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FOCUS: Federal legislation is in the works to take class-action lawsuits away from places like Madison County, which pro-business activists call a "judicial hellhole." And a lawsuit over a glut of collectible Barbies has its roots in Madison County.

Where money talks

By MIKE FITZGERALD
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EDWARDSVILLE — At a few minutes after 9 on a recent Friday morning, more than 20 lawyers began queuing up before the bench of Madison County Circuit Judge Nicholas Byron.

They capped Mont Blanc pens, switched off cell phones, clicked shut monogrammed leather briefcases and joined a line that paraded slowly past Byron.

Legal adversaries paired off to argue motions, rebut claims, make excuses for delays.

Byron, who, with his bald pate and broad frame, bears a striking resemblance to actor Ed Asner, listened impassively, then dispatched the lawyers on their way with a series of gruff, terse decisions.

Scenes like this form a side of American justice that few see — the gears and wheels that keep the machinery humming, the caulking that keeps lawsuits hanging together during the years between the filing of the first complaint and the issuing of the final verdict.

A few minutes into this process, attorney Stephen Tillery stepped into Byron's courtroom. Tillery, 53, held a black nylon briefcase in one hand and a Styrofoam cup of coffee in the other. He set his stuff on a nearby table and waited.

Belly of the beast

Most people would have noticed nothing remarkable about Tillery's presence. Just another middle-aged lawyer in a black suit and white shirt awaiting his turn before a judge.

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Business lobby targets Madison County judges

By MIKE FITZGERALD
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American corporations reportedly spent tens of millions of dollars and hired more than 400 lobbyists to push the Class Action Fairness Act through Congress.

Big corporations also are spending large sums in a campaign receiving far less attention. Its goal: to unseat state court judges and attorney generals viewed as being pro-plaintiff and anti-business.

The U.S. Chamber of Commerce, which represents the nation's biggest companies, spent \$100 million on this effort between 2000 and 2002. And the chamber plans to spend another \$50 million on it between now and 2004, Forbes magazine reported.

The chamber has earmarked at least \$2 million for judicial races in Southern Illinois. The most important of these will occur in November

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LITIGATION BARBIE

By BETH HUNDSORFER
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EAST ST. LOUIS — Lawyer Barbie should grab her pink plastic briefcase because she's the defendant in a class-action lawsuit in federal court.

They don't want her dream house or her yacht or even her pink Corvette.

Two Madison County women who bought "limited edition" Barbies want her company to tell collectors how many dolls they have made, so they sued Barbie maker Mattel Inc.

"These women realized they were buying Barbies which were marketed as limited editions but weren't being made in small enough numbers so as to increase in value," said St. Louis lawyer Martin Perron, who filed the suit on behalf of Pamela Cunningham and Reet Caldwell in Madison County in 1999.

The women bought Barbies portraying characters such as Scarlett O'Hara or Ken as Rhett Butler in the movie "Gone with the Wind."

Special holiday dolls, princess dolls and others priced from \$60 to \$150 also were marketed as limited editions, Perron said.

"Mattel said these dolls were special and collectible, but it wasn't long before they were turning up in discount stores and on the home shopping network," Perron said. "There were literally thousands made, so collectors paid a lot for mass-distributed dolls." Laurie Ladd agreed.

Ladd owns the Doll Corner in Edwardsville and considers herself a Barbie aficionado.

"I won't carry them anymore," Ladd said. "I would buy these dolls for \$100, then they would show up in discount stores at a fraction of that price. I still have a bunch of them sitting around my store."

The only way Ladd said she could unload the "collectible" Barbies is to put them out at discounted prices at a yard sale.

Calls to Mattel's headquarters in El Segundo, Calif., were not returned.

Ladd will carry only vintage Barbies in her store now, she said, because she is certain of their value.

Madison County Circuit Judge Phillip J. Kardis certified the suit as a class action earlier this month, but Mattel quickly had the case sent to U.S. District Court in East St. Louis.

