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PROFESSIONAL PRACTICE

Bartlit Beck Herman Palenchar & Scott LLP, Partner

Chris Lind has been with Bartlit Beck since 1993. He started working at the firm as a third year law student, just days after the firm opened its doors. After graduating first in his law school class and clerking on the United States Court of Appeals for the D.C. Circuit, he returned to Bartlit Beck in 1995 and became a partner in 1999. He has tried cases to juries, judges and arbitrators, and has argued appeals, throughout the country.

He has represented clients in a wide variety of complex commercial litigation, including matters involving accountants' liability, patent infringement, trademark infringement, Lanham Act, copyright infringement, fraud and securities litigation, breach of contract, antitrust, property tax, and insurance coverage. He is a frequent speaker on the use of technology in the practice of law.

He is a member of the Illinois and Colorado bars and has been admitted to practice in state and federal courts across the country, including the United States Supreme Court.

CASES TRIED OR OTHERWISE TAKEN TO JUDGMENT

Rolls-Royce v. United Technologies (E.D. Va. 2010-present)
Won summary judgment for United Technologies and its Pratt & Whitney division in an alleged multi-billion dollar patent case brought by Rolls-Royce in the Eastern District of Virginia. The technology at issue relates to the jet engines (particularly the fan blades) used on the world's largest airplane, the Airbus A380. Rolls-Royce sought almost \$4 billion in damages and an injunction preventing further sales of the accused engines, which are sold by a joint venture between United Technologies and General Electric. The Court granted summary judgment in United Technologies' favor finding that United Technologies' engines did not infringe the Rolls-Royce patent. This ruling was the culmination of a string of successes in which United Technologies also won summary judgment of no willful infringement (by which Rolls-Royce was

EDUCATION & HONORS

Northwestern University
School of Law, 1994, J.D.,
summa cum laude

First in Class

John Paul Stevens Award
for Academic Excellence

John Henry Wigmore full
tuition merit scholarship

Associate Articles Editor,
*Northwestern University
Law Review*

University of Michigan,
1990, B.A., in Economics
with Highest Distinction,
Phi Beta Kappa

GOVERNMENT SERVICE

Judicial Law Clerk,
Honorable A. Raymond
Randolph, Circuit Judge,
United States Court of
Appeals for the District of
Columbia Circuit,
1994-1995

United States Department
of Justice, Antitrust
Division, 2001-2002.
Special Trial Counsel to the
Department of Justice in
antitrust enforcement
action against Microsoft.

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BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

AWARDS & RECOGNITION

Named one of the 10 "Rising Stars of the Trial Bar" (*Chicago Lawyer*, February 2008)

Recognized as a "Litigation Star" (*Benchmark Litigation: Definitive Guide to America's Leading Litigation Firms and Attorneys*, 2009-2012)

American Lawyer, recognized in article *Litigation Boutique of the Year, Winner: Bartlit Beck* (January 1, 2009)

Recognized as one of Illinois' "Super Lawyers"

BAR ADMISSIONS

Illinois and Colorado

PROFESSIONAL ACTIVITIES AND COMMUNITY SERVICE

American Bar Association, ABA Litigation and Intellectual Property Sections, Chicago Bar Association

Adjunct Professor of Law: Taught "Trial Technology" class on the use of technology in the practice of law at trial and in preparation for trial, *Northwestern University School of Law*

Trial Team Coach: Regional Champions, National Quarterfinalists, *Northwestern University School of Law*

Instructor: Undergraduate Mock Trial Institute, *Northwestern University*

seeking treble damages up to over \$11 billion) and the Court struck Rolls-Royce's damages theory. Lind argued each of these motions to the Court. UTC, Bartlit Beck put brakes on Rolls-Royce's \$4 B IP suit; Judge Tosses Rolls-Royce Infringement Megasuit Against UTC over Airbus Engines

Metropolitan Mortgage & Securities Litigation (Seattle and Spokane, Washington 2006-2010)

Represented Ernst & Young in federal securities class action suit and related arbitrations surrounding the collapse and bankruptcy of Metropolitan Mortgage & Securities Co., a \$2 billion investment, real estate and insurance conglomerate. Plaintiffs alleged accountants' negligence relating to audit work. Won back-to-back complete defense verdicts in separate trials involving claims for hundreds of millions in investment losses brought by Metropolitan's insurance subsidiary and the bankrupt estate. Class action case settled favorably shortly before trial.

ICU Medical v. RyMed Technologies (D. Del. 2009-present)

Representing RyMed in patent infringement matter involving patents related to needleless IV valves. Hired as lead counsel 60 days before jury trial to replace existing counsel. Jury rendered inconsistent verdict, after which both parties moved for a new trial. Those motions are pending.

