

# Scott M. Levin

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**“I am a litigator and an attorney who counsels my clients on everything related to their businesses.”**

Mr. Levin is a seasoned business litigator who brings to his clients a diverse range of legal experience. As a litigator, he has handled hundreds of business disputes, many of which have been litigated in federal and state courts or resolved through arbitration. His substantial litigation experience includes business divorces, claims and disputes based on contract, intellectual property (trademark, copyright, licensing, unfair competition, and franchise), employment matters (discrimination and non-competition), eminent domain, real estate (mortgage foreclosure, mechanic's lien, forcible detainer/eviction, distress for rent, sale, lease, and broker disputes), surety and fidelity bonds, business torts (trade defamation, intentional interference with contract, oppression, breach of fiduciary duty and consumer fraud), appeals, and all types of special remedies (injunction, declaratory judgment, enforcement of judgment, and replevin).

<b>Business Litigation</b>	<ul style="list-style-type: none"><li>• Business &amp; Corporate</li><li>• Intellectual Property</li></ul>
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Mr. Levin represents many closely held businesses and serves as general counsel to a number of them. He has represented many parties in disputes arising out these business arrangements—including business divorces—which often include claims of breach of fiduciary duty and involve injunctive relief, including temporary restraining orders. Additionally, he has experience representing clients with a national presence. His transaction and counseling experience includes licensing; organization of businesses (limited liability company, partnership, and corporation), including shareholder, partnership, and operating agreements; employment agreements; the sale, financing, and leasing of commercial properties; asset/stock sales; liquor licensing; and a multitude of different contracts.

In November 2009, Defrees & Fiske LLC merged its practice with Howard & Howard. Mr. Levin was a partner at Defrees & Fiske and served on its Executive Committee from 2003-2009. For the ten years prior to joining Defrees & Fiske, Mr. Levin was a founder and the managing partner of Levin, McParland & Phillips, LLC. Before forming Levin McParland, he was a partner at Hinshaw & Culbertson in Chicago.

Prior to entering the private practice of law, Mr. Levin served as executive assistant for the Illinois Law Enforcement Commission (1977-1982) and deputy executive director for the Illinois Criminal Justice Information Authority (1983-1986).

## Representative Matters

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- Represented a client who was sued for multiple trust-related business torts in litigation in the United States District Court in Chicago and three Illinois counties. Successfully obtained two summary judgments in favor of our client, partial summary judgment to permit our client to withdraw the declination to serve as trustee and to resolve the operative trust agreement, and a final summary judgment on all claims against our client. We further obtained dismissal of all state court claims and obtained summary judgment in favor of the trust.
- Represented a withdrawing member of an LLC in a one-week jury trial in the United States District Court in Chicago. We successfully obtained a verdict in favor of our client, without retaining an expert to oppose the testimony of the defendant's expert.
- Obtained an American Arbitration Association award, which included full attorney's fees, in San Francisco against an investment banking firm that refused to refund deposits made by client.
- Following a one-week bench trial, we successfully obtained a judgment in favor of our client in a case brought by a law firm, which claimed fees and damages related to its representation in a case involving the loss of a jet aircraft.
- Represented a truck driver leasing company in trial court, appellate court, and Illinois Supreme Court in a case of first impression to successfully enforce a provision prohibiting our client's customer from hiring the drivers it leased. *H&M Commercial Driver Leasing, Inc. v Fox Valley Containers, Inc.*, 209 Ill.2d 52 (2004).

## Education

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- Illinois Institute of Technology, Chicago-Kent College of Law, 1983
  - J.D., with honors
- John Marshall Law School, 1994
  - LL.M., Intellectual Property
- University of Illinois at Urbana-Champaign
  - M.A., Public Administration, 1978
  - Gies College of Business, B.S., Business Administration, 1976

## Memberships

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- City of Elmhurst, Mayor

- Chicago Bar Association
  - Business Divorce and Complex Ownership Disputes Committee
  - Patent, Trademark & Copyright Committee
  - Police-Lawyer Committee, former Chair
- Illinois State Bar Association
  - Civil Practice and Procedure; Banking and Bankruptcy; Corporations and Securities; General Practice; Intellectual Property Sections
- American Bar Association
  - General Practice; Intellectual Property; Law Practice Management; Litigation; Business Torts Sections
- Illinois Association of Chiefs of Police
- Evanston Chamber of Commerce
- Elmhurst Chamber of Commerce, former Chair

## **Admissions**

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- Illinois, 1983
- California, 2005
- U.S. District Court, Eastern District of Pennsylvania, 2018
- U.S. District Court, Central District of Illinois, 2018
- U.S. District Court, Northern District of Indiana, 2018
- U.S. District Court, Eastern District of Michigan, 2017
- U.S. District Court, District of Colorado, 2016
- U.S. District Court, Central District of California, 2011
- U.S. District Court, Northern District of California, 2010
- U.S. District Court, Eastern District of California, 2009
- U.S. Court of Appeals, Ninth Circuit, 1999
- U.S. District Court, Northern District of Illinois
  - Trial Bar, 1991
  - General Bar, 1983
- U.S. Court of Appeals, Seventh Circuit, 1991

## **Professional Achievements**

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- Illinois *Super Lawyers*, 2005-2022
- Illinois *Leading Lawyers*, 2010-2021
- Martindale-Hubbell® AV Preeminent® Peer Review Rating