

# CHARLES A. VALENTE | PARTNER

ADA Litigation, Advice and Counseling, Bankruptcy and Restructuring, Commercial Litigation, Commercial Real Estate



Charles has a broad range of litigation experience that includes real estate, insurance coverage, consumer fraud, shareholder derivative claims, business valuation and partnership disputes, bankruptcy, antitrust, securities, and financial fraud. While an accomplished trial lawyer, he has also secured many victories by maneuvering the other side into settlements that achieve his client's goals and minimize their costs. His success depends in large part on

understanding the motivations of each of the parties to a dispute, grasping the big picture, and devising a plan that consistently narrows the dispute to bring that big picture into sharper focus.

Charles has unparalleled experience defending public accommodations from claims under Title III of the Americans with Disabilities Act (ADA) and various state accessibility laws. He has taken an active role in combating "drive-by" litigation under the disabilities laws by vigorously defending meritless claims and either prevailing at trial or forcing settlement.

Charles also prosecutes trademark registrations and handles trademark litigation.

Prior to joining MPS, Charles served as the chair of litigation at a prominent Chicago law firm.

## CONTACT

125 S. Wacker Drive, Suite 2900  
Chicago, Illinois 60606

T: 312-461-4302  
F: 312-987-9854  
[cvalente@mpslaw.com](mailto:cvalente@mpslaw.com)

## EDUCATION

- J.D., Washington University School of Law
- B.A., State University of New York, Stony Brook New York

## ADMISSIONS

- California
- Florida
- Illinois
- United States Supreme Court
- United States Court of Appeals for the Fourth, Sixth, Seventh, and Ninth Circuits
- United States District Courts for the Central, Eastern, Northern, and Southern Districts of California
- United States District Court for the Southern District of Florida
- United States District Courts for the Northern (including Trial Bar) and Central Districts of Illinois
- United States District Court for the Northern District of Indiana
- United States District Court for the Eastern District of Michigan
- United States District Court for the Eastern District of Wisconsin

"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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- On behalf of a national retailer, successfully gained a temporary restraining order with notice against landlord which halted on-going construction of a quick service restaurant at a Vernon Hills shopping center outlot, eventually settling the matter on favorable terms to the retailer prior to a preliminary injunction hearing.
- Obtained a defense summary judgment and subsequent recovery of approximately 90% of litigation expenses on behalf of a national retailer when a Gold Coast landlord sought to evict the retailer by claiming the retailer failed to properly exercise a renewal option at a below market rent.
- Obtained a dismissal of a \$29 million claim in the federal bankruptcy court on behalf of independent directors of a public corporation who failed to discover years-long financial fraud by corporate insiders.
- Obtained favorable summary judgment on behalf of a national retailer despite violation of the retailer's service animal policy by the store manager.
- Represented a national manufacturer at three separate labor arbitrations between the company's central Illinois manufacturing facility and the Teamsters union local, two resulting in awards in favor of management (one establishing a long-term precedent) and the third settled favorably after hearing.
- Represented multiple employers defending Biometric Information Privacy Act class action claims, succeeding in negotiating class settlements that will preserve the long-term prospects of the businesses.
- After losing an ill-advised motion to dismiss, the defendant in a breach of contract claim engaged Charles to take over its defense. Charles completed all discovery, raised a new defense which would limit damages to a maximum of \$15,000, and filed a summary judgment motion seeking judgment against his client for \$15,000. (While the client had other defenses, those defenses would have required an expensive trial.) The case settled on favorable terms before plaintiff responded to the motion.
- Represented a number of national retailers defending landlord claims in Illinois during the pandemic.
- Obtained precedent-setting summary judgment in Seattle federal court upholding national retailer's policy governing the admission of service animals to its premises.
- Obtained over \$70M in property and business interruption insurance coverage settlement from three separate Lloyd's syndicates and two different insurance brokers for damage suffered during a hurricane by a Caribbean hotel through multi-party mediation that resolved lawsuits pending in the Texas state courts and England.
- Obtained a TRO and then, succeeded after an evidentiary hearing in federal court, in enjoining the owner of a hydroelectric canal from running water through the canal due to potential subsidence in the canal walls which threatened the structural integrity of a neighboring factory.
- Successfully tried international arbitration hearing on behalf of Illinois livestock breeder over the correct interpretation of a requirements contract against global livestock breeder resulting in substantial payment to Illinois breeder and favorable termination of requirements contract.

## MEMBERSHIPS

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- Vice President, World Link for Law, international association of law firms
- National Institute for Trial Advocacy, Alumnus
- Park District Attorney, Ridgeville Park District, Evanston, IL

### Schaumburg

1515 E. Woodfield Road, Suite 250  
Schaumburg, Illinois 60173  
T: 847-330-2400 F: 847-330-1231

### Chicago

125 S. Wacker Drive, Suite 2900  
Chicago, Illinois 60606  
T: 312-987-9900 F: 312-987-9854