Honeywell International, Inc. v. Hamilton Sundstrand Corporation (D. Del. 2004-2007)

Lead trial 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. 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](#)

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School of Law

*Northwestern University
Legal Clinic: Lead defense
counsel for juvenile clients
in attempted murder and
burglary trials*

*Fred Bartlit Center for Trial
Strategy, Northwestern
University School of Law,
1999-2003, Outside
Director: Responsible for
coordinating Center's
activities and planning and
implementing conference
on developments and
innovations in trial strategy*

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

Lead trial 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.

Confidential AAA Arbitration (Washington D.C., 2003-2004)

Lead trial counsel for "Big Four" accounting firm in AAA arbitration against venture capital firms claiming \$100 million in damages. Plaintiffs alleged accountants' negligence regarding due diligence and audit work in connection with large private acquisition. Complete defense verdict in client's favor.

Creeden & Associates v. InfoSoft (N.D. Ill. 2004)

Lead trial counsel for manufacturers' representative company in litigation involving misappropriation of trade secrets, copyright infringement and breach of contract relating to computer software. Hired to try case ninety days before trial. Jury trial with judgment entered in client's favor.

Viskase Corporation v. American National Can Co. (N.D. Ill. 1997-2000)

Obtained largest patent infringement damages judgment of the year (1999), and reportedly one of largest patent judgments of all time. Represented Viskase in patent infringement matter involving patents on biaxially oriented heat shrinkable polyethylene films used in the meat packing industry. Hired as trial counsel after Court vacated original jury award. Won summary judgment of infringement and reinstatement of original damage award, plus enhanced damages for willful infringement. Damages of over \$164 million awarded to client. Case settled while on appeal, after judgment for Viskase.

Nicor v. Associated Electric & Gas Insurance Services, Ltd. (Circuit Court of Cook County, Illinois 2004)

Represented Nicor in claim against various insurance companies relating to insurance coverage for mercury spills. Summary judgment granted, leading to stipulated judgment in client's favor entitling client to insurance coverage relating to \$100M clean up. Argued appeals before Illinois Appellate Court and Illinois Supreme Court.

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B.J. Services v. Halliburton Energy Services (S.D. Tex. 2001-2002)

Represented Halliburton in patent infringement matter involving a patent on methods for fracturing subterranean formations to stimulate oil and gas recovery. Hired to try case ninety days before trial, after all discovery and pre-trial filings were complete. After month-long jury trial, judgment for BJ Services for less than 25% of damages sought.

BISSELL Inc. v. Oreck (W.D. Michigan and E.D. Louisiana 1999-2000)

Represented BISSELL in multiple patent and trade dress infringement and unfair competition actions. Won bench trial defeating Oreck's request for a preliminary injunction. Successfully argued appeal in the Federal Circuit. Oreck settled all cases shortly after summary judgment arguments in two of the cases.

Hoover Co. v. BISSELL Inc. (N.D. Ohio 1999)

Represented BISSELL in patent infringement and trade dress litigation involving Hoover patents on upright deep cleaning extractors, commonly referred to as steam cleaners. BISSELL brought an antitrust counterclaim. Case tried to jury. Hoover settled during trial after BISSELL rested its case.

United Technologies Corporation v. Chromalloy Gas Turbine Corporation (Tex. 1995-1996)

Represented Pratt & Whitney division of United Technologies in suit brought by Chromalloy Gas Turbine alleging various antitrust violations in the repair market for aircraft engines. After four-month trial, jury awarded Chromalloy no damages.

OTHER REPRESENTATIVE CASES

American Airlines v. Sabre Inc. (Tarrant County, TX 2010-present)

Lead trial counsel for Sabre in breach of contract action relating to the display of American's fares in Sabre's Global Distribution System. Case pending.

Erricos v. Stryker Corp. (S.D.N.Y. 2010-present)

Lead trial counsel for Stryker in breach of contract action stemming from Stryker's acquisition of SpineCore, Inc., a developer of artificial spinal discs. Plaintiffs allege approximately \$250 million in damages. Case pending.

Confidential Arbitration (2009-2010)

Representing Fortune 500 medical device manufacturer in dispute with private equity firm stemming from the firm's acquisition of client's subsidiary. Case settled favorably.

Morgan Stanley v. Discover Financial Services (N.Y. 2008-2010)

Represented Discover in dispute concerning division of proceeds from Discover's recovery of \$2.75 billion in a settlement ending antitrust litigation against Visa and MasterCard. Morgan Stanley and Discover disputed what portion of the settlement proceeds were due Morgan Stanley, which spun off Discover while the antitrust suit was pending. Case settled before trial with Morgan Stanley agreeing to an approximately \$85 million reduction in its share of the proceeds.

