

DENNY ESFORD

Mediator—Arbitrator—Litigator

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EXPERIENCE

Mediation

Certified Mediator (2021-Present)

- Cook County (IL) Law Division.
- Chicago Bar Association Mediation Service (chicagobarmediation.org)
- Neutral Corner Mediation Services (neutralcornerusa.org)

Arbitration

Certified Arbitrator (2014-Present)

- Cook County (IL) Municipal Division, Mandatory Arbitration (Panelist)
- Cook County (IL) Law Division Mandatory Arbitration (Single Arbitrator)

Litigation

Windy City Trial Group, Inc. (Chicago & Phoenix). President. May 2013—Present.

- Contract | Business Torts | Copyright | Trademark | Trade Dress | Trade Secrets.
- Business Defense—Federal and State Courts.

Key Cases:

- *The Neely Group v. HNO Int'l, et al.*, 22-cv-07347 (N.D. Ill. 2022). Breach of Contract claim. Court ordered dismissal in Defendant client's favor.
- *Newport Condominium Assoc. v. Blackhall Corp. 401(k) PSP and Wu*, 15-CH-17426 (Cir. Ct. Cook County 2019); aff'd on appeal, 2021 IL App (1st) 200847-U; S. Ct. Petition 127403—Denied. (Sept. 29, 2021). Condo fees dispute. Summary Judgment in Defendant client's favor.
- *Lakewood Condominium One. v. Blackhall Corp. 401(k) PSP and Vande Werken*, 15-CH-07253 (Cir. Ct. Cook County 2019). Condo fees dispute. Summary Judgment in Defendant client's favor.
- *Staffing Network Holdings v. Toner Plastics*, 16-L-3255 (Cir. Ct. Cook County, 2015); aff'd on appeal, 2017 IL App (1st) 163091-U. Dismissal in Defendant client's favor.
- *Ronald McDonald House Charities of Chicagoland and Northwest Indiana v. Winning Charities, Inc., et.al.*, 13-cv-1430 (N.D. Ill. 2015). Settlement favorable to the Defendant client.

Tressler LLP, Chicago. Sept. 2007—April 2013. Senior Counsel, Commercial Litigation Group.
Contract | Fiduciary Duty | Trade Secrets | Trademark | Copyright Infringement

Key Cases:

- *Viemont v. Dison*, 407 Ill. App. 3d 1197 (4th Dist. 2011). Appeal in Plaintiff client's favor.
- *Loyalty Valet v. VPS of Illinois*, 10-CH-21438 (Cir. Ct. Cook County Ill. 2012). Judgment in Plaintiff client's favor.
- *Kraft Chemical v. Graham Chemical*, 06-CH-11484 (Cir. Ct. Cook County Ill. 2009). Settlement favorable to the Defendant client.

Law Office of Dennis Esford, Chicago. May 2004—August 2007. Misc. Litigation.
Toxic Tort | Copyright | Patent Infringement | Contract | Securities Fraud.

Key Cases

- *In Re: MTBE Litigation*, 00-cv-01898 (SDNY 2000). Legal team representing BP America in a Multi District Litigation (MDL) of 70 MTBE ground water contamination cases consolidated in the Southern District of New York. Interviewed and identified relevant document custodians at BP facilities in Chicago, Cleveland, Paulsboro (NJ) and Galveston (TX). Assisted Kirkland counsel in preparation of BP America's 30(b)(6) witnesses.
- *STMicroelectronics v. Motorola*, 307 F. Supp. 2d 845 (E.D. Tex. 2004). Designed, planned and led e-Discovery document team in support of expert report at patent valuation firm Ocean Tomo re: patented video microchips for cellular telephones. Prepared a Summary of Factual Findings for the retained expert.

Fishman, Fishman & Saltzberg, P.C., Sept. 1999—April 2004. Personal Injury firm, Law Clerk.

Key Case

- *Sarkissian v. Chicago Board of Ed.*, 201 Ill. 2d 95 (2002). Illinois Supreme Court ruling and opinion in favor of the Plaintiff client.

