



Ellen M. Carey



Ellie Carey was recently recognized by Leading Lawyers as one of the Top Women Lawyers in Chicago for commercial litigation. She focuses on complex, commercial litigation in state and federal courts. Ms. Carey has represented major corporations, partnerships, LLCs and individuals in disputes involving claims for breach of contract, fraud, breach of fiduciary duty, violation of non-compete and non-solicitation agreements, defamation, misappropriation of trade secrets, tortious interference, class action claims, wage payment and whistleblower actions, public contract bids, zoning matters, real estate disputes, declaratory judgment actions, claims seeking emergency injunctive relief, and appeals. Ms. Carey has first and second chair trial experience, extensive experience in brief writing, complex motion practice, and electronic discovery management.

COURT ADMISSIONS

- Illinois
- California

PROFESSIONAL ACTIVITIES

- Member, Illinois Appellate Lawyers Association
- Member, Illinois State Bar Association
- Member, Chicago Bar Association

CIVIC AND CHARITABLE ACTIVITIES

- Arbitrator for Loyola University Chicago School of Law's International Commercial Arbitration Moot Court Team, 2001-2018
- Attorney Coach for De La Salle Institute's Illinois State Bar Association High School Mock Trial Team, 2011-2015
- Volunteer for the Constitutional Rights Foundation, Lawyers in the Classroom Project, 2005-2008

PUBLICATIONS

- Tips From The Inside – How To Make It Easier For The Judge To Rule In Your Favor, *The Circuit Rider*, The Journal of the Seventh Circuit Bar Association (April 2010).
- Student Article, Affirmative Recovery Under The FTC Holder Rule, 13 *Loy. Consumer L. Rev.* 129 (2001).

PROFESSIONAL HISTORY

- 2011-Present – Forde & O’Meara LLP
- 2008-2011 – Associate, Mayer Brown LLP, Chicago, Illinois
- 2004-2008 – Law Clerk to the Honorable Michael T. Mason, Magistrate Judge for the United States District Court, Northern District of Illinois
- 2001-2004 – Associate, Crisham & Kubes, Ltd., Chicago, Illinois

EDUCATION

- Loyola University Chicago School of Law, Chicago, Illinois, Juris Doctor, *cum laude*, 2001
 - Consumer Law Review, staff editor (2001)
 - Willem C. Vis International Commercial Arbitration Moot, Vienna, Austria (2000)
- University of Notre Dame, South Bend, Indiana, B.A., English, *cum laude*, 1997

NOTABLE CASES

- **Holly Blaine Vanzant, et al. v. Hill’s Pet Nutrition Inc., et al.** Represent plaintiffs in an Illinois Consumer Fraud and Deceptive Business Practices Act class action. The district court originally dismissed the case. Ellie drafted appellate briefs and argued before the Seventh Circuit Court of Appeals, and succeeded in obtaining a reversal of the district court’s dismissal. The case is pending.
- **CME Arbitration (parties’ identity confidential).** Represented a Chicago Mercantile Exchange member and his brokerage firm in a CME arbitration trial involving claims for breach of contract and tortious interference with business expectancy. Prevailed on the tortious interference claim and reduced clients’ potential exposure by more than \$7.9 million.
- **Edward E. Gillen Co. v. Specialty Granules.** Represented Specialty Granules in a breach of contract case related to the supply of stone for the 31st Street Harbor Project. Second-chaired a sixteen-day arbitration hearing.
- **Kristensen v. Credit Payment Servs. Inc., et al.** Obtained summary judgment and affirmance by the Ninth Circuit on behalf of a lending institution in a \$150 million Telephone Consumer Protection Act case.
- **Sprint affiliate litigation arising from Sprint-Clearwire and Sprint-Virgin Mobile transactions.** Represented three Sprint affiliates in litigation in Delaware and Illinois that sought to enjoin the closing of an \$11 billion

transaction in which Sprint planned to acquire a majority interest in a new competing telecommunications company in breach of the parties' affiliate agreements. When Sprint announced that it was acquiring Virgin Mobile USA, Inc., we filed another lawsuit on behalf of the affiliates in Illinois seeking to enjoin the closing of the Sprint-Virgin transaction.

- **People of State of Illinois v. Aaron Thurman, Circuit Court of Cook County, Illinois, Criminal Division (Pro Bono).** Second-chaired a first-degree murder trial. Obtained an acquittal for the defendant.
- **Zoning matters.** Represented AT&T in zoning, permitting, and breach of contract cases related to the construction of cellular towers. Represented one of the nation's largest renewable energy developers in zoning and breach of contract cases related to the construction of wind farms.