

Sarah R. Marmor

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312-662-6197

Sarah R. Marmor is an accomplished trial lawyer, employment litigator, and client counselor with three decades of experience successfully representing sophisticated clients on many of their most difficult and sensitive issues. Sarah has tried complex commercial cases and appeals throughout the United States, in state and federal courts throughout the nation. Sarah represents clients in connection with a variety of complex commercial disputes and employment matters.

Sarah currently heads the Firm's Employment Counseling and Litigation Practice. Her employment law experience includes advice and counsel on all potential aspects of an employer/employee relationship, including employment contracts and non-compete and related restrictive covenant matters (a particular strength of the firm), discrimination claims, wage and hour issues, background checks, leave policies and law, diversity initiatives. Sarah defends clients before state and federal agencies and courts, and has tried employment contract, discrimination, and ERISA claims to successful verdicts in both state and federal courts. In recent years, she has developed significant expertise in social media law, as it applies to employers and more broadly, and she frequently lectures on this subject as well as on restrictive covenant law.

Sarah's complex commercial litigation practice includes breach of contract claims, insurance coverage for corporate policy holders, non-compete and related restrictive covenant and intellectual property suits, consumer fraud litigation, antitrust litigation, product liability/mass tort litigation, and veil piercing litigation. Sarah has defended clients in product liability claims involving breast implants, tobacco, asbestos, household products and appliances. She also has represented clients in toxic tort claims involving chemicals and "toxic" mold. Through this sophisticated products liability practice, Sarah gained significant experience developing scientific defenses to personal injury and property damage claims - particularly in the disciplines of toxicology and epidemiology. Sarah was a member of the team that defended a multinational chemical company in the first and only breast implant class action suit ever certified. Sarah also



Practice Areas:

Employment
Complex Litigation
Appellate
Pay Equity
Life Sciences
Insurance
Entertainment & Sports

Education:

J.D., Northwestern University
School of Law, *magna cum laude*, 1993
B.A., Princeton University,
magna cum laude, 1987

Admissions and Qualifications:

Illinois
U.S. District Court for the
Northern District of Illinois

Prior Experience:

Kirkland & Ellis, LLP -
Associate, Partner (1993-2004)
Jenner & Block, LLP - Partner
(2004-2007)
Schoeman, Updike, Kaufman &
Scharf - Partner (2007-2012)

helped represent the same chemical company in an environmental insurance coverage suit against over 25 insurers in Detroit, Michigan. She helped successfully defend a major tobacco company in a landmark RICO and consumer fraud suit brought by an asbestos trust against the entire tobacco industry.

Sarah has been recognized as an Illinois "Super Lawyer" in the field of Civil Litigation: Defense and is "AV Preeminent" peer review rated by Martindale-Hubbell reflecting the highest peer recognition for both ethical standards and legal ability. Crain's Chicago Business selected Sarah as one of the "Notable Gen X Leaders in Law" and Law Bulletin Media repeatedly has recognized Sarah as a "Leading Lawyer." A passionate advocate for the arts, Sarah serves as the Vice President of the Lawyers for the Creative Arts and is a Trustee and member of the Executive Committee of the Court Theatre as well as Chair of its Producers Circle. She has successfully chaired major fundraising events for both of these organizations. Sarah also volunteers pro bono legal services to victims of sexual harassment. She was elected to membership in Chief, an invitation-only private network designed specifically for senior women leaders.

Sarah received her B.A., magna cum laude, from Princeton University and her J.D., magna cum laude from the Northwestern University School of Law.

Experience

- Won Illinois Appellate Court decision in favor of Cook County Sheriff and against former officer who was fired for multiple unauthorized absences, and sought to invalidate his firing by arguing that he was disciplined by an improperly constituted administrative agency. Appellate Court affirmed agency's disciplinary decision, and held that the de facto officer doctrine overcame plaintiff's objection that the agency was improperly appointed. *Lopez v. Dart et al.*, 2018 IL App (1st) 17-1773-U.
- Defended City of Chicago in high-profile \$3 million bond case over modernization of O'Hare Airport. Case successfully settled and bonds were permitted to be issued.
- Defended major international pharmaceutical company in age discrimination claim. Complete defense verdict after a one-week trial.
- Represented municipality and police officers in high profile

§1983 civil rights and Americans with Disabilities Act case.

- Represent global consulting firm with respect to all restrictive covenant analysis and disputes for executive joiners.
- Assisted Fortune 50 company in establishment of bespoke background check unit for private equity and other financial services clients.
- Won TRO for minority member of Wisconsin LLC to obtain access to books and records of the company concerning proposed sale of assets.
- Defended financial services company and private equity fund in suit arising from investment in portfolio company. Case successfully settled.
- Represent private equity funds in insurance coverage claims under Private Equity Professional Liability Policies.
- First-chaired trials in Philadelphia and Denver for a significant private equity fund involving issues of fiduciary duty to creditors and claims of alter ego and fraud. Both trials resulted in defense verdicts for clients.
- Defended pharmaceutical and medical device manufacturer against allegations that a defective medical device led to a patient's death. Succeeded in obtaining a dismissal with prejudice of the claim on federal preemption grounds.
- Prepared Robinson/Daubert defense in toxic mold case brought by Texas school district which resulted in favorable settlement for client.
- Defended manufacturer of toilet bowl cleaners against consumer fraud class actions in California, Illinois and Florida alleging damage to rubber and plastic parts from product.
- Defended major national retailer in class action consumer fraud claim in Madison County, Illinois against claims of failure to install components with products.
- Member of national trial team for a major chemical company in breast implant litigation; prepared expert defenses in toxicology,

epidemiology and company history.

