

Message from Dr. Amendola Regarding Pending Litigation

April 26, 2025

Over the month, Dr. Kevin Plancher accused AAOS leadership of many things, including not being transparent about proposed bylaws changes and engaging in questionable fiscal management. The Board of Directors has posted, commented, and discussed every aspect of the proposed changes, including devoting a section of the AAOS website to these proposed changes. This week, AAOS posted video clips of Board members discussing questions that have been raised about the proposed bylaws. Members are encouraged to contact any board member individually to get answers directly from the source.

The Board has until now chosen to refrain from discussing the recent litigation that Dr. Plancher filed against the Academy, the Association, each board member individually, Dr. Buddy Savoie, as Nominating Committee Chair, and Tom Arend, AAOS CEO. In the spirit of transparency, Fellows should know the details of this lawsuit, including the financial impact on AAOS resources.

On December 20, 2024, Dr. Plancher filed suit in Cook County Illinois Circuit Court, seeking an emergency order that would force AAOS to hold a contested election including Dr. Plancher on the ballot for the AAOS Second Vice President position. You may recall that the AAOS Nominating Committee pursuant to its standard process nominated Dr. Michael Parks for the position.

Two court hearings were held over the holidays, one on December 30. When the Circuit Court judge denied his motion for an emergency order on January 8, 2025, Dr. Plancher appealed the denial to the Illinois Appellate Court. Dr. Plancher also sought to obtain wide-ranging documents and extensive sworn testimony from AAOS and certain individuals. On February 25, the Appellate Court issued a 18-page opinion which upheld the trial court's ruling and the Board's reading of the Bylaws, while also describing Dr. Plancher's failed efforts in detail. Dr. Plancher's motion to have the Appellate Court reconsider its decision was denied. As the Appellate Court's opinion explains, the Board of Directors accurately interpreted confusing bylaws provisions to conclude that the way Dr. Plancher attempted to run for the Second Vice President position was not permitted under the bylaws.

AAOS Fellows should know that Dr. Plancher sued AAOS, not the other way around. This litigation forced AAOS to incur more than \$500K in legal fees defending this suit, including defending both the Academy and the Association, the entire Board, Nominating Committee chair, and CEO. The litigation remains pending due to Dr. Plancher's latest legal filing requesting further review by the Illinois Supreme Court, despite the fact that the election for the Second Vice President position was held during Annual Meeting and Dr. Parks has assumed the role. As AAOS Fellows ourselves, we find the fact that AAOS had to defend itself in Dr. Plancher's lawsuit to be an egregious use of your membership dues.

We encourage you to [read the appellate decision](#) (PDF) and draw your own conclusions about Dr. Plancher's efforts.

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