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## Elizabeth L. (Libby) Thompson

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### PROFESSIONAL PRACTICE

Bartlit Beck Herman Palenchar & Scott LLP, 1993-Present, Partner

Kirkland & Ellis, 1989-1993, Associate, Litigation Department

### EDUCATION & HONORS

Indiana University School of Law, 1989, J.D., *magna cum laude*

Order of the Coif  
Articles Editor, *Indiana Law Journal*

Indiana University, 1985, M.A., Uralic & Altaic Studies

Outstanding Graduate Student Award, 1981

Foreign Language and Area Studies Fellowships, 1980-1982

Indiana University, 1979, B.A.

### AWARDS & RECOGNITION

Recognized as one of Illinois' "Women Leading Lawyers"; "Top 100 Women Lawyers"; "Top 100 Women Business Lawyers" (*Leading Lawyers Magazine*, July 2009 November 2010)

Recognized as one of Illinois' "Leading Lawyers" (*Leading Lawyers Network Magazine*, September 2007 and January 2009)

### CASES TRIED OR OTHERWISE TAKEN TO JUDGMENT

#### ***Federal Signal Firefighter Hearing Loss Litigation***

Represent Federal Signal in product liability claims brought by firefighters alleging that Federal Signal's sirens caused permanent hearing loss. Three jury trials (in Chicago and Philadelphia) on forty-five plaintiffs resulting in thirty-six defense verdicts.

#### ***Naftali et al. v. DuPont***

Mass toxic tort action brought by 1600 plaintiffs alleging environmental contamination by DuPont blasting cap plant over 92-year period. Represented DuPont in ten-week jury trial of personal injury, medical monitoring, and punitive damages claims of ten plaintiffs. Court dismissed punitive damages claims at close of evidence. Jury awarded no damages to seven of ten plaintiffs. Jury verdict for three plaintiffs, awarding damages totaling less than \$500,000.

#### ***Tyrone Parker v. NL Industries, Inc., et al.***

Represent NL Industries in jury trial for products liability resulting from sale of lead paint products in 1950's. This was the first case in the nation to be tried against any of the former manufacturers of lead paint products. Scores of cases have previously been dismissed on motions, and numerous other cases alleging lead paint poisoning or property damage are pending throughout the country. The plaintiff alleged that his current condition of epilepsy results from latent injuries caused when he ingested lead paint in the 1950's. He was treated at the University of Maryland Hospital and diagnosed with lead encephalopathy. He subsequently experienced cognitive delays, difficulties in school, and behavioral problems all as the alleged result of lead poisoning.

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# BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

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Recognized as one of Illinois' "Top Women Lawyers" (*Leading Lawyers Network Magazine*, March 2008)

## BAR ADMISSIONS

Illinois

## PROFESSIONAL ACTIVITIES AND COMMUNITY SERVICE

### ***"Sexual Harassment: The Law and the Politics"***

Developed interactive program presenting the social and political roots of sexual harassment as well as current legal developments. Program presented to (and tailored for) over twenty audiences.

### ***City of Chicago Human Rights Commission***

Assisted City of Chicago in developing sexual harassment policy and procedures.

### ***Faculty, 1993 Corporate Counsel Institute***

Addressed audience of over 200 corporation general counsel on sexual harassment.

### ***Faculty, The Fifth Annual Employment and Labor Law Institute for Corporate Counsel***

Presented program on current trends in Title VII law.

Case won. The case was tried before a Baltimore City jury from May 30 to June 12, 2000 before Judge Heller. Complete defense verdict on June 12, 2000.

### ***FMC v. Lloyds of London and Liberty Mutual***

Represented FMC in insurance coverage case for environmental cleanup costs against numerous insurance companies. Jury verdict of coverage on all sites. Subsequent jury finding of bad faith denial of coverage in second jury trial.

### ***NL Industries v. Lockheed***

Represented plaintiff, NL in case alleging fraud and securities violations arising from 1990 and 1991 proxy contests for control of Lockheed. Judgment for NL.

## CURRENT REPRESENTATIONS

### ***Hess v. NL Industries***

Representing NL in a suit brought in the City of St. Louis, Missouri, by minor plaintiffs claiming injuries from ingesting lead paint. Plaintiffs' expert chemist claims he has used a novel scientific technique to identify NL as the manufacturer of lead pigment in paint in the plaintiff's former residence. Case is pending.

### ***Brown v. NL Industries, Inc.***

Representing NL in a suit brought in Cook County, Illinois, by a minor plaintiff claiming injuries from ingesting lead paint. Plaintiff's expert chemist claims he has used a novel scientific technique to identify NL as the manufacturer of lead pigment in paint in the plaintiff's former residence. Case is pending.

