

## Robert B. Groholski

Member

### Chicago

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Chicago, IL 60606



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### Areas Of Practice

Litigation

Commercial Lending

Real Estate

Financial Services Litigation –  
Commercial

### Industries

Financial Industry Group

Commercial Lending

Commercial Mortgage-Backed  
Securities Special Servicer Group

Financial Services Regulatory &  
Compliance

### Bar Admissions

Illinois, 2000

### Court Admissions

U.S. District Court, Central District  
of Illinois

U.S. District Court, Northern  
District of Illinois

U.S. Court of Appeals, 7th Circuit

### Education

Northern Illinois University, J.D.,  
*summa cum laude*

- Law Review, Articles Editor
- Moot Court

Northern Illinois University, B.S.,  
*magna cum laude*

- with highest honors

Bob Groholski concentrates his practice in the areas of financial services and commercial litigation. In his financial services practice, Mr. Groholski counsels financial services providers regarding compliance with federal and state laws and regulations pertaining to foreclosure practices. Mr. Groholski also represents banks, mortgage lenders, and servicers in matters involving commercial foreclosures, work-outs, and various methods of payment utilized by businesses in international transactions.

In his commercial litigation practice, Mr. Groholski represents clients in matters involving breach of contract, fraud, fraudulent transfers, business torts, unfair competition, trade secrets, non-competition agreements, equitable remedies, patent infringement and real estate disputes.

### Experience

- Represented a major lender in connection with regulatory review of residential foreclosure practices.
- Defended a member of an Illinois limited liability company against claims seeking temporary and permanent injunctive relief for breach of fiduciary duty, breach of contract and tortious interference. Successfully obtained a denial of the plaintiff's emergency motion for a temporary restraining order, which was then affirmed by the Illinois Appellate Court on the plaintiff's expedited appeal of the denial of the temporary restraining order. The matter was later amicably resolved.
- Prosecuted a 10-day bench trial to quiet title on behalf of a buyer of a piece of property to be used for a medical imaging facility and defended buyer and related parties against counterclaims for quiet title, ejectment, theft, forgery and civil conspiracy. After the two-week trial on the quiet title claims, the trial court granted judgment in favor of the buyer and quieted title in its name. Thereafter, obtained summary judgment in favor of the buyer and related parties on the remaining counterclaims.
- Defended a local community bank and its directors in a jury trial involving claims for breach of contract and tortious interference. The matter amicably settled two weeks into the jury trial.
- Defended a global telecommunications equipment manufacturer and four of its new employees who were accused of stealing the trade secrets of their former employer and of tortiously interfering with the former employer's business. At the conclusion of a seven-day preliminary injunction hearing, the former employer's motion to enjoin the four employees from working for the new employer was denied by the trial court, and later affirmed by the Illinois Appellate Court. The case later favorably settled.

Robert B. Groholski (Cont.)

- Successfully litigated on behalf of a developer against the Village of South Barrington, Illinois involving a dispute in which the Village rescinded an ordinance permitting the developer to construct residences valued at approximately \$250 million. The ordinance was reinstated.
- Obtained dismissals of two lawsuits brought against secured lender by unsecured creditors seeking to obtain priority over the secured lender.
- Represented an investor/purchaser of a Resolution Trust Corporation owned portfolio of non-performing commercial real estate loans. After a bench trial, obtained judgment in favor of the investor/purchaser in an accounting action against the owner of the property.

## Significant Decisions

- *B&C Realty of Illinois, LLC v. Chicago Stand-Up MRI, LLC, et al.*, 2013 IL App (1st) 112064-U, Docket No. 1-11-2064, November 5, 2013, Rule 23 Opinion.
- *Ashland Bridge and Rail, LLC v. West Webster, LLC*, Docket No. 1-09-2039, Illinois Appellate Court, 1st Dist., June 28, 2010. Rule 23 Opinion.
- *U. S. Bank National Association v. Cook*, 2009 WL 35286 (N.D. Ill., Jan. 6, 2009)
- *The Forge Company, et al. v. Standard Parking, Inc.*, Docket Number 04-2226, Illinois Appellate Court, 1st Dist., December 14, 2005. Rule 23 Opinion.

## Seminars & Speeches

*Litigation Risk Management Training*, Internal MCLE Presentation for Dykema Attorneys, Chicago, IL  
2011, 2013

*Social Media and the Practice of Law*, Internal MCLE Presentation for Dykema Attorneys, Chicago, IL  
2014

*Authority, Forgery & Fraud, Oh My!* MCLE Presentation, Jacksonville, Florida  
February 15, 2011

*Commercial Foreclosures in Illinois*, Internal MCLE Presentation for Dykema Attorneys, Chicago, IL  
2011, 2012, 2014

*Pleadings in Illinois State and Federal Courts*, Internal MCLE Presentation for Dykema Attorneys, Chicago, IL  
2011 – Present

*Absence of Authority, Forgery, Subrogation and Easements*, MCLE Presentation, Omaha, NE  
January 7, 2010

## Publications

"Ohio Issues Executive Order Requesting Relief for Small Business Tenants and Commercial Real Estate Borrowers"  
April 3, 2020

*NextGen Financial Services Report*

"The Right to Representation by Counsel in University Disciplinary Proceedings: A Denial of Due Process of Law"  
*19 N. Ill. U.L. Rev. 739*