

SAMUEL G. HARROD IV | PARTNER

Commercial Litigation



Sam, who joined MPS in 1996, is a commercial litigator, employment attorney and business counselor, focused on advising employers on the full range of employment policies and practices, including on-boarding and separation agreements, discrimination claims and disciplinary proceedings; representing business clients in contract disputes; representing commercial lenders in complex workouts and foreclosures; and counseling temporary staffing

agencies in all aspects of their business.

With over 30 years of experience, Sam has first-chaired many bench and jury trials, and has had numerous successes on behalf of clients. He strives to push cases to conclusion as quickly as the legal process allows, and is always looking for ways to outmaneuver opposing counsel.

Sam also regularly assists clients in drafting and negotiating various types of business contracts, including master service agreements and related statements of work, distribution and supply agreements, independent contractor agreements, and non-disclosure agreements. Sam's extensive litigation experience provides him with a unique and valuable perspective in counseling clients on business matters.

For clients who are selling their businesses, Sam oversees the compilation of disclosure schedules in connection with purchase agreements.

CONTACT

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EDUCATION

- J.D., magna cum laude, University of Illinois College of Law
- B.A., summa cum laude, Economics, Eureka College

ADMISSIONS

- Illinois
- United States Court of Appeals, Seventh Circuit
- United States District Court, Northern District of Illinois; Trial Bar

“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

- Defended a large insurance brokerage and its new employee in a claim filed by the new employee's former employer for breach of a non-compete agreement; deposed the plaintiff's damage expert and obtained a ruling by the trial judge disregarding the expert's entire report; at the conclusion of the two week bench trial, obtained a dismissal of the majority of the plaintiff's damage claims, resulting in an award of only 5% of the damages sought.
- Defended a bank in a wrongful termination claim filed by a former employee; obtained a pre-trial dismissal of the employee's claims of defamation and post-employment damages in excess of \$400,000; at the conclusion of the jury trial, defeated all but a de minimis amount of the employee's claims, preventing the employee from recovering any attorneys' fees.
- Defended a multibillion-dollar international restaurant chain in a breach of contract claim filed by an international airline company with respect to the joint operation of the concessions and duty-free shops in the International Terminal at O'Hare Airport; obtained summary judgment in the client's favor.
- Represented investors in a multimillion-dollar real estate venture in a suit against the manager for fraud and breach of fiduciary duty; obtained financial records documenting the fraud, retained an expert to analyze the data, and presented the evidence and the expert's report to the state's attorney, resulting in the manager's arrest and indictment for a class X felony.
- Represented a bank in a foreclosure and fraud action against a home developer who had pocketed his loan proceeds; obtained an order allowing the bank to complete construction during the foreclosure; exposed the developer's fraudulent liens and had the debt declared non-dischargeable in the developer's bankruptcy; subsequently presented evidence of the developer's actions to the state's attorney resulting in the developer's felony fraud and theft conviction.
- Represented a bank in an assignment for the benefit of creditors for the bank's largest customer, a major regional furniture retailer with multiple locations in Chicagoland; guided the lender through the nearly two-year assignment process, resulting in a 100% recovery for the bank.
- Obtained a favorable appellate ruling on a case of first impression in Illinois regarding a bank's ability to prosecute successive foreclosure actions based on borrower payment defaults arising after the dismissal of the prior actions.
- Prepared disclosure schedules for clients selling their business in transactions ranging from \$5 million to \$500 million.
- *Scandinavian Airline Systems Demark-Norway-Sweden v. McDonald's Corp.*, 947 F. Supp. 1257 (N.D. Ill. 1996), *aff'd*, 129 F.3d 971 (7th Cir. 1997)
- *Avesta Sheffield, Inc. v. Olympic Continental Resources, LLC*, 2000 U.S. Dist. LEXIS 1670, (N.D. Ill., Feb. 14, 2000, Conlon, J.)
- *Baytree National Bank & Trust Company v. Albert Paul Christensen*, 2005 Bankr. LEXIS 1509 (N.D. Ill. Bankr., Aug. 12, 2005, Goldgar, J.)
- *Walters v. Department of Labor*, 356 Ill. App. 3d 785, 826 N.E.2d 979 (1st Dist. 2005).
- *Fish Lake Note v. Volo Ventures, et al.*, 2016 IL App (2d) 150644-U (2016)
- *McHenry Savings Bank v. Margaret Daniel Trust*, 2021 IL App (1st) 210070-U (Ill. App. Ct. 2021)
- *McHenry Savings Bank v. Miriam Moy*, 2021 IL App (2d) 200099 (Ill. App. Ct. 2021)

MEMBERSHIPS

- Illinois State Bar Association
- Chicago Bar Association
- Northwest Suburban Bar Association
- 101 Best and Brightest Peer Group
- Alfred Campanelli/Golden Corridor Family YMCA, Board of Directors 2003-2019
- Shattered Globe Theatre, Board Chair 2013-Present
- Irish Theatre Of Chicago, Board Member 2009-2013
- Firefighters Highland Guard of Naperville, Piper

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PUBLICATIONS

- "Final Compensation," presentation, Lorman Education Services, 2002.
- "Tips for Employers Facing Discrimination Charges," presentation, Northwest Suburban Bar Association, 2005.
- "Family and Medical Leave Act and Paid Time Off Policies," presentation, Assurance University, 2006.
- "Non-Compete and Non-Solicitation Agreements," presentation, The CFO Leadership Group, 2016, 2017.

AWARDS

- Service To Youth Board Volunteer Award, Golden Corridor Family YMCA, 2019
- Peer-selected as a Leading Lawyer in Commercial Litigation and Employment Law: Management, 2015-Present
- Y Person of the Year, Alfred Campanelli YMCA, 2009
- Associate Editor, University of Illinois Law Review, 1990-1991
- Ronald Reagan Scholar, Eureka College.

Schaumburg

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