



## MICHAEL FORDE



**Michael Forde** focuses his practice on litigation. He handles complex, commercial litigation in state and federal courts and before various regulatory agencies, with especially extensive experience in the Illinois and Delaware courts, in cases involving contracts, partnership disputes, securities, consumer fraud, and real estate. He was previously a partner at Mayer Brown LLP, where he co-chaired that firm's Commercial Litigation practice. He is currently a member of the board of the Illinois Sports Facilities Authority, a position to which he was appointed by Governor J.B. Pritzker. From 2011-2019, he served as Chairman of the Illinois International Port District Board, a position to which he was appointed by Mayor Rahm Emanuel. He was also a member of Governor-Elect J.B. Pritzker's Transition Committee on Capital & Infrastructure.

### CIVIC AND CHARITABLE ACTIVITIES

- Board Member, Illinois Sports Facilities Authority, 2019-present
- Chairman, Illinois International Port District Board, 2011-19
- Economic Club of Chicago
- Cristo Rey Jesuit High School, Board of Trustees, 2008-14; Chairman, Leadership Advisory Council, 2005-08
- St. Xavier University, Board of Trustees, 2008-11
- St. Ignatius College Prep, Development Committee, 2006-present

### AWARDS AND RECOGNITIONS

- Listed in Leading Lawyers Network, 2013-present
- Listed in Litigation Counsel of American, 2016-present
- St. Ignatius College Prep Alumni Medal, 2009

### PUBLICATIONS

- "The White House Counsel and Whitewater: Government Lawyers and the Scope of Privileged Communications," 16 Yale Law and Policy Review 109 (1988).
- "The Exclusionary Rule at Sentencing: New Life Under the Federal Sentencing Guidelines?" 33 American Criminal Law Review 379 (1996).

## PROFESSIONAL HISTORY

- 2012-present – Managing Partner, Forde & O’Meara LLP
- 1999-2012 – Mayer Brown LLP, Chicago, Illinois (including serving as a co-chair of its commercial litigation practice group)
- 1999 – Chief Legal Counsel to Illinois Comptroller Daniel W. Hynes
- 1998-99 – Chief Counsel to the Transition Team for the Illinois Comptroller-Elect
- 1997-98 – Law Clerk to the Honorable Mary Ann G. McMorrow of the Supreme Court of Illinois
- 1996-97 – Law Clerk to the Honorable Charles P. Kocoras of the United States District Court, Northern District of Illinois

## EDUCATION

- University of Chicago Graduate School of Business, M.B.A. 1998
- Georgetown University Law Center, J.D., cum laude 1996; Articles & Notes Editor, American Criminal Law Review
- Georgetown University, A.B. 1993

## NOTABLE CASES

- **Frost v. DMMD II, LLC, et al.** After a bench trial, obtained a judgment in favor of our client on all counts. The dispute involved contract and nuisance claims in connection with a construction project in a Chicago high rise. The judge observed that the client “could not find finer lawyers” who were “well-prepared” and represented the client “vigorously.”
- **Mayor Rahm Emanuel.** Acted as trial and appellate counsel for then-candidate Rahm Emanuel in the litigation challenging his qualifications to run for Mayor of Chicago. The Supreme Court of Illinois unanimously reversed the Appellate Court, and affirmed the Hearing Officer’s recommendation that Mr. Emanuel was qualified to run for Mayor.
- **Sprint Affiliate Litigation Arising from Sprint-Nextel Merger.** Tried two cases on behalf of three Sprint affiliates in Delaware and Illinois arising out of Sprint’s acquisition of Nextel, a competing telecommunications company, in breach of the parties’ affiliate agreements. In Delaware, the Court of Chancery issued an injunction barring Sprint Nextel from engaging in certain marketing activities. In Illinois, the Circuit Court of Cook County issued an injunction requiring Sprint Nextel to divest itself of the Nextel network and assets in our client’s service area.
- **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.

- **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 in litigation in the Delaware Court of Chancery and in SEC proceedings between its 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.