



**Heather L. Kramer**

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Over the last twenty years, Heather has represented clients in complex business and commercial disputes across the country. She has extensive trial and appellate experience, including nationwide and statewide class actions. Heather prides herself on understanding her clients' businesses to ensure the best result for them both inside and outside of the courtroom. Her clients range from financial institutions, financial servicing companies, manufacturers, employers, real estate developers and trading companies to individual owners, partners and shareholders of companies. Throughout her career, Heather has handled disputes arising from fraud, breach of contract, consumer statutory and privacy violations (i.e., FDCPA, TCPA, BIPA, etc.), employment disputes, theft of trade secrets, trademark infringement, fraudulent conveyances, breaches of fiduciary duty, premises liability, and product liability. Heather has been recognized as a top litigator in Illinois. She has been named a *Super Lawyer* since 2017 and was named one of the leading "40 Under 40" Lawyers by the *Chicago Daily Law Bulletin*.

**Practice Areas**

- Litigation
- Appellate Law
- Class Actions

**Education**

- The University of Texas School of Law (J.D., 2000) *with honors*
- The University of Iowa (B.A., 1997) *with highest honors*

**Clerkships**

- Law clerk to the Honorable Steven M. Colloton, U.S. Court of Appeals, Eighth Circuit (2003-2004)

## Bar Admissions

- 2000 Illinois Supreme Court
- 2000 U.S. District Court for the Northern District of Illinois
- 2001 U.S. District Court for the Central District of Illinois
- 2001 U.S. District Court for the Southern District of Illinois
- 2007 Trial Bar for the Northern District of Illinois
- 2008 U.S. District Court for the Western District of Michigan
- 2019 U.S. District Court for the Eastern District of Wisconsin
- 2020 U.S. District Court for Colorado
- 2004 U.S. Circuit Court of Appeals for the Eighth Circuit
- 2013 U.S. Circuit Court of Appeals for the Seventh Circuit

## Awards & Achievements

- *Chicago Daily Law Bulletin's "40 Under Forty" Lawyers in Illinois, 2012*
- U.S. District Court for the Northern District of Illinois, *Excellence in Pro Bono Service & Public Interest, 2017*
- *Illinois Super Lawyers, Business Litigation (2017-2020)*

## Memberships

- DuPage County Bar Association
- ACA International
- Defense Research Institute ("DRI")

## Publications & Presentations

- "Fair Debt Collection Practices Act," *Consumer Financial Services Answer Book 2020*, Practising Law Institute (2019-2020)
- "Arbitration Clauses & BIPA: The Broader the Better," *The Firewall* (April 15, 2019)
- "Effective non-reliance clauses essential to strong agreements," *Chicago Daily Law Bulletin* (Oct. 5, 2015)
- "Proofs of claim take on different nature in bankruptcy arena," *Chicago Daily Law Bulletin* (July 30, 2015)
- "Business Litigation and Fiduciary Duties - What Partners Should Know About Settlement Agreements," *The National Law Review* (June 20, 2015)
- "What's new with due diligence?" *Chicago Daily Law Bulletin* (May 6, 2015)
- "How companies can defend against cyberattacks in the courtroom," *Chicago Daily Law Bulletin* (March 5, 2015)

- "Directors & Officers Liability: Prevention, Insurance and Indemnification" (Contributor), *Law Journal Press*, (November 2000)
- "Insurance Coverage Disputes" (Contributor), *American Lawyer Media*, (treatise originally published in 1996)

### **Representative Matters**

- *Willis Capital LLC v. Belvedere Trading LLC, et al.*, 2015 IL App (1st) 132183. Affirming dismissal of section 2-1401 petition in which the plaintiff tried to relitigate a matter that the parties had settled years before.
- *John Bean Technologies Corp. v. BGSE Group, LLC, et al.*, Case No. 1:17-cv-142 (D. Utah Aug. 13, 2020). Obtained partial summary judgment in favor of John Bean Technologies relating to defendants' counterclaims for tortious interference, negligent misrepresentation, and defamation.
- *Grant Hospital v. Blue Cross of Illinois* (October 2011). Obtained million dollar judgment, exclusive of interest and attorney fees, on behalf of Grant Hospital and more than 200 of its creditors, against Blue Cross and Blue Shield of Illinois, after a nine-day trial arising from an accounting and contract dispute under various provider agreements issued to several successive owners of the hospital.
- *Farberware Licensing Co. v. Meyer Corporation, et al.*, Case No. 09-CV-2570 (2009 SDNY). Successfully represented a cookware manufacturer in a breach of licensing and trademark infringement matter and obtained a jury verdict in its favor.
- *Appelbaum v. Appelbaum*, 355 Ill.App.3d 926, 823 N.E.2d (1st Dist. 2005). Reversing issuance of preliminary injunction based upon post-employment covenant not to compete; court found that employer had no protectable interest in its relationship with customers.
- Represented financial service company in multiple statewide and nationwide class actions involving alleged FDCPA claims.
- Represented mortgage servicing company in a Wisconsin and nationwide class action arising of purported EFTA and RESPA violations.
- Represented buyer of landmark Chicago office building in a two-week jury trial involving breach of contract and fraud claims, which was successfully resolved prior to closing arguments.
- Represented former owner and employees of insurance agency in five-week bench trial against new owner of agency, involving issues of breach of contract and enforceability of covenants not to compete.
- Represented a manufacturer of coffee-making products in a patent infringement dispute and drafted successful motions *in limine* that barred large portions of defendant's exhibits and expert report.

- Represented a real estate construction and development company in a breach of contract and fraud dispute with one of its vendors, which resulted in a favorable settlement.
- Represented trading firm of the Chicago Board of Trade (CBOT) in its objection to and appeal of a class action settlement arising from the CBOT's landmark litigation with the Chicago Board Options Exchange (CBOE) over the equity and trading rights of CBOT members at CBOE upon CBOE's anticipated demutualization.
- Represented retail jewelry business in a consumer class action matter involving violations of the Fair Credit Reporting Act.
- Represented a health benefit association in a consumer fraud/unfair business practices action brought by the Attorney General of the State of Illinois. Mediated a resolution to the satisfaction of all parties.
- Represented drug manufacturer in both consumer class actions and individual actions involving claims of common law fraud, consumer fraud, negligence, and strict product liability.
- Conducted internal investigation of Fortune 100 company (in English and Spanish).
- Defeated State's attempts to terminate parental rights of a Mexican citizen.
- Represented asylees from Mexico, Ethiopia and Guatemala.