

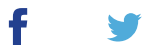
Lawyer accused of misconduct in case of girl who saw mother run over by bus



Attorney David Novoselsky talks to reporters in August 23, 2005, after a hearing in a lawsuit in a porch collapse that killed 13 people. (M. SPENCER GREEN / Associated Press)

By **Cynthia Dizikes and Todd Lighty**
Chicago Tribune

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Veteran Chicago lawyer David Novoselsky accused of misconduct

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The state agency that investigates attorneys has accused a veteran Chicago lawyer of misconduct in the yearslong legal battle of a 7-year-old girl who saw her mother get run over by a Greyhound bus.

David Novoselsky, a lawyer since 1973, faces four disciplinary counts stemming from the wrongful death case that include accusations he filed frivolous lawsuits in state and federal court, and knowingly made false statements to the court, according to a complaint by the Illinois Attorney Registration and Disciplinary Commission.

The commission alleged that some of Novoselsky's actions were intended to gain control of Cristina Zvunca's case, to "obtain professional fees" and to "embarrass, delay or burden" other lawyers in the case.

Novoselsky's lawyer, Mary Robinson, said Friday that Novoselsky has not engaged in any wrongdoing or misconduct. Instead, she said, he acted to "further the objectives" of Zvunca and her family.

"He was retained by the family to get control of the case," Robinson said. "It's our position that David's motivation was absolutely appropriate."

Novoselsky, 67, has another disciplinary matter pending before the commission and faces a six-month suspension of his law license. The commission found that Novoselsky allegedly neglected some of his clients' cases, failed to communicate with them and misrepresented the status of the cases to two of the clients. As part of that same disciplinary matter, Novoselsky also was found to have engaged in misconduct stemming from the Zvunca lawsuit for allegedly calling two lawyers derogatory names.

Novoselsky is appealing the proposed suspension. A Cook County judge in 2014 issued a \$100,000 sanction against Novoselsky in the Zvunca matter, saying he had "intentionally misrepresented the facts."

The Tribune previously reported that in the years since Zvunca's mother, Claudia, was swept under the bus in 2002 her wrongful death case had spawned 13 other lawsuits, more than 25 appeals and a series of questionable decisions by Cook County judges. The case is pending.

The Illinois Appellate Court threw out a \$2.1 million settlement in the case, which had been valued at \$8 million or more. The court sent the case back to the Circuit Court and referred the matter to the attorney commission to review the conduct of lawyers. Novoselsky previously told the Tribune he had not engaged in any misconduct.

The commission accused Novoselsky of filing a frivolous federal lawsuit in August 2008 against the Zvunca estate's lead lawyer, Jeanine Stevens, and two other lawyers that alleged legal malpractice and fraud, and that further alleged Stevens had abused Zvunca. The commission found Novoselsky made allegations "that had no factual basis" and that he had engaged in misconduct that involved "dishonesty, fraud, deceit or misrepresentation."

Novoselsky, the commission said, filed the federal suit because he had been unsuccessful in persuading a judge to remove Stevens from the Zvunca case.

Stevens said she was encouraged by the charges.

"It is heartening for me to see that the reality of what happened is finally being recognized and acted upon," she said.

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