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PROFESSIONAL PRACTICE

Bartlit Beck Herman Palenchar & Scott LLP, 1995-Present, Partner
(since 2000)

EDUCATION & HONORS

Yale Law School, 1994,
J.D.

Connecticut Bar
Foundation Fellow

Coker Fellow

Editor-in-Chief, *Yale
Journal of Law and the
Humanities*

Senior Editor, *Yale Law
Journal*

Oxford University, Oxford,
England, 1987-1990

Rhodes Scholar

Georgetown University,
1986, B.A., *magna cum
laude*

Phi Beta Kappa

Alpha Sigma Nu

Outstanding Student in
Student Activities Award

Coakley Medal & Spronck
Medal (recognizing
greatest combination
of academic achievement
and extracurricular
leadership, one voted by
students, one by faculty)

Student Body President

Bellarmino full tuition
scholarship

CASES TRIED OR OTHERWISE TAKEN TO JUDGMENT

Sensormatic Electronics Corp. v. The TAG Company US LLC et al.

Represented Sensormatic in four week patent trial, Summer and Fall 2008, U.S. District Court in West Palm Beach. Hired to replace former trial counsel on eve of trial. Won complete victory for our client.

Dedrick v. Merck Inc.

Represented Merck. Plaintiff claimed Merck's Vioxx pain relief medicine caused plaintiff's heart attack. Won unanimous jury verdict for Merck on all issues after two-week jury trial in New Orleans Federal Court.

EMC Corporation v. Hewlett-Packard Company, Inc.

Represented defendant Hewlett-Packard patent litigation relating to data storage systems. Case settled after jury trial.

Combustion Engineering, Inc. v. Imetal v. ABB

Represented Combustion Engineering and ABB in breach of contract action against Imetal arising out of assumption of liabilities in a stock purchase agreement. Obtained summary judgment in favor of CE and ABB on affirmative \$30 million-plus contract claim and dismissing all of Imetal's counterclaims. Affirmed in part and remanded in part on appeal. Remainder of case won on remand.

Chromalloy Gas Turbine v. United Technologies Pratt & Whitney (District Court of Bexar County, Texas)

Represented Pratt & Whitney in antitrust suit brought by world's largest independent engine-repair company for alleged monopolization. Chromalloy sought \$600 million in trebled damages. Jury trial for 3-½ months in August-November 1996. Case won. Jury verdict for Pratt & Whitney allowing no damages. Judgment affirmed on appeal.

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BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

GOVERNMENT SERVICE

Judicial Law Clerk,
Honorable Alex Kozinski,
United States Court of
Appeals for the Ninth
Circuit, 1994-1995

BAR ADMISSIONS

Illinois

PROFESSIONAL ACTIVITIES AND COMMUNITY SERVICE

Adjunct Faculty,
Northwestern University
School of Law

Chicago Shakespeare
Theater, Member of Board
of Directors, and Finance
Committee of the theater,
which won the 2008
Regional Theater Tony
Award

Saint Nicholas Parish, 8th
Grade Catechist. Teach
Sunday School to 8th
graders preparing for
Confirmation in the
Catholic Church

Jesuit Volunteer Corps,
Member of Board of
Directors

OTHER REPRESENTATIVE CASES

YAZ®/Yasmin® Personal Injury Litigation

National counsel for Bayer in defense of lawsuits alleging personal injuries caused by YAZ and Yasmin oral contraceptives. Cases pending in Federal MDL and several states.

Sunstar, Inc. v. Alberto-Culver Co. (N.D. Ill. 2009-Present)

Representing Sunstar, a leading Japanese manufacturer of consumer products, in ongoing trademark and contract dispute involving Sunstar's sale of VO5 hair care products in Japan. Took over case on appeal after client lost jury trial. Won appeal in the Seventh Circuit.

Int'l Union of Operating Engineers Local #68 Welfare Fund v. Merck Inc.

Represented Merck in class action lawsuit brought by payors of prescription benefits, who alleged economic losses relating to purchase of Vioxx. Case settled after New Jersey Supreme Court reversed class certification.

RealNetworks Inc. v. Microsoft Corp.

Represented RealNetworks in antitrust suit concerning digital media and operating system markets. Resulted in \$761 million settlement for RealNetworks.

RealNetworks, Inc. v. DVD CCA, et al.

Represented RealNetworks in preliminary injunction proceedings in which movie studios claim that RealNetworks "RealDVD" product violates the Digital Millennium Copyright Act, and sought to enjoin its distribution.

Bradburn Parent Teacher Store v. 3M Company

Represented 3M in antitrust litigation brought by class of retailers concerning transparent tape. Case settled favorably prior to trial.

Sportvision, Inc. v. Princeton Video Image, Inc.

Represented Princeton Video Image, Inc. in patent case concerning insertion of video images, such as billboards and first & ten line, into live broadcasts. Case settled favorably after preliminary injunction hearing.

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NEWS

Mark Ouweleen and Bryan Leach Win Appeal For Sunstar In Longstanding Trademark Dispute

Mark Levine, Mark Ouweleen, Sean Grimsley and Shayna Cook Win Patent Infringement Lawsuit for Sensormatic

Phil Beck and Mark Ouweleen win jury verdict for Merck in fifth federal Vioxx trial

Bartlit Beck Aids RealNetworks in Securing \$761 Million Settlement With Microsoft

Bartlit Beck Files Antitrust Suit Against Microsoft for Real Networks

BIG WINS

Bartlit Beck Wins Appeal For Sunstar In Longstanding Trademark Dispute Over Sunstar's VO5 Brand, *Sunstar, Inc. v. Alberto-Culver Co. (2009)*

Bartlit Beck Secures Sensormatic's Patents, Trade Secrets with Complete Plaintiff-Side Security Tag Verdict, *Sensormatic Electronics Corp. v. The TAG Company US LLC et al. (2008)*

Bartlit Beck Wins 5 Jury Verdicts in Vioxx Trials, *Vioxx Trials (2006)*

Bartlit Beck Wins \$30 Million Summary Judgment for ABB, Inc. in Patent Indemnity Dispute Arising Out of the Sale and Purchase of a Refractory Business, *ABB v. Imetal (2001)*