Edge Capture v. Citadel Investment Group (N.D. Ill. 2007-2008)

Represented Citadel in patent infringement matter involving patents related to automated trading systems in electronic exchanges. Case settled before trial.

BISSELL Inc. v. Hoover (N.D. Ill. and W.D. Mich. 2006-2007)

Represented BISSELL in false advertising claims pending in federal court in Illinois and Michigan. Hired as lead trial counsel three weeks before preliminary injunction trial. Case settled night before opening statements.

Edison Mission Energy, Midwest Generation (Illinois Property Tax Appeal Board 2001-Present)

Represented Edison Mission Energy's Midwest Generation division in appeal of property tax assessment of largest non-utility electricity generation plant in the United States before the Illinois Property Tax Appeal Board and argued appeal before Illinois Court of Appeals.

Sabre Inc. and Sabre Travel International Ltd. v. Northwest Airlines, Inc. (N.D. Texas 2004-2006)

Represented Sabre in prosecuting breach of contract claim involving its computerized reservation system used by travel agents, and in defending against antitrust claims by Northwest. Case settled favorably.

Lavaflow v. Samsung Electronics Company, et al. (N.D. Ill. 2006)

Lead counsel for Samsung in patent infringement case involving patent relating to cellular phone touch screen technology. Case settled favorably.

Ditzik v. Samsung Electronics America, Inc., et al. (E.D. Michigan 2004-2005)

Lead trial counsel for Samsung in patent infringement case involving patents relating to portable personal computers with adjustable flat panel displays. Hired after close of discovery for Markman hearing and trial. Case settled on favorable terms.

Hoover v. BISSELL Inc. (N.D. Ohio 2003-2004)

Lead trial counsel for BISSELL in patent infringement and trade dress matter regarding vacuum cleaner technology. Case settled favorably before trial.

Chan and Data Innovation LLC v. Time Warner Cable, et al. (W.D. Tex. 2003-2004)

Represented inventor and patent owner in patent infringement matter involving patents on information distribution system relating to technology used in the provision of high-speed cable modem internet access and interactive television services. Case settled favorably.

United States v. Microsoft (D.D.C. 2001-2002)

Special Government Counsel to the United States in antitrust enforcement action against Microsoft. Represented Department of Justice in litigation and Tunney Act hearings.

Lee v. RN Interactive (N.D. Ill. 2003)

Represented book author as lead trial counsel in copyright matter against corporation regarding publishing rights. Case settled favorably with royalty to client.

Honeywell International, Inc. v. Goodrich Corporation (D. Del. 2002-2003)

Represented Goodrich in patent infringement matter involving patents on aircraft Terrain Awareness Warning Systems (“TAWS”), which provide pilots with warnings of possible collision hazards in aircraft’s flight path. Case settled prior to trial.

Royal Appliance Manufacturing Co. v. BISSELL Inc. (N.D. Ohio 2002-2003)

Lead trial counsel for BISSELL in patent infringement matter involving cyclonic vacuum cleaner technology. Hired shortly before Markman hearing and trial to present claim construction case to the Court. Case settled favorably prior to trial.

Recycling Sciences v. Raytheon Co., et al. (N.D. Ill. 2001)

Represented Raytheon in patent infringement matter involving patents relating to soil remediation equipment and processes. Case settled favorably.

Kreamer v. Medtronic, Inc. (W.D. Wisc. 2000-2001)

Represented Dr. Jeffrey Kreamer, inventor of stent graft used to treat weakened blood vessels and aneurysms in patent infringement suit against Medtronic. Case settled shortly before trial.

Siemens v. LG Semicon/Hyundai (D. Del. and N.D. Cal. 1999-2000)

Represented Siemens’ Infineon division in patent infringement litigation involving patents on DRAM semiconductor memory chip technology. Hyundai settled shortly before trial.

Alpha Therapeutic Corporation v. Allianz Underwriters Insurance Company, et al. (Cal. 1997-2000)

Represented Alpha in insurance coverage declaratory judgment action involving over 35 policies written by numerous insurers and \$375 million in coverage. Appeals court held that Alpha was entitled to the coverage sought.

Cordis Corporation v. Guidant Corp. and Advanced Cardiovascular Systems, Inc. (D. Del. 1997-2000)

Represented Cordis Corporation in patent infringement matter involving Cordis patents on nylon balloon technology for angioplasty catheters. Case settled prior to trial.

Cordis Corporation v. SciMed Life Systems, Inc. (D. Minn. 1996-1999)

Represented Cordis Corporation, a subsidiary of Johnson & Johnson, in two patent infringement matters involving Cordis patents on nylon balloon technology for angioplasty catheters and SciMed patents on various parts of angioplasty catheters and stent delivery systems. Case settled after SciMed acquired a Cordis licensee.

