

FEGANSCOTT

Firm Newsletter



We Advocate for Justice and Victims' Rights
With Integrity, Passion and Excellence.

Welcome to the summer installment of the FeganScott firm update.

As we head further into the second half of the year, our team is making progress on several important cases with the common denominator of protecting the rights of our clients.

One example is our continuing work to protect the rights of student-athletes in cases involving abuse. Last month, we added nine plaintiffs to our class action lawsuit against the University of San Francisco, two USF baseball coaches, and the NCAA. More information on the amended complaint is provided below. As our attorneys advocate for these players, and seek to hold the abusers and institutions accountable, we're also fighting against natural gas provider Peoples Gas for contamination of a local aquifer, which serves as the sole drinking source for half the population in east-central Illinois.

Within our firm, we've had the opportunity to celebrate the recognition of FeganScott attorneys. In May, FeganScott's Lynn Ellenberger was named an *Unsung Hero* by *The Legal Intelligencer*, an award bestowed to attorneys who dedicate themselves to helping their communities through pro bono service. Additionally, co-founder and managing member, Beth Fegan, was included on *The American Lawyer's* 2022 list of Midwest Trailblazers in recognition of her work as an agent of change in her primary practice areas.

As you read, you will find more information on the news mentioned above. As always, our roster of experienced attorneys, **which features a few new faces**, is always here to help and is just a call and/or email away.



[Nine More Student-Athletes Join Class-Action Suit Alleging Abuse on the University of San Francisco Baseball Team and Lack of Oversight by USF and the NCAA](#)



In July, nine former University of San Francisco (USF) baseball players joined the class action lawsuit filed in March 2022 against their two (now former) baseball coaches, USF, and the National Collegiate Athletic Association (NCAA). The players allege that USF coaches Anthony Giarratano and Troy Nakamura created an intolerable sexualized environment on the team over the course of 22 years, that USF knew about their misconduct and did nothing to stop it, and that the NCAA's failure to prohibit sexual abuse facilitated the conduct.

Since the filing of the original complaint on March 11, 2022, Giarratano and Nakamura have been fired, and USF athletic director, Joan McDermott, has left her position. While these departures are steps in the right direction to preventing further abuse, our attorneys remain focused on holding the coaches responsible for their behavior, as well as the university and NCAA for the lack of oversight that perpetuated the long-standing history of abuse.

“These impressionable young men looked forward to a bright future playing college baseball with the training and mentorship they were promised. Instead, the coaches tasked with guiding and teaching them, abused and scarred them,” said Beth Fegan. “These experiences at USF are an example of what happens when the NCAA is allowed to refuse responsibility.”

[Click here](#) for a recently published story by KRON4 on the amended complaint.



[Illinois Residents Sue Peoples Gas, Subsidiary of WEC, for Contaminating East Central Illinois' Major Source of Water](#)

In March, FeganScott and Spiros Law filed a class action lawsuit on behalf of a group of residents against natural gas provider Peoples Gas for neglecting to maintain wells that injected natural gas into an underground storage facility in central Illinois, causing natural gas to leak into the local aquifer. The aquifer is one of Illinois' most important groundwater resources, serving as the primary source of drinking water for more than 500,000 people in 15 Illinois counties and providing hundreds of millions of gallons of water per day to communities as well as agriculture, industry, and rural wells.

The suit alleges that Peoples Gas' neglect caused large amounts of natural gas, other combustible gases, and hazardous chemicals to surge into the Mahomet aquifer, rendering the water hazardous, and in some cases, flammable.

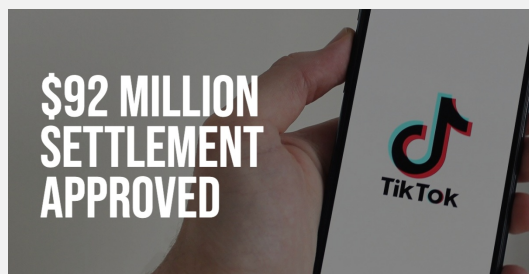
FeganScott, Spiros Law, and the residents are seeking to hold Peoples Gas

accountable for failing in its duty to keep residents and homeowners safe.

To read more about the case, click [here](#).

See All News

Featured Cases



Judge Grants Final Approval of \$92 Million Settlement and Enters Final Judgment in Class Action Lawsuit Involving TikTok

On August 22, 2022, a federal court judge in Illinois entered final judgment after granting final approval of a groundbreaking \$92 million settlement between TikTok, and its parent company, ByteDance, Inc., and consumers who use the app. The settlement resolves claims that the popular video-sharing app violated federal law and Illinois' Biometric Information Privacy Act (BIPA) by unlawfully collecting users' biometric information and private data and disclosing that information to third parties without notice to consumers.

