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PROFESSIONAL PRACTICE

Bartlit Beck Herman Palenchar & Scott LLP, 2001-Present, Partner (since 2007)

Litigation and trial experience in complex commercial cases involving breach of contract, patent infringement, accountant liability, trade secrets, mass tort, and consumer class action.

EDUCATION & HONORS

Northwestern University
School of Law, 2001, J.D.,
cum laude

Order of the Coif

Associate Editor,
*Northwestern University
Law Review*

Arlyn Miner Book Award

Amherst College, 1994,
B.A., *cum laude*

BAR ADMISSIONS

Illinois

CASES TRIED OR OTHERWISE TAKEN TO JUDGMENT

Agrigenetics, Inc. v. Pioneer Hi-Bred International (S.D. Ind.)

Counsel for Pioneer in breach of contract action relating to Pioneer's distribution of seed containing the Herculex® trait. Case settled during trial.

Friel v. Federal Signal (Court of Common Pleas, Philadelphia County)

Counsel for Federal Signal in case brought by firefighters who alleged that they had suffered noise-induced hearing loss from exposure to sirens. Obtained jury verdict in favor of Federal Signal.

Honeywell International, Inc. v. Hamilton Sundstrand Corporation (D. Del. 2004-Present)

Counsel for United Technologies' Hamilton Sundstrand division in patent infringement matter involving patents on methods for controlling surge in auxiliary power units used on large commercial airplanes. Bartlit Beck hired to try case relating to *Festo* issue after case remanded to trial court. Won complete defense judgment and reversal of prior \$46.5 million jury verdict. Affirmed by Federal Circuit and cert. denied by U.S. Supreme Court. Read more: [Honeywell \\$46.58 Million Jury Verdict Overturned; Honeywell Rebuffed by U.S. Supreme Court on \\$47 Million Award](#)

Grays Harbor Adventist Church v. Carrier Corp. (and related cases) (W.D. Wash., W.D. Wisc., E.D. Mich.)

Represented Carrier Corporation in series of consumer fraud class actions alleging design defect in high-efficiency condensing furnaces. Obtained summary judgment and denial of class certification in favor of Carrier Corp. in

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Wisconsin. Cases settled following ruling.

Honeywell International, Inc. v. Hamilton Sundstrand Corporation (D. Del. 2005)

Counsel in successful defense of United Technologies' Hamilton Sundstrand division in a patent infringement trial. Honeywell alleged that Hamilton Sundstrand infringed a patent relating to the starting of an Auxiliary Power Unit for an airplane. Honeywell sought \$135 million in damages (including interest and treble damages). Jury verdict in client's favor, finding that Hamilton Sundstrand did not infringe Honeywell's patent and that the patent was invalid.

CytoLogix v. Ventana Medical Systems (D. Mass.)

Counsel for Ventana Medical Systems in case asserting patent infringement and trade secret misappropriation claims relating to technology for automating "slide staining" procedures used in pathology laboratories for the diagnosis of disease. Jury verdict for Ventana on trade secret claims, and for CytoLogix on patent claims.

OTHER REPRESENTATIVE CASES

Hill-Rom Services, Inc., et al. v. Stryker Corp. and Stryker Sales Corp. (W.D. Wisc.)

Represent Stryker in patent infringement suit over technology relating to networks used on hospital beds.

Onyx Pharmaceuticals, Inc. v. Bayer, et al. (N.D. Cal.)

Represent Bayer entities in breach of contract and breach of fiduciary duty suit pending in the Northern District of California. Onyx claims entitlement to profits from *regorafenib*, Bayer's newest potential anti-cancer drug. Discovery is ongoing.

Swift Transportation Co. v. Ernst & Young (Ariz. State Court)

Represented Ernst & Young in accounting malpractice action stemming from merger between Swift Transportation Company and M.S. Carriers, Inc.

Seroquel® Litigation

Represented defendant AstraZeneca in various cases alleging personal injuries by users of Seroquel®. Involved in state court cases in Missouri and Delaware.

Pioneer Hi-Bred International v. DeKalb Genetics Corp. (S.D. Iowa)

Pioneer Hi-Bred International v. Asgrow Seed Company (S.D. Iowa)

Pioneer Hi-Bred International v. Holden's Foundation Seeds, Inc. (S.D. Iowa)

Pioneer Hi-Bred International v. Syngenta Seeds, Inc. (S.D. Iowa)

Advanta U.S.A., Inc. v. Pioneer Hi-Bred International (W.D. Wisc.)

Represented Pioneer Hi-Bred International in a series of lawsuits to protect Pioneer proprietary rights in its seed genetics.

Vioxx® Litigation

Represented Merck in mass tort litigation resulting from withdrawal of Vioxx®. Involved in state court cases in Texas, Pennsylvania and West Virginia.

Pioneer Hi-Bred International v. Agrigenetics et al. (S.D. Iowa)

Represented Pioneer Hi-Bred International in a contract action against Agrigenetics relating to a collaboration between the parties to develop Bt corn and other Bt products. Case settled on favorable terms.

Hamilton Sundstrand Corporation v. Honeywell International, Inc. (D. Ariz.)

Represented United Technologies' Hamilton Sundstrand division in patent infringement matters involving patents on methods for starting and controlling surge in auxiliary power units used on large commercial airplanes. Case settled.

Elbex v. Tyco International (D. N.J.)

Represented Tyco in patent infringement and tortious interference case. The parties settled the patent claim. The Court dismissed the tortious interference claims against Tyco.

Schwartz v. QUALCOMM (Colo. state court)

Represented QUALCOMM in action brought by 87 former employees alleging fraud and breach of contract in connection with unvested stock options. Obtained dismissal or summary judgment as to 81 plaintiffs. Remaining plaintiffs settled before or during trial.

University of Chicago v. Chou (N.D. Ill.)

Defended University of Chicago in suit claiming that a researcher was wrongfully denied credit as co-inventor of herpes vaccine. Case settled.

3Com Corp. v Cambia Networks (Ill. state court)

Represented 3Com against Cambia Networks in trade secrets misappropriation and breach of contract case involving wireless technology. Case settled.

NEWS

Bartlit Beck Wins Hearing Loss Suit For Federal Signal

U.S. Supreme Court Refuses to Review Judgment Won by Mark Levine, Chris Lind and Brian Swanson

Honeywell \$46.58 Million Jury Verdict Overturned, IP Law 360, Mark Levine and Chris Lind Win Remand Trial

Mark Levine, Chris Lind and Brian Swanson Win Jury Verdict for Hamilton Sundstrand

BIG WINS

Bartlit Beck Wins Back-to-Back Trials Against Honeywell and Kirkland & Ellis, *Honeywell v. Hamilton Sundstrand* (2005)