ADMISSIONS

- U.S. District Court, District of Arizona, 2021.
- Arizona, 2020.
- U.S. District Court, Northern District of Illinois, 2004; Trial Bar, 2012.
- U.S. Supreme Court, 2008.
- Illinois, 2004.

PRO BONO

- Judge: ADR High School Mediation Tournaments
- Judge: Mock Trials, American Mock Trial Assoc. (2014-2020)
- Holy Covenant United Methodist Church, Finance Chair (2016—2021).
- Illinois State Bar Association, IP Section Counsel Member (2012—2017).
- *National Association of Boards of Pharmacy v. Shehata*, 20-cv-00399 (N.D. Ill.) (Copyright).
- *Lockhart v. Cook County Jail*, 14-cv-00881 (N.D. Ill.). (Section 1983).
- LaGrange Park Caucus, President (2006—2008); Secretary (2004—2005).
- Recording for the Blind & Dyslexic, Legal Textbooks Reader (2001—2004).

MEMBERSHIPS

- Member of ADR Sections of the Arizona, Illinois and Federal Bar Associations.
- Member, Executive Committee, Newsletter Editor, ADR Section, AZ Bar Association
- International Academy of Dispute Resolution

PRIOR WORK HISTORY

Summary

Engineering, sales and management positions at GM, Square D, United Technologies, Nationwide Insurance, Machinery Systems, Inc., Bodine Electric Company (1982—1999).

- *Cutting Tool Engineering* and *Machine Shop Guide* (1995—2003). Published author of 23 cutting and machine tool technology articles for international publications.
- Certified Machine Tool Sales Engineer (1995-1999).
- Apply Lean Manufacturing Principles to increase plant productivity (1982—1999).

Cutting Tool Engineering, Northbrook, IL. May 1998—August 1999. Senior Editor. Conduct interviews, draft monthly cover story, review third-party contributions for technical accuracy.

Machinery Systems, Inc., Schaumburg, IL. May 1994—April 1998. Service Manager and Certified Machine Tool Sales Engineer (CMTSE) for Mazak CNC Machine Tool Distributor.

- *Division Service Manager*, 1997—1998. Managed a team of eight CNC Repair technicians across a service region encompassing Wisconsin, Northern Illinois and Northwest Indiana. Turned the Service Division from yearly net losses to a profit center.
- *Sales Engineer (CMTSE)*, 1994-1997. Identify technical needs and sell Mazak CNC solutions to job shops and manufacturers in southern Chicagoland and northwest Indiana.

Nationwide Insurance, Bartlett, IL. May 1992—April 1994. Open and manage a start-up agency supervising a team of 5-7 staff members.

Bodine Electric Company, Chicago, IL. May 1988—April 1992. Manufacturing Engineer charged with plant productivity improvements via lean manufacturing techniques. Slashed setup times in the CNC machining departments by 50%; slashed setup times in the screw machine department to near 80%.

United Technologies Automotive, Columbus, MS. May 1983—April 1988. Industrial Engineer Plant layout of high volume assembly lines manufacturing fractional horsepower window lift and door-lock motors for the GM, Ford and Chrysler. Designed and managed the \$1.2M renovation of the company regional office headquarters on time and on budget.

Square D Company, Middletown, OH. May 1981—April 1983. Industrial Engineer responsible for motion and time study for the assembly of electrical medium voltage switchgear. Designed and implemented office layout improvements to the accounting, engineering and sales office areas.

EDUCATION

Law Division Mandatory Arbitration Training. Chicago Bar Association (2021).

40-Hour Mediation Training. Illinois State Bar Association (2020).

Cook County Mandatory Arbitration Training. Cook County Circuit Court (2014).

Chicago-Kent College of Law, JD, Intellectual Property Certificate (2003).

- Dean's List (two semesters)
- CALI Awards: Trial Advocacy I, Intellectual Property Litigation.
- IP Extern: Welsh & Katz (now Husch Blackwell) Chicago, IL (2002).

University of Alabama, MBA courses in Marketing, Accounting and Economics (1986—87).

University of Dayton, Bachelor, Industrial Engineering Technology (1981).

Summer Intern: GM Inland Division, 1978: Foreman and Engineer Rotations.