



KEVIN M. FORDE



Kevin Forde's practice concentrates in commercial litigation, including both trials and appeals. He has acted as counsel in many significant cases involving constitutional law, class action and shareholder derivative claims, breach of contract claims, legal malpractice defense, and products liability claims. He was also the principal drafter and proponent of Illinois' first class action statute and continues to publish on current developments.

- Fellow, American College of Trial Lawyers
- Fellow, International Academy of Trial Lawyers
- Fellow, American Academy of Appellate Lawyers

PROFESSIONAL ACTIVITIES

- Past President, Chicago Bar Association
- Chairman, Compensation Review Board, State of Illinois (1984-2009) – Board set proposed salary levels for Illinois constitutional officers, legislators, judges and agency heads. Under his leadership, the salaries of Illinois judges rose from one of the lowest to the highest in the United States.
- Member, Review Board of the Attorney Registration and Disciplinary Commission (1997-2005) – Board members are appointed by the Supreme Court. Board sits as appellate tribunal in attorney disciplinary matters.
- Counsel, Federal Judges Association
- President, Federal Defender Program (Northern District of Illinois)
- Member, Senator Richard Durbin Judicial Screening Committee (2009-2016) – Committee evaluates, interviews and recommends applicants for vacancies on the federal courts in Illinois
- Chair, Chief Justice Anne Burke's Judicial Screening Committee – Committee evaluates candidates being considered for judicial appointment by Supreme Court of Illinois
- Member, Illinois State Bar Association, Federal Bar Association, Bar Association for the Seventh Circuit and the Appellate Lawyers Association
- Past President, The Celtic Legal Society

CIVIC AND CHARITABLE ACTIVITIES

- Founding Director and President, The Wendy Will Case Cancer Research Fund
- Founding Director, The Lawyers Trust Fund of Illinois
- Founding Director and Board Member, The Spencer Williams Foundation for an Independent Judiciary

AWARDS AND RECOGNITIONS

- 2018 American Inns of Court Professionalism Award for the 7th Circuit
- 2014 Certificate of Appreciation, presented by the Federal Judges Association
- 2014 John Paul Stevens Award (service to the legal profession), conferred by the Chicago Bar Association
- 2002 Amicus Curiae Award (for services on behalf of judges of Illinois), presented by Illinois Judges Association (October 2002)
- 2001 President's Award (service to federal judiciary and Federal Judges Association), conferred by Federal Judges Association (May 2001)
- Distinguished Service Award, conferred by Illinois Judges Association (1982)
- Outstanding Service Award, conferred by Judges of Cook County, Illinois (1982)
- Medal of Excellence, conferred by the Loyola University Law Alumni Association (1983)
- Listed, Best Lawyers in America 1993-present, for commercial litigation, appeals and "Bet-The-Company Litigation"
- Illinois Super Lawyers (published in Chicago Magazine)
- Leading Lawyers Network, Top Business Lawyers in Illinois

PROFESSIONAL HISTORY

- 2012-present – Partner, Forde & O'Meara LLP
- 1970-2012 – Managing Partner of Kevin M. Forde, Ltd., a five-lawyer office concentrating in commercial litigation, including both trials and appeals
- 1968-70 – Faculty Member, The John Marshall Law School
- 1966-70 – Law Clerk to the Honorable William J. Campbell, Northern District of Illinois
- 1964-66 – Counsel to President of Cook County (later Illinois Supreme Court Justice) Seymour Simon

EDUCATION

- Loyola University of Chicago Law School, J.D. 1963
- Marquette University, B.S. 1960

NOTABLE CASES

- **United States v. Will.** Class action on behalf of all federal judges brought to challenge the constitutionality of certain Acts of Congress that withheld cost-of-living salary adjustments claimed due to the judiciary. In addition to substantial salary increases, this case produced back-pay awards totaling \$10 million for federal judges.
- **Jorgensen v. Blagojevich.** Represented Illinois judges in a class action challenging the constitutionality of executive and legislative branch actions that prevented payment of cost-of-living adjustments to Illinois judges. Resulted in a salary increase and back-pay awards of more than \$10 million for Illinois judges.
- **City of Chicago Extraterritorial Car Rental Tax (2016).** Successfully obtained discretionary review in the Illinois Supreme Court and ultimately prevailed on a constitutional challenge to a City of Chicago extraterritorial rental car tax.
- **Mayor Rahm Emanuel.** Successfully defended challenge to then-candidate Rahm Emanuel's residency eligibility in his run for Mayor of Chicago. The Supreme Court of Illinois unanimously reversed the Appellate Court and held that Mr. Emanuel was eligible to run for Mayor.
- **Price v. Philip Morris.** Successful appeal reversing \$12 billion judgment that had been entered against Philip Morris.
- **Chicago Board of Trade Demutualization and CME Merger.** Represented the Chicago Board of Trade and its Directors in litigation in the federal, Illinois, and Delaware courts over the CBOT's demutualization; played an active role in the merger between the CBOT and Chicago Mercantile Exchange and litigation relating to the merger.
- **Chicago Board of Trade's \$1 Billion Settlement with the Chicago Board Options Exchange.** Represented the CBOT members in litigation in the Delaware Court of Chancery and in SEC proceedings between CBOT members and the Chicago Board of Options Exchange over CBOT members' claims to ownership interest in CBOE.
- **Chicago Board of Trade Shareholder Litigation.** Represented the CBOT and its Directors in litigation in the Delaware Court of Chancery resulting from the CBOT's Board approval of the merger with the Chicago Mercantile Exchange and rejection of a competing proposal.
- **Guvenoz v. Target Corporation and Teva Pharmaceuticals USA, Inc.** Successfully argued for plaintiff in appeal involving a products liability lawsuit brought against a generic drug manufacturer and distributor that asserted federal conflict preemption defenses. Case was one of the first in the United States to reject a federal preemption defense raised by a generic drug manufacturer.
- **Ammons v. Wisconsin Central, Ltd. (2019).** Argued in Supreme Court for Wisconsin Central in case that successfully reversed the Appellate Court and

upheld the right of the railroad to assert a counterclaim for property damage in a FELA case.

- **People ex rel. Hartigan v. Illinois Commerce Commission.** Successfully represented Commonwealth Edison and argued appeal in the Illinois Supreme Court in a ruling which was then the largest utility rate increase in Illinois history. The rate increase of more than \$500,000,000 per year was based on Commonwealth Edison's construction of a nuclear generating facility.
- **Air Crash Disaster Cases.** Associated with John J. Kennelly in numerous air crash cases. Conducted discovery in Europe, the Middle East, and Asia. Was court-appointed liaison counsel for all plaintiffs in *In re Air Crash Disaster Near Chicago, Illinois* (MDL 391), and *In re Air Crash Disaster at Sioux City, Iowa* (MDL 817).