

# JASON M. METNICK | PARTNER

Commercial Real Estate, Commercial Litigation



Jason concentrates his practice in business litigation, with extensive courtroom and trial experience representing companies and their corporate executives, officers, and directors in litigation and business disputes. His knowledge of English, Spanish, French, and German makes him particularly invaluable to the firm.

Jason regularly counsels land developers and municipalities regarding land use disputes, tax increment financing for TIF districts,

and zoning disputes. His experience includes wide-ranging representation and counseling of banks and companies in the real estate, manufacturing, automotive, and logistics industries.

Jason has obtained favorable results and settlements in a high percentage of cases in Illinois state trial courts and appellate courts, as well as in the U.S. District Court for the Northern District of Illinois and the United States Court of Appeals for the Seventh Circuit. He has represented businesses in mediation and arbitration proceedings throughout the United States.

## CONTACT

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## EDUCATION

- J.D., DePaul University
- B.A., with Distinction, University of Michigan
- Certificate in Financial Decision-Making, University of Chicago

## ADMISSIONS

- Illinois
- U.S. District Court for the Northern District of Illinois
- United States Court of Appeals for the Seventh Circuit

"In commercial litigation right now, we're as good as you'll find. Our team is smart, savvy, and absolutely relentless. Nobody wants to face them in court."

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## EXPERIENCE

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- First chair defense of a publicly traded national trucking company in a zoning case challenging the operation and constitutionality of a multimillion dollar cross dock terminal; a nine-day trial involving numerous experts resulted in a directed finding in favor of client.
- First chair defense of a national home developer in a zoning case challenging the construction and constitutionality of a real estate development adjacent to a golf course; the trial court dismissed the case with prejudice.
- Successful appeal to the United States Court of Appeals for the Seventh Circuit reversing a federal judge for wrongfully dismissing negligence claims against a national retailer.
- Successful first chair defense of trade secret, breach of contract, and federal Defend Trade Secrets Act claims brought against former commercial real estate brokers for internal brokerage firm.
- First chair prosecution in a “battle of experts” trial on behalf of bank in a bankruptcy related adversary proceeding regarding valuation of real estate; The United States District Court for the Northern District of Illinois found in favor of bank and its valuation expert.
- Successful defense of Fortune 500 company alleged to have caused environment contamination.
- Successful first chair prosecution and multi-day trial on behalf of a land developer against business partner; trial court found partner was liable for promissory estoppel due to backing out of real estate development.
- Successful first chair defense of multinational German automotive parts manufacturer accused of causing noise nuisance to neighboring homeowners.
- Successful first chair prosecution on behalf of former president of multibillion dollar corporation against former associate for fraud; five day trial resulted in verdict over \$1 million.
- Successful first chair defense of president of national real estate organization in private alternative dispute resolution.
- First chair defense of chief executive officer accused of misusing millions of dollars of federal funds; nine day federal jury trial resulted in directed verdict on two claims, jury awarded \$0 in damages on third claim, and nominal damages on fourth claim.
- First chair successful prosecution of claim involving \$200 million real estate development; two week trial resulted in verdict in favor of client, upheld on appeal.
- Successfully defeated temporary restraining order sought against corporate officer and competitor of \$900 million marketing company.
- Obtained emergency temporary restraining order on behalf of real estate and home developer preventing restrictive covenant from being implemented upon large home development.
- Obtained summary judgment in several cases, defending companies and corporate executives alleged to have discriminated against employees based upon race, age, ethnicity, and sex.
- Successful prosecution on behalf of numerous banks to recover against defaulting loan borrowers, typically involving millions of dollars.
- Obtained summary judgment on behalf of an outdoor power equipment company against its former distributor and defeated \$50 million counterclaim for wrongful termination of distributor; upheld on appeal before the United States Court of Appeals for the Seventh Circuit and case listed as “One of the Ten Key Economic Damage Cases of 2012” in Dunn on Damages, Spring 2013.
- First chair trial on behalf of plaintiff alleging fraud in home construction; obtained verdict in favor of home buyer, plus attorneys’ fees.
- In a case of first impression, defeated claim arising under Illinois Right of Publicity Act related to talent agency alleged to have misappropriated individual’s likeness by acting as intermediary to talent and product advertiser; affirmed by the Illinois Appellate Court that talent agency’s use was a non-public transaction and thus not subject to the Act.

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## MEMBERSHIPS

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- American Bar Association
- Illinois State Bar Association
- Chicago Bar Association

## AWARDS

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- Emerging Lawyer, Leading Lawyers, 2015-2016
- Milton H. Grey Award for Outstanding Project Leadership, Chicago Bar Association, 2011

### Schaumburg

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### Chicago

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