

Charles A. LeMoine

Member

Chicago

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Areas Of Practice

Litigation
Business & Commercial
Professional Liability Litigation
Privacy and Data Security

Industries

Insurance Industry Group
Insurance Related Litigation
Self-Insured Pools and Statutorily
Created Insurance Associations
Construction Law

Bar Admissions

Illinois, 1987
Wisconsin, 2015

Court Admissions

U.S. District Court, Northern
District of Illinois, including Trial
Bar, 1987
U.S. Court of Appeals, 7th Circuit,
1994
U.S. Supreme Court, 1996

Education

John Marshall Law School, J.D.

- with distinction
- Law Review

University of Illinois, B.A.

- Zeta Psi

Charles A. LeMoine is the chairman of the Pro Bono Committee and has served on the committee since 2004. For over 20 years, Mr. LeMoine has been a trial lawyer who has concentrated his practice in litigation. Clients quoted in *Best Law Firms 2018* note that he is "tenacious, brilliant and indefatigable on behalf of his clients."

In the professional liability area, Mr. LeMoine has represented hospitals, medical groups, physicians, architects and engineers in a wide variety of litigation and business related matters.

In the products liability area, Mr. LeMoine has represented manufacturers, dealers and distributors of manufacturing equipment, safety equipment, electrical components, construction equipment, material handling equipment and vehicles.

In the area of school liability, Mr. LeMoine has represented hundreds of school districts and their professional staffs in liability claims ranging from student fights, school bus accidents, sexual abuse, discrimination, student athletics, property damage, premises liability, construction defects, contracts and insurance.

In the area of railroad liability, Mr. LeMoine has represented commuter railroads on both passenger claims and employee claims under the FELA.

In the area of business litigation, Mr. LeMoine has represented product manufacturers, developers, contractors, banks, title companies, computer companies, real estate brokers, demolition companies, property owners and insurance companies in a wide variety of contractual disputes.

Experience

Since joining the Firm in 1987, Mr. LeMoine has handled a wide array of civil litigation-related matters from the trial court level through appeal. He has tried a number of cases at the federal and state levels. He has also argued cases before both the Illinois Appellate Court and the Seventh Circuit Court of Appeals.

Mr. LeMoine has been a certified arbitrator since 1990. Mr. LeMoine has also been a featured speaker and author on various topics including violence in the workplace, construction disputes and mechanics liens, risk management techniques, railroad litigation, products liability and professional litigation.

