

NEWS RELEASE

Contact:

Dorothy Dan Boone
T: 312-782-3456
E: dboone@bergerschatz.com

Berger Schatz Partner Wins Record-Setting Appellate Victory

CHICAGO (TBD) — Leon I. Finkel, a partner at the matrimonial law firm of Berger Schatz in Chicago, Illinois, recently won a record-setting appellate victory on behalf of his client, Donna Tuke Heroy. In their decision in *In re Marriage of Donna Tuke Heroy*, the justices of the Appellate Court of Illinois, First District, affirmed the lower court's permanent maintenance award of \$35,000 per month — the highest such maintenance award ever upheld on appeal in the state of Illinois. The court also affirmed the award to Ms. Heroy of 55 percent of the marital assets and retroactive temporary maintenance in the amount of \$4,500 per month.

During their more than two decades of marriage, the couple became high-profile fixtures in the Chicago business, cultural and civic communities. At the time of their marriage in 1980, David F. Heroy and Donna Tuke Heroy had both obtained law degrees and had established professional careers. Shortly after the birth of the second of their three children, Ms. Heroy left her job as a law librarian to focus on raising their children and managing the growing household. Mr. Heroy continued to develop his legal practice, becoming a well-known bankruptcy attorney and head of legal departments at several national and multinational law firms.

On September 30, 2003, Ms. Heroy filed a petition for dissolution of the marriage, represented by Berger Schatz partner Leon I. Finkel. Shortly thereafter, David F. Heroy responded with a counterpetition for dissolution of marriage, citing irreconcilable interests. There followed a period of discovery, during which numerous motions were filed and the court entered summary judgments resolving issues relating to the classification and valuation of various assets. After a total of 19 days of hearings, in November 2006 the Circuit Court of Cook County, Illinois, entered an order dissolving the marriage and awarding Ms. Heroy \$35,000 per month permanent maintenance, along with 55 percent of the marital assets and \$4,500 per month in retroactive temporary maintenance.

Mr. Heroy appealed the decision, contending that the court had committed several valuation errors and failed to properly consider relevant factors in distributing the marital assets. Ms. Heroy contended that the court erred in finding that certain assets were non-marital property. After reviewing the trial record and hearing arguments by both parties' legal counsel, including those delivered by Mr. Finkel, the appellate court affirmed the lower court's awards and division of marital property and remanded the case for correction of relatively insubstantial valuation errors in the marital debt.

This most recent decision is the latest in a series of appellate victories won by the attorneys of Berger Schatz. These victories demonstrate the firm's strength, the legal acumen of its attorneys and its ability to deliver the high-



quality legal guidance and professional service that clients have come to expect. For more information about Berger Schatz, visit the firm's website at <http://www.bergerschatz.com>.

About Berger ▪ Schatz

Berger ▪ Schatz is one of the largest and most highly regarded law firms in the nation focused exclusively on family and matrimonial law. Our experience and legal acumen have enabled us to deliver unparalleled guidance to individuals and families for more than two decades.

###