

Brian P. O'Meara



Brian is experienced in litigation at the state and federal levels including trial and appellate work. He has tried many cases involving a wide range of disputes. Brian's practice focuses on complex commercial litigation and financial services litigation. He has represented clients in class actions, business tort actions, legal malpractice actions, breach of contract actions, commercial landlord-tenant disputes, and various matters involving financial institutions.

He has also handled the defense of numerous class action and single plaintiff lawsuits alleging violations of the Telephone Consumer Protection Act, the Fair Debt Collection Practices Act, the Fair Credit Reporting Act, the Truth In Lending Act, the Illinois Consumer Fraud Act and other state and federal consumer protection statutes.

COURT ADMISSIONS

- Illinois
- Indiana

CIVIC AND CHARITABLE ACTIVITIES

- Member, Illinois Bar Association
- Member, Chicago Bar Association
- Mentor/Visiting Coach, Loyola University School of Law, Mock Trial and Moot Court Programs
- Member, Chicago Inn of Court
- Member, Federal Bar Association
- National Immigrant Justice Center
- Federal Settlement Assistance Program
- Lawyers in the Classroom
- Coach, Boys' Lacrosse, Loyola Academy, Wilmette, Illinois

AWARDS AND RECOGNITIONS

- Selected as a Super Lawyer: 2016-2019
- Selected to Leading Lawyers Network: 2014-2019
- Selected as a Rising Star: 2014-2015

PROFESSIONAL HISTORY

- 2009-2014 – Partner, McGuireWoods LLP

EDUCATION

- Loyola University Chicago School of Law, Chicago, Illinois, J.D., 2001
- Boston College, Chestnut Hill, Massachusetts, B.A., cum laude, 1997
- Loyola Academy, Wilmette, Illinois, 1993

NOTABLE CASES

- **Kristensen v. Credit Payment Serv. Inc., et al.** Obtained summary judgment on behalf of a leading lending institution in class action filed in the District Court of Nevada alleging violation of the Telephone Consumer Protection Act. The class appealed the judgment to the Ninth Circuit. Briefed and argued the appeal in the Ninth Circuit and obtained affirmance of the judgment in favor of the client. The potential exposure was \$150 million.
- **BMO Harris Bank, N.A. v. RidgeAire, Inc. et al.** Obtained a seven-figure summary judgment on behalf of Plaintiff BMO Harris against several defendants in an action filed in the Eastern District of Texas alleging various breaches of contracts. Attorneys' fees awarded in favor of BMO as well.
- **International-Matex Tank Terminals-Illinois v. Chemical Bank.** Obtained summary judgment on behalf of Plaintiff, a major storage facility, in an action filed in the Western District of Michigan involving Letters of Credit, Wrongful Dishonor, the International Chamber of Commerce's Uniform Custom and Practice for Documentary Credits, and the Michigan Compiled Laws. The defendant appealed the judgment to the Sixth Circuit. Briefed and argued the appeal in the Sixth Circuit and obtained affirmance in favor of the client. Attorneys' fees awarded in favor of the client as well.
- **Ludditt-Poehl v. Capital One Auto Finance, Inc.** Obtained judgment on the pleadings in a class action filed in the Eastern District of Missouri alleging violation of the Fair Credit Reporting Act. The plaintiffs appealed the judgment to the Eighth Circuit and the Eighth Circuit affirmed the judgment in favor of the client.
- **LKQ Corporation.** Represented and advised LKQ, the largest nationwide provider of aftermarket collision replacement products, and its subsidiaries in a variety of matters. Successfully argued insurance coverage dispute on behalf of LKQ before Illinois Appellate Court.
- **SEC v. Buntrock, et al., and related cases.** Represented chief accounting officer in litigation resulting from \$1.7 billion restatement by Waste Management Company; at that time, the largest in corporate history. Case settled.