In addition to the cash settlement that will be provided to TikTok users impacted by the companies' actions, the agreement requires TikTok to create a data privacy training and compliance program for new employees and contractors as well as institute an annual employee privacy training.

To read more, click [here](#).



NPR: From floods to slime: Mobile home residents say landlords make millions, neglect them

Toward the end of last year, FeganScott filed a federal class-action lawsuit on behalf of a group of mobile homeowners against real estate giant Equity LifeStyle Properties (NYSE:ELS) for ignoring decades of complaints over failed drainage issues, leaving residents to deal with frequent flooding, mud, injuries, damaged mobile homes and cars, and more, in dereliction of their duties as mobile home park operators and owners.

To tell the stories of homeowners who have been impacted, NPR's Chris Arnold dove into the nearly two decades of ELS management, where code violations, failed maintenance of the park's buildings and common areas, and a failing stormwater drainage system caused severe flooding during ordinary rainfall is the norm.

Read the story [here](#).

FeganScott Announces Investigations into Potentially Deadly Safety Defects Found in Certain Ford and Lincoln Vehicles

FeganScott recently launched two investigations into Ford Motor Company (NYSE:F) on behalf of owners and lessees of certain Ford and Lincoln vehicles relating to safety defects placing consumers at risk of

injury or death.

One of the potential defects, found in 2021 Ford Expeditions and 2021 Lincoln Navigators, can lead to spontaneous engine compartment fires while vehicles are in operation or parked with the engine off. In its National Highway Transit Safety Administration (NHTSA) filings, Ford disclosed 16 instances in which the Ford vehicles named in the recall have caught fire.



The firm is also investigating a second safety-related recall of Ford vehicles concerning defective issues with a transmission cable that can detach, resulting in the vehicle rolling away without warning and potentially resulting in crashes and serious injury.

The full list of the vehicles we are investigating can be found [here](#).

If you own one of these vehicles, please take extra care and contact us to learn more about your rights. If you know others that might be impacted by this issue, we urge you to share this with them. Thank you for your help with this important issue.

If you or someone you know would like to speak to us about the investigations, contact us at Ford@feganscott.com.



Firm News



Elizabeth Fegan Recognized in The American Lawyer's 2022 List of Midwest Trailblazers

FeganScott is proud to announce that Elizabeth Fegan, co-founder and managing member of the firm, has been named to *The American Lawyer's* 2022 list of Midwest Trailblazers. This list spotlights legal professionals who act as agents of change in their respective practice areas.

Throughout her career, Beth has forged significant changes for victims of data privacy invasions in Illinois and survivors of sexual assault. She has fought against corporate giants and powerful individuals, most recently the NCAA and the University of San Francisco, both of which were named in the lawsuit filed by Fegan for alleged abuse against Division I baseball student-athletes over a 20-year period.

"I feel confident that our firm's cases are moving the needle to create a safer world, not just for survivors of sexual assault but for everyone who has had their rights violated," said Fegan in the award profile published by The National Law Journal.

To read the full profile, click on the [link here and see page 84](#).

Lynn Ellenberger Recognized as an Unsung Hero by The Legal Intelligencer

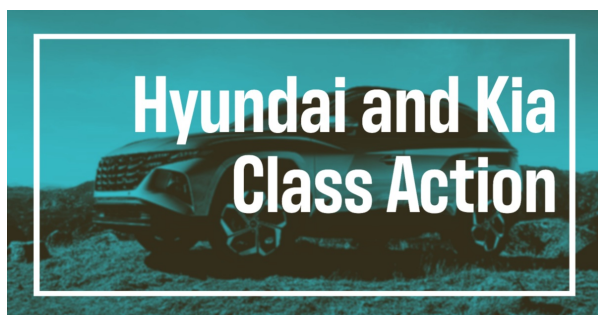
In May, FeganScott's Lynn Ellenberger received a

2022 Professional Excellence Award in the
Unsung Hero category by *The Legal Intelligencer*.
The award honors attorneys across Pennsylvania
who dedicate themselves to helping their
communities through pro bono service.

As a Pennsylvania native, Lynn has been a critical
agent of change for individuals and communities
across the state through her current work
representing incarcerated individuals and survivors
of sexual assault, and formerly as an assistant public defender. With her wide
breadth and depth of experience, Lynn brings both justice and mercy to the criminal
justice system through her focus on recognizing – and encouraging others to
recognize – an individual’s worth, regardless of their criminal status.



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