Significant Decisions

- *Marshall v. Evanston Skokie School District 65*, 1-13-1654 (March, 2015) Affirmed dismissal of all counts finding plaintiff failed to state a cause of action against the district where student committed suicide inside school by hanging himself on the door of the boy's bathroom.
- *Sheetz v. Barrington School Dist. 220, et al*, 14-1732 (7th Cir., 2015) Affirmed the dismissal of all claims against the district and its personnel based on Rooker-Feldman doctrine which raised issue relating to custody issues and a prior divorce involving plaintiff's parents dating back to 2005.
- *Leja v. Community School District 300*, 2-12-0156 (Nov. 2012) Affirmed dismissal of all counts finding no evidence of prior notice of a defective condition involving a volleyball net crank that struck a student in the face.
- *Vilardo v. Barrington Community School District 220*, 2-10-0045 (Dec. 2010). Affirmed summary judgment finding no evidence that the school district had prior notice of a defective condition involving a batting cage "L" screen.
- *Bryant v. Board of Education, District 228*, 08-1928 (7th Cir. 2009). Affirmed summary judgment in favor of school administrator involving race discrimination claims.
- *Northern v. Proviso High School Dist. 209*, 1-07-1358 (June 2008). Affirmed Rule 103(b) dismissal of school district based on finding that plaintiff failed to exercise due diligence in serving school district with service of process.
- *Miller v. Lockport Realty*, 377 Ill. App. 3d 369, 878 N.E.2d 171 (1st Dist. 2007). Affirmed dismissal of lawyer's claim against real estate broker based on alleged interference with economic advantage.
- *PFT Roberson v. Volvo Trucks North America, Inc.*, 420 F.3d 728 (7th Cir. 2005). Vacated \$5 million jury verdict and entered judgment for defendant finding no contract existed between parties based on an email.
- *Mejia v. White GMC Trucks, Inc.*, 336 Ill. App. 3d 702, 784 N.E.2d 345 (1st Dist. 2002). Affirmed summary judgment in favor of truck manufacturer in products case involving truck rollover based on federal preemption.
- *Gracia v. Volvo Europa Truck N.V.*, 112 F.3d 291 (7th Cir. 1997). Affirmed summary judgment in favor of truck manufacturer in products case involving passenger ejection based on federal preemption.
- *Boersma v. Amoco Oil Co.*, 276 Ill. App. 3d 638, 658 N.E.2d 1173 (1st Dist. 1995). Vacated \$1.7 million jury verdict and ordered new trial on all issues due to pervasive trial court error on evidence, witnesses and jury instructions.
- *Lorentzen v. Honeywell, Inc.*, 64 F.3d 327 (7th Cir. 1995). Affirmed Rule 11 and §1927 sanctions against plaintiff's counsel for failure to conduct proper pre-filing investigation.
- *Wainwright v. Doria*, 65 F.3d 171 (Table) 1995 WL 508078 (7th Cir. 1995). Affirmed dismissal of all plaintiff claims based on pre-trial discovery violations which included illegal eavesdropping on defense counsel.
- *Libby v. IHSA*, 921 F.2d 96 (7th Cir. 1990). Affirmed denial of plaintiff's attorneys fees and costs in pursuing a TRO finding that plaintiff was not a "prevailing party."
- *Whalen v. K-Mart*, 166 Ill. App. 3d 339, 519 N.E.2d 991 (1st Dist. 1988). Affirmed trial court order granting summary judgment against general contractor for subcontractor's failure to procure insurance protecting general contractor for construction accident.
- *Johnson v. Steiner*, 534 N.E.2d 391, 179 Ill. App. 3d 556 (1st Dist. 1988). Affirmed dismissal of plaintiffs 2-1401 petition to vacate a final judgment in medical negligence action based on newly discovered evidence.

Seminars & Speeches

Up In Smoke: Illinois Legalization of Recreational Cannabis and Effect on School Employers in 2020, IASBO Virtual Conference
November 6, 2020

Up In Smoke: Illinois Legalization of Recreational Cannabis and Effect on School Employers in 2020, Illinois Association of School Business Officials (IASBO) Virtual Conference
November 6, 2020

Legal Triage Training for the Athletic Trainer, Presentation to New Trier High School
April 24, 2018

Charles A. LeMoine (Cont.)

Understanding Construction Contracts For School Administrators, IASBO 19th Annual Risk Management Seminar, Naperville, Illinois
March 10, 2017

Sexual Abuse Risk Management, Inservice, Lake Park High School District 108
February 14, 2017

Why Data Privacy Matters: Guarding Against Unwanted Intruders, Carousel of Panels, IASB/IASA/IASBO Joint Annual Conference, Chicago, Illinois
November 19, 2016

Understanding Construction Contracts For School Administrators, IASBO 18th Annual Risk Management Seminar, Naperville, Illinois
March 11, 2016

Understanding Construction Contracts For School Administrators, IASBO Joint Conference Risk Management Workshop, Chicago, Illinois
November 20, 2015

Understanding Construction Contracts For School Administrators, IASBO 17th Annual Risk Management Seminar, Naperville, Illinois
March 13, 2015

Understanding Construction Contracts For School Administrators, WASB Legal and Human Resources Conference, Stevens Point, Wisconsin
February 27, 2015

What You Don't Know Can Hurt You - Best Practices from Pre-Hire to Post-Termination, IASBO 63rd Annual Conference, Schaumburg, Illinois
April 30, 2014

Understanding Construction Contracts for School Administrators, IASBO 16th Annual Risk Management Seminar, Naperville, Illinois
March 14, 2014

Understanding Construction Contracts for School Administrators, IASBO 15th Annual Risk Management Seminar, Downers Grove, Illinois
March 15, 2013

What You Don't Know Can Hurt You - Best Practices From Pre-Hire to Post Termination, IASB/IASA/IASBO Joint Annual Conference, Chicago, Illinois, Melvin J. Muskovitz, Speaker; Charles A. LeMoine, Moderator
November 17, 2012