## OTHER REPRESENTATIVE CASES

### ***AIMCO v. Nat'l Union Fire Insurance of Pittsburgh, PA, et al.***

Represented AIMCO in the U.S. District Court for the District of Colorado regarding an insurance coverage and breach of insurance contract dispute. Case settled.

### ***AIMCO vs. Cananwill, Inc., and Combined Specialty Insurance Company f/k/a Virginia Surety Company, Inc.***

Represented AIMCO in the U.S. District Court for the District of Colorado regarding the misappropriation by a premium finance and insurance company of return premiums. Case settled.

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***Cananwill, Inc. vs. AIMCO, Greenwich Insurance Company, et al.***

Represented AIMCO in the Superior Court of New Jersey, Morris County Law Division, regarding alleged liability under alleged premium finance agreements. Case settled.

***NL Industries Lead Paint Litigation***

Currently defending NL, a former manufacturer of lead pigments used in paint, against allegations of negligence and strict liability brought by individuals claiming injury from the ingestion of lead paint.

***Siemens Corporation Employment Cases***

Represent Siemens in employment matters before several courts.

***Abbott v. Alpha***

Represent Alpha Therapeutic Corporation in declaratory judgment lawsuit in federal court concerning parties' obligations under 1978 Asset Acquisition Agreement.

***Howray v. Alpha, et al.***

Represented Alpha in Texas state court trial brought by two hemophiliacs who allegedly contracted HIV and AIDS through use of defendants' products.

***Armona, et al. v. DuPont***

Represented DuPont in property damage and personal injury suit brought by 400 plaintiffs in connection with alleged environmental contamination.

***Bobrowitz v. Lee Hecht Harrison***

Represented client in lawsuit alleging fraud in procurement of out-placement services.

***Brantman, et al. v. MFSCC***

Represented MFSCC and Peter Kiewit Sons in 10(b)(5) fraud claim brought by former minority shareholders.

***McCain v. McCain***

Represented Michael McCain in his tortious interference and defamation claims against H. Harrison McCain and McCain Foods.

***Omaha Indemnity Company v. Frank B. Hall and Prometheus Liquidating***

Represent OIC in action based on unauthorized policies written by FBH.

***General Motors Corp. Airbag Litigation***

Represented GM in several product liability cases involving vehicle supplemental inflatable restraints ("airbags").

***Ameritech Mobile Communications Inc. Trade Secret and Contract Litigation***

Represented AMCI as both plaintiff and defendant in series of injunctive and declaratory actions regarding misappropriation of AMCI trade secrets and breach of agency agreements.

***Kohlberg & Co. v. Maneschwitz***

Represented Kohlberg & Co. in injunctive action based on tender offer.

***Morgan v. S.C. Johnson***

Defended S.C. Johnson and Johnson Wax in fraud and breach of contract case.

***Carolina Power & Light***

Represented utility company in claims of fraud against designer and contractor of nuclear power plant.

***DeBois v. United Airlines***

Defended United in action brought by terminated flight officer alleging race and sex discrimination.

***Hoppenwaser v. Health Care Service Corp.***

Defended Blue Cross/Blue Shield of Illinois in defamation action brought against it and one of its chief officers.

***The First Chicago National Bank Employment Litigation***

Represented First Chicago in series of employment discrimination cases, including age and disability suits.

***Osterling v. Trans Leasing International***

Defended TLI in suit alleging breach of contract, tortious interference, and sexual harassment. Represented TLI in declaratory counterclaim alleging breach of contract and misappropriation of trade secrets.

***Anheuser Busch v. Owens Illinois***

Represented Anheuser-Busch in breach of contract case.

***NL Proxy Contest***

Represented NL Industries and Harold Simmons in their proxy contest for control of Lockheed Corporation.

***J.R. Butland/Standard Metal***

Represented New Zealand manufacturing company in negotiating disputes with U.S. contractors.

***Parker v. Exide***

Represented Exide in case brought by former contractor alleging breach of contract and tortious interference.

***Gibbs v. CIS Corp.***

Defended CIS in breach of contract action brought by former manager.

## ***Malenski v. Lands' End***

Defended Lands' End in age discrimination action brought by terminated employee.

## **NEWS**

Bartlit Beck Wins Hearing Loss Suit For Federal Signal

The Defense Gets the Lead Out

## **BIG WINS**

Bartlit Beck Wins Complete Defense Verdict in Cook County Jury Trial of 27 Firefighters' Hearing Loss Claims, *Rago v. Federal Signal (2008)*

Don Scott Wins the First Lead Paint Products Liability Case to go to Trial, *Parker v. NL Industries (2000)*

Bartlit Beck Wins Summary Judgment Preserving Client's Indemnity Rights, *Abbott Labs v. Alpha Therapeutic Corp. (1998)*