Eichrom Industries v. Calgon Carbon Corp. and Advanced Separation Technologies (N.D. Ill. 1998)

Represented Eichrom as lead trial counsel in breach of contract action concerning contract for the supply of ionic separation equipment used to separate unwanted iron from copper electrolyte in the copper mining industry. Case settled with payment to Eichrom.

Wokas v. Dresser Industries (N.D. Ind. 1997)

Represented the Wayne Division of Dresser Industries, Inc. in patent infringement action in which individual inventor, Albert Wokas, claimed that Wayne's gasoline vapor recovery system infringed his 1979 patent on gasoline vapor emission control systems. Wokas settled at trial, shortly before opening statements.

Amana Refrigeration, Inc. v. Quadlux, Inc. (N.D. Iowa 1997)

Represented Amana in mediation in connection with declaratory judgment suit against Quadlux concerning Quadlux patents on technology used in commercial and residential light ovens. Mediator found Amana did not infringe Quadlux patents.

First Olefins Limited Partnership v. Phillips Petroleum Company (Del. Ch. 1996)

Defended Phillips Petroleum in preliminary injunction action concerning Phillips' rights to undertake a \$105 million project to increase the output of an ethylene facility in Sweeny, Texas over its partner's objection. Expedited discovery compressed into five-week period. Preliminary injunction denied.

United Technologies Corp. v. Precision Technologies, Inc. (W.D. Wis. 1994)

Represented United Technologies in preliminary injunction/temporary restraining order action against a supplier threatening to disclose United Technologies' trade secrets. Defendant agreed to consent order after Complaint filed.

ACKNOWLEDGEMENTS, PRESENTATIONS, AND PUBLICATIONS

American Lawyer, quoted in article *Judge Tosses Rolls-Royce Infringement Megasuit Against UTC over Airbus Engines* (May 23, 2011)

Thomson Reuters, quoted in article *UTC, Bartlit Beck put brakes on Rolls-Royce's \$4 B IP suit* (May 23, 2011)

Chicago Lawyer, quoted in article *Changing How Law Firms Do Business* (October, 2010)

American Lawyer, quoted in article *Discover's Suit Against Morgan Stanley Heats Up* (December 8, 2008)

Chicago Daily Law Bulletin, featured in article *Keeping Up With Trends In Technology* (April 26, 2008 annual Law Day issue)

WGN Radio's "Extension 720" with Milt Rosenberg, guest on radio talk show discussing trial strategy and "Lawyer's Poker: 52 Lessons that Lawyers Can Learn From Card Players" (July 12, 2006)

National Law Journal, Pitching the Gen-X Jury, featured in article discussing the presentation of cases to Gen-X juries (June 7, 2004 issue)

American Lawyer, IT Directors Are From Mars, Lawyers Are From Venus, round table forum on use of technology in practice of law (March 2002 issue)

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

Northwestern University Law School's Bartlit Center For Trial Strategy Annual Conference, Chicago (May 2000):
The High-Tech Courtroom Presentation – A Better Way To Get Your Message Across

Legal Tech, Chicago (Nov. 1999): Using Scanned Images at Trial: Databases at Counsel Table and Rear Screen
Projection are a No-Brainer for Jury Trials

Mealey's Electronic Evidence Conference, Philadelphia (Sept. 1999): Using Electronic Evidence at Trial

Legal Tech, Chicago (Nov. 1998): Using Databases in Litigation Management and Technology at Trial

Chapin Flemming Business Conference, Palm Desert (June 1998): Integrating and Using Technology in a
Litigation Practice

American Inns of Court, N.D. Indiana (November 1997): Using Technology in the Courtroom

NEWS

Bartlit Beck Wins Summary Judgment for United Technologies in Patent Infringement Suit

Bartlit Beck Wins Second of Back-to-Back Complete Defense Victories for Ernst & Young

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

Chris Lind Named One of 10 "Rising Stars of the Trial Bar"

Phil Beck, Chris Lind, Chris Landgraff, and Andy Polovin Win Complete Defense Victory for Ernst & Young in
Accountant Malpractice Claim

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

Pitching the Gen-X Jury

BIG WINS

Bartlit Beck Wins Summary Judgment for United Technologies in Patent Infringement Suit, *Rolls Royce PLC v. United Technologies Corporation (d/b/a Pratt & Whitney) (2011)*

Bartlit Beck Wins Second of Back-To-Back Complete Defense Victories for Ernst & Young, *In re Metropolitan Securities Litigation (2009)*

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