

Freeborn Growth Fuels Major Trial Successes for Clients in 2018, Further Establishes Firm as Litigation Powerhouse®

CHICAGO – Feb. 11, 2019 – [Freeborn & Peters LLP](#) is pleased to announce that it heads into 2019 continuing to expand its brand as a Litigation Powerhouse® with major trial victories and growth in litigation capabilities and geographical reach during the past year that rival many Am Law 100 firms in the nation.

The firm’s ongoing achievements in litigation are reflective of the firm’s significant growth over the last few years, including the addition of 14 new litigators across all of its offices in 2018. Last year was the firm’s first full 12 months after opening offices in New York (combining with the New York City firm Hargraves, McConnell & Costigan P.C. in March 2018) and Tampa, Fla., in the summer of 2017. Additionally, Freeborn established its office in Richmond, Va., in 2016 by combining with the Richmond-based firm Brenner, Evans & Millman P.C.

“We are litigators first, and our clients choose Freeborn because of our knowledgeable attorneys with coveted experience, our smart management of litigation teams across the country, and our track record of trial successes,” said [David C. Gustman](#), a Freeborn Partner and leader of the firm’s Litigation Practice Group, Co-head of the firm’s Antitrust Practice Group, and a member and former Chairman of the firm’s Executive Committee. “We credit our achievements as a litigation firm to our comparatively large group of trial-ready lawyers who are prepared to execute a case from start to finish.”

Freeborn has a Big Law-caliber reputation in litigation. With nationwide and international capabilities, Freeborn has one of the largest litigation departments among Chicago-based law firms – currently with more than 90 litigators, which represents about two-thirds of the firm’s lawyers.

Many of Freeborn’s litigators are former federal and state prosecutors with decades of trial experience handling all areas of complex disputes and litigation in federal and state courts throughout the United States. In addition, the firm includes one of the largest Insurance and Reinsurance industry groups in the nation, based in Chicago and New York and handling disputes for clients nationally and internationally.

“We certainly have a track record of resolving claims through summary judgment and settlement, but our philosophy is to always prepare cases to be tried, and we believe that our trial-ready approach provides the best, ultimate outcome,” Mr. Gustman stressed. “Our lawyers are highly skilled at squaring off against the most renowned opposing counsel should a matter go to trial. Part of what sets us apart is our attorneys who not only prepare, but also try cases for our clients. Many large firms don’t typically get trials, so their attorneys don’t have the deep experience that we do at securing victories at trial.”

Mr. Gustman explained that Freeborn’s proficiency at trial also is attributed to strategic staffing for a case for optimal focus and efficiency, which could mean a couple of attorneys or more than 10, depending on what best serves the case and the client’s ultimate goal to win. In addition, Freeborn’s in-

house E-Discovery Lab also has contributed to the firm's trial successes. The E-Discovery Lab has been recognized as a trailblazing innovation among law firms for its high-quality, low-cost approach to the preservation, review and production of electronically stored information.

The firm's high-profile trial victories, including numerous major case resolutions in 2018, cover all forms of contention, from liability involving multiple parties to industry-specific regulations, and from high-profile accidents to disruption of key commercial ventures.

Following are some of Freeborn's litigation highlights from 2018:

- **Client: Brown & Brown, Inc. (NYSE: BRO)** – The firm secured an appellate court victory for its client, an independent insurance intermediary, after taking on the case following the client's frustration over the previous adverse judgment in the matter that was handled by another law firm. The firm identified a recent Florida Supreme Court decision supporting the client's position in the case, which was key to the Florida Fourth District Court of Appeal's ruling that reversed the trial court with instructions. The appellate court also denied a frivolous fee claim.
- **Client: Brown & Brown, Inc. (NYSE: BRO)** – The firm obtained a complete defense judgment for its client following a federal bench trial. The lawsuit alleged that the client, an insurance intermediary, violated state and federal statutes and unlawfully interfered with a business relationship as a result of the placement of force-placed hazard insurance on mortgaged properties being serviced by the client's customer. The federal district court entered a written opinion fully exonerating the client, and holding that the client complied with all federal and state statutes and industry practices.
- **Client: Shuffle Tech LLC** – Together with co-counsel Nixon & Vanderhuy, the firm won a \$105 million jury award in the U.S. District Court for the Northern District of Illinois for its client and three other companies that accused Scientific Games Corp. of initiating sham litigation to assert invalid patents intended to suppress the market for automatic card-shufflers. A judge determined that the jury verdict must be trebled under the antitrust laws, and entered a judgment for the amount of \$315 million.
- **Client: Advanced Disposal** – The firm obtained a jury verdict in favor of its client in a contentious and protracted dispute over alleged odors and other nuisances from a landfill in Zion, Ill. The lawsuit brought on behalf of 50 households surrounding the landfill alleged that odors, noise, dust, birds, and litter interfered with the use and enjoyment of their property. The firm prevailed for its client on the theme that the company runs a lawful and necessary business in full compliance with the law and industry standards.
- **Client: National Material Company** – The firm secured an Illinois jury verdict in favor of its client in a breach of contract action against GSI Group (owned by public company AGCO), which is one of the world's largest manufacturers of grain bins for farmers and agribusiness. The case concerned a contract for the sale of more than 120,000 tons of steel, for which GSI contended there was no contract because the parties did not sign a single written instrument. The case previously went up on appeal to the Illinois Appellate Court, Fifth District after the trial court had awarded summary judgment to GSI, and was remanded back for trial. The jury in the nearly three-week-long trial found that there was a contract formed under Article 2 of the Uniform Commercial Code by various writings and the parties' long course of dealings and course of performance.
- **Four Individual Whistleblowers** – The firm obtained a jury verdict in favor of its clients, four whistleblowers who worked as security investigators on a U.S. military base in Afghanistan. The

firm's clients prevailed on claims for retaliatory discharge after they were terminated by their employer Vectrus Systems Corp., a \$1 billion defense contractor, in retaliation for reporting serious wrongful conduct by their supervisors and assisting with the military's investigation. Following a contentious, three-week trial in federal court in Denver, the jury awarded the firm's clients both compensatory and punitive damages.

ABOUT FREEBORN & PETERS

Freeborn & Peters LLP is a full-service law firm, headquartered in Chicago, with international capabilities and offices in New York City; Richmond, Va.; Springfield, Ill.; and Tampa, Fla. Freeborn is always looking ahead and seeking to find better ways to serve its clients. It takes a proactive approach to ensure its clients are more informed, prepared and able to achieve greater success – not just now, but also in the future. While the firm serves clients across a very broad range of sectors, it has also pioneered an interdisciplinary approach that serves the specific needs of targeted industries.

Freeborn is a firm that genuinely lives up to its core values of integrity, effectiveness, teamwork, caring and commitment, and embodies them through high standards of client service and responsive action. Its lawyers build close and lasting relationships with clients and are driven to help them achieve their legal and business objectives.

For more information, please visit www.freeborn.com.

###