Understanding Construction Contracts for School Administrators, IASBO Joint Conference Risk Management Workshop, Chicago, IL
November 16, 2012

Understanding Construction Contracts For School Administrators, IASBO 14th Annual Risk Management Seminar
March 16, 2012

Mistakes and Misconceptions in Construction Contracts, IASBO 13th Annual Risk Management Seminar, Downers Grove, IL
March 11, 2011

Mistakes and Misconceptions in Construction Contracts, IASBO Joint Conference Risk Management Workshop, Chicago, IL
November 10, 2010

Mistakes and Misconceptions in Construction Contracts, IASBO 12th Annual Risk Management Seminar, Downers Grove, IL
March 11, 2010

Mistakes & Misconceptions In School Construction Contracts, IASBO 11th Annual Risk Management Seminar, Downers Grove, IL
March 13, 2009

Charles A. LeMoine (Cont.)

Guidelines for the Storage, Maintenance and Use of AEDS in Illinois Schools, Collective Liability Insurance Cooperative Member Meeting, Wheeling, IL
December 12, 2008

Truck Accident Litigation Strategies: Before and After the Dust Settles, Direct Delivery Leadership Council, Rosemont, IL
July 23, 2008

Mistakes & Misconceptions In School Construction Contracts, IASBO 10th Annual Risk Management Seminar, Downers Grove, IL
March 7, 2008

Mistakes & Misconceptions In School Construction Contracts, IASBO Joint Conference, Risk Management Workshop, Chicago, IL
November 16, 2007

Guidelines For Taking Employee Statements in FELA Cases, Metra Risk Management Department In-House Training, Chicago, IL
June 2007

Governmental Immunity Update, Gallagher Bassett Services, Inc. Claims Department In-House Training, Schaumburg, IL
July 19, 2006

Practical Tips for Protecting Your Schools From Sexual Harassment Claims, Arthur J. Gallagher & Co. Sexual Abuse Seminar, Hoffman Estates, IL
November 4, 2004

Governmental Immunity Update, Gallagher Bassett Services, Inc. Claims Department In-House Training, Schaumburg, IL
April 14, 2004

Current Legal Issues Facing Illinois Electrical Distributors, Electric Association/NEMRA Breakfast Meeting, Oakbrook, IL
April 25, 2001

"As American As Apple Pie"—*Violence and Threats in the Workforce*, The Price Waterhouse Coopers General Counsel Forum
January 21, 1999

Recovery of Extra Work Contractors and Products Liability: The Illinois Accessibility Code as Compared to Americans With Disabilities Act, Plumbing Contractors Association
June 1993

Publications

"Little-Known Statute Can Create Staggering Liability"
October 2008
Law360

"Protecting your Website"
Summer 2000
Electric-City Magazine

News

Dykema Pays Tribute to Alumnae Who Helped Shape Our Firm
March 8, 2021

Charles A. LeMoine Discusses School Health Waivers in *Chicago Daily Herald*
November 8, 2020

Chuck LeMoine, Jill Vorobiev to Present at Illinois Association of School Business Officials (IASBO) Annual Conference
February 20, 2014

Charles A. LeMoine (Cont.)

Memberships & Involvement

- National Association of Railroad Trial Counsel
- International Association of Privacy Professionals (IAPP), Member
- Illinois State Bar Association
- Chicago Bar Association
- National Council of School Attorneys
- Illinois Council of School Attorneys

Awards & Recognition

Recipient of an AV[®] Preeminent[™] Rating by *Martindale-Hubbell* for Legal Ability and Ethical Standards, 2002-2015; Platinum Client Champion, 2018

Named an Illinois Leading Lawyer in the areas of Personal Injury Defense: General; Products Liability Defense and Prof'l Mal Defense: including Legal/Tech/Financial by the *Leading Lawyers Network*, 2011-2017. Law Bulletin Publishing Company

Named in "Top Lawyers of Chicago," *Chicago Tribune*, 2014

Named an *Illinois Super Lawyer*[®] for Schools & Education, Personal Injury Defense: Medical Malpractice, Personal Injury Defense: Products Liability by *Law & Politics*, 2005, 2016 - Present

West Publishing Company's 1987 Academics Award