- Member of national trial team for tobacco litigation in RICO and consumer fraud case brought by an asbestos trust. Work included preparation of offensive case concerning the history of asbestos litigation and settlements.
- Defense of Illinois Trade Secrets Act and breach of non-compete claims in pending dispute in DuPage County, Illinois. Plaintiff's motion for temporary restraining order successfully defeated.

Professional Activities

- Chief Network, Member, 2021
- Illinois Super Lawyers, 2019-2021
- Crain's Chicago Business, Notable Gen X Leaders in Law, 2019
- Court Theatre (Board of Trustees, 2017-Present; Executive Committee Member, 2019-Present; Producers' Circle, Chair, 2019-Present; Chair, 2018 Annual Gala)
- YWCA Chicago (Board of Ambassadors, 2013-Present)
- Lawyers for the Creative Arts (Vice President, 2018-Present; Board Member, 2013-Present)
- AIDS Legal Council of Chicago (Board of Ambassadors, 2012-Present)
- "Capitalism and the Importance of Trust," (Associate Director, 2003-2005) This two-year project was sponsored by Yale University Law School and the Columbia University Center on Corporate Governance. Project participants and advisors included luminaries from the legal, accounting and investment banking professions, as well as academics in relevant disciplines from Yale University, Columbia University and Harvard University.

PUBLICATIONS

- “Restrictive Covenants and a Changing Legal Landscape: Helping Employees and Employers Navigate Uncertainty,” PLI Chronicle: Insights and Perspectives for the Legal Community, October 2021.
- “Working in a Post-Pandemic World: Navigating the Changes and Uncertainties Wrought by COVID-19,” PLI Chronicle: Insights and Perspectives for the Legal Community, August 2021.
- "Product Liability Litigation: Current Law, Strategies and Best Practices, 2nd Edition," Co-Editor, Practising Law Institute (PLI), 2021.
- "Expert Evidence — Law, Strategies and Best Practices," S. Scharf, G. Sax, S. Marmor, and M. Churma, Product Liability Litigation: Current Law Strategies and Best Practices, 2d Edition. Practising Law Institute (PLI), 2021.
- "Social Media Law", PLI Corporate Compliance and Ethics Institute Course Book Series, 2016.
- "Whose Facebook is it Anyway? Social Media, Privacy and the Law," PLI Corporate Compliance and Ethics Institute Course Book Series, 2015.
- "The Rise of Social Media and its Role in Litigation in Cloud Computing and Electronic Discovery" Co-Author (Wiley) 2014.
- "Law Firm Practice Management," Lead Editor, DRI Defense Library Series (DRI) 2014.
- "When Everyone is Watching: Social Media, Privacy, and the Law," PLI Corporate Compliance and Ethics Institute Course Book Series, 2014.
- "Social Media: Is It All Just Talk?" PLI Corporate Compliance and Ethics Institute Course Book Series, 2012.
- "Taking the Reins in Your Own Hands: Establishing a Minority or Women- Owned Law Firm," Law Firm Practice Management, Defense Library Series, DRI, 2014.

- "Product Liability Litigation Current Law, Strategies and Best Practices," Co- Editor, Practising Law Institute (PLI), 2009-2015.
- "Expert Evidence-Law, Strategies and Best Practices", Co-Author, Product Liability Litigation Current Law, Strategies and Best Practices, Practising Law Institute (PLI) 2009-2015.
- "The Use of Toxicology in Tort Litigation: A Survey of Federal and State Jurisdictions," Chapter Author, American Bar Association, May 2005.

SPEAKING ENGAGEMENTS

- "Employment Issues Facing Theaters," Lawyers for the Creative Arts and The League of Chicago Theaters, July 2017.
- "4 Questions Employers Should Ask About Trump Plans," Law 360, November 2016.
- "At Profiles Theatre the Drama -and abuse-is real," Reader, June 2016.
- "Social Media Law", PLI Corporate Compliance and Ethics Institute, Chicago, Illinois May 2016.
- "Yes, Virginia, Lawyers Do Make Mistakes," Law360, December 2015.
- "Labor-friendly rulings boost business for employment lawyers," CRAIN'S Chicago Business, Chicago, IL, October 2015.
- "Whose Facebook Is it Anyway? Social Media, Privacy, and the Law," PLI Corporate Compliance and Ethics Institute, Chicago, Illinois, May 2015.
- "Social Media and the Law, From Innovation to Litigation," PLI Corporate Compliance and Ethics Institute, May 2014.
- "When Everyone is Watching: Social Media, Privacy, and the Law," PLI Corporate Compliance and Ethics Institute, May 2014.
- "Controversial eavesdropping law struck down," The Chronicle, April 2014.

- "Social Media: Is It All Just Talk?" PLI Corporate Compliance and Ethics Institute, May 2012.