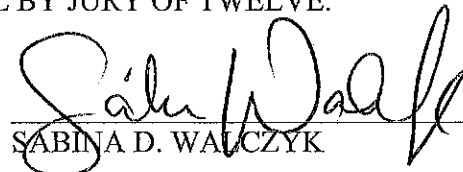
WHEREFORE, your Plaintiff, ALFREDA BUGAJ, prays this Honorable Court enter judgment against KP LAW, LLC pursuant to verdict rendered by a jury of twelve (12) for its vicarious liability for the conduct of its managers, partners, associates, paralegals, employees, and/or agents, and for the full amount of all such damages found against named Defendant, RAJESH KANURU, and for any other relief deemed equitable and just.

Respectfully submitted,

THE GOOCH FIRM, on behalf of
ALFREDA BUGAJ, Plaintiff,


SABINA D. WALCZYK

PLAINTIFF DEMANDS TRIAL BY JURY OF TWELVE.


SABINA D. WALCZYK

THE GOOCH FIRM
209 S. Main Street
Wauconda, IL 60084
847-526-0110
ARDC No. 6315819
Cook County #: 58209
swalczyk@goochfirm.com

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY _____ DEPARTMENT/LAW _____ DISTRICT _____

ALFREDA BUGAJ

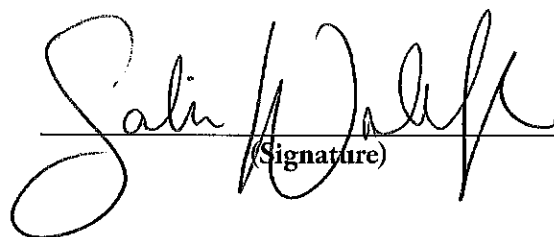
v.

RAJESH KANURU and KP LAW, LLC

No. _____

JURY DEMAND

The undersigned demands a jury trial.


(Signature)

☐ Atty. No.: 58209

Name: Sabina D. Walczyk

Atty. for: Plaintiff

Address: 209 S. Main St.

City/State/Zip: Wauconda, IL 60084

Telephone: 847.526.0110

Primary Email: swalczyk@goochfirm.com

Secondary Email: gooch@goochfirm.com

Tertiary Email: office@goochfirm.com

Dated: _____