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DERIK HOLTSMANN/News-Democrat

Ryan could make cut for Nobel

Short list includes Pope, heads of Brazil, Afghanistan

By JAYNE MATTHEWS
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Former Illinois Gov. George Ryan, along with Pope John Paul II and the presidents of Brazil and Afghanistan are reportedly among the front runners for the 2003 Nobel Peace Prize, Ryan's nominator said Saturday.

"We're very honored and pleased to have Gov. Ryan running neck-and-neck with the Pope," said Francis Boyle, an international law professor at the University of Illinois in Champaign.

Boyle said he received his information from the Associated Press bureau in Oslo, Norway. The same information indicated there is no clear winner among the most-mentioned nominees. The prize is expected to be announced Friday.

Ryan and a few other names have surfaced out of 165 nominees.

Ryan last year received both praise and criticism for commuting to life in prison the sentences of all 167 prisoners on Illinois' death row.

Critics included state Sen. Bill Haine, D-Altton, who said Saturday he does not think the prize is appropriate for a governor whose action he believes is a "profound insult to victims and a slap."

"I don't blame them for being opposed to the death penalty. That's their well-considered view and one held for many around the world," said Haine, a former Madison County state's attorney.

Haine said he thinks Ryan violated "the spirit of the Illinois Constitution" by commuting all death sentences instead of those with well-researched evidence of innocence.

"He used that prerogative ... to overturn lawful sentences," Haine said.

If Ryan receives the prize, it will be the opinion of the Scandinavian elite, Haine said. Ryan campaigned for governor as a death penalty proponent. But late in his term, he said he was disturbed because DNA evidence has freed more inmates that the state has executed since the late 1980s.

Boyle's nomination of Ryan for the \$1.3 million prize is his first since he became a qualified nominator in 1976.

"In this case, I felt very strongly about what I considered a very courageous act," Boyle said.

The Peace Prize is awarded in Oslo, but other Nobel prizes are awarded in Sweden, native home of their benefactor, Alfred Nobel.

Supporters of Ryan in the Peace Prize contest set up a Web site for those who wanted to petition the Nobel Committee.

The list of signatures can be read at www.stopcapitalpunishment.org/supporters.html.

Boyle said the petition garnered more than 1,000 signatures.

Although some nominees' names leak through other sources, the five-member Nobel Committee works in secret. Names of the nominees are not revealed by the committee until 50 years after the prizes are awarded.



Ryan



Special to the News-Democrat

Vehicles hit about 1,400 deer in the metro-east every year.

Swerving is dangerous — so hit the deer

Breeding season leads to more vehicle crashes

By BETH HUNDSORFER
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If you find a deer is in your traffic lane, hit it.

"There isn't much you can do but slowly apply the brakes, stay in your lane and drive through the deer," Illinois State Police trooper Ralph Timmins said.

Now is when deer start romances, and it drives them a little crazy. They are much more likely to jump in front of cars — something that causes 1,400 accidents each year in the metro-east.

Most serious crashes involving deer result from the evasive maneuver by the driver to avoid the deer. The result can be a head-on accident with another car or another fixed object on the road's shoulder.

"Actually hitting the deer can severely damage the automobile, but the driver and passengers usually remain uninjured," Timmins said.

The roughly 1,400 deer-car accidents every year in Madison, St. Clair, Bond, Monroe and Clinton counties compare to 23,600 similar accidents throughout Illinois, according to the Illinois Department

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Road kills

The state reported the following deer-car accidents in each county in 2002:

Madison	558
St. Clair	341
Clinton	122
Bond	149
Monroe	233

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LOTTERY FOR ILLINOIS

Pick Three-Midday: 9-2-6
Pick Three-Evening: 9-2-1
Pick Four-Midday: 5-8-4-3
Pick Four-Evening: 9-7-9-8
Lotto: 12-14-15-31-37-46
Jackpot: \$10.5 million

FOR MISSOURI

Daily Pick 3: 4-5-5
Daily Pick 4: 4-2-6-3
Show Me 5: 8-12-21-39-44
Lotto: 7-14-27-35-43-44

E1 REAL ESTATE
E3 TRANSACTIONS

POWERBALL: 8-13-29-44-48 Powerball: 36
Jackpot: \$79 million Power Play: 3

