



Scott C. Solberg PARTNER

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Scott Solberg is one of the founding partners of Eimer Stahl LLP and co-lead of the firm's Commercial Litigation section. His practice involves complex commercial litigation and counseling across diverse subject matters, including antitrust/competition law, commercial torts, contracts, securities litigation, products liability, and intellectual property litigation. Scott has represented corporate clients in a variety of industries including oil refining and marketing, chemical manufacturing, engineering, consumer electronics, health insurance and agricultural cooperative/food products. In addition to traditional federal and state court litigation and arbitration proceedings, Scott also represents and counsels clients in connection with grand jury investigations and other government investigations of antitrust, securities and other business matters, as well as internal investigations of various business practices. Before co-founding Eimer Stahl in July 2000, Scott was a partner in Sidley Austin's Chicago office.

CASE EXPERIENCE

- Lead trial counsel for Humana Insurance Company in a two-week jury trial against a Chicago-area not-for-profit hospital that alleged systematic underpayments in excess of \$40 million. The Chicago jury deliberated for one hour and returned a unanimous defense verdict for Humana. (*Palos Community Hospital v. Humana Inc. et al.*)
- Obtaining dismissal with prejudice for Union Carbide Corporation against illegal dividend and unjust enrichment claims brought by its former subsidiary, Ucar Carbon Company, seeking in excess of \$300 million in allegedly illegal dividends paid by the plaintiff to Union Carbide (*Ucar v. Union Carbide*).

PRACTICE FOCUS

Antitrust
Class Action & Multidistrict Litigation
Complex Commercial Litigation
Contract and Commercial Disputes
Environmental, Products Liability and Toxic Torts
Healthcare
Securities and Banking Litigation
Trademark, False Advertising and Franchisor Litigation

EDUCATION

J.D., Vanderbilt University School of Law, 1990
A.B., Augustana College, 1986

ADMISSIONS

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

- Defeating class certification in a federal antitrust class action lawsuit brought by direct purchasers of plastics additives (*In re Plastics Additives Antitrust Litigation*).
- Defending Land O'Lakes, Inc. in direct and indirect purchaser class action lawsuits alleging an industry-wide conspiracy to reduce the supply of raw milk (*Edwards v. NMPF, et al.* and *First Impressions v. NMPF, et al.*; *Winn-Dixie v. NMPF, et al.*).
- Defending a steel manufacturer in direct and indirect purchaser class action lawsuits alleging conspiracy to restrict the supply of steel produced in the United States (*Standard Iron Works v. Arcelor Mittal, et al.*).
- Representing a Fortune 50 company in a technology licensing dispute before an International Chamber of Commerce arbitration panel in Hong Kong.
- Representing a major healthcare insurer in cost recovery actions against health care providers for fraudulent or otherwise illicit practices.
- Obtaining summary judgment for an oil refiner in a series of lawsuits brought by terminated franchised distributors and dealers, including a purported class action seeking in excess of \$200 million in damages allegedly caused by the refiner's decision to stop marketing gasoline under the "Union 76" brand (*Draeger v. Uno-Ven and Stop-n-Go v. Uno-Ven*).
- Lead trial lawyer for CITGO Petroleum Corporation in a two-week jury trial of a personal injury lawsuit arising out of a chemical release at one of its refineries, with the jury awarding only nominal damages despite liability, injury and causation being determined prior to trial.
- Representing an oil refiner in numerous trademark infringement actions against resellers of lubricants, gasoline and/or other petroleum products for passing off products from other sources under the refiner's brand and trademarks.
- Representing various defendants, including Corn Products Corporation, Andersen LLP, and Hollinger Inc., in federal securities fraud class actions and related shareholder derivative lawsuits.
- Representing corporations, accounting firms and individuals in connection with grand jury investigations and related investigations by the Department of Justice, the Federal Trade Commission and the Securities and Exchange Commission.
- *Pro bono* representation of the City of Chicago, and later the National League of Cities as *amici curiae*, in a lawsuit brought by the U.S. District Court for the Northern District of Illinois, Trial Bar
- U.S. Supreme Court
- U.S. District Court for the District of Colorado
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Western District of Wisconsin
- U.S. District Court for the District of Nebraska
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Southern District of Illinois
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the D.C. Circuit

City against manufacturers and distributors of assault weapons.

ANTITRUST ACTIONS AND INVESTIGATIONS

- *In re: Plastics Additives Antitrust Litigation*, MDL 1684, U.S. District Court for the Eastern District of Pennsylvania
- *MM Global Services, Inc., et al. v. The Dow Chemical Company, et al.*, U.S. District Court for the District of Connecticut
- *In re: Processed Eggs Antitrust Litigation*, MDL No. 2002, U.S. District Court for the Eastern District of Pennsylvania
- *Standard IronWorks v. Arcelor Mittal, et al.*, S. District Court for the Northern District of Illinois
- *UCAR Inc. v. Union Carbide Corporation, et al.*, Southern District of New York
- *In re: Dairy Farmers of America, Inc. Cheese Antitrust Litigation*, MDL 2031, U.S. District Court for the Northern District of Illinois
- *Edwards, et al. v. National Milk Producers Federation, et al.*, S. District Court for the Northern District of California
- *First Impressions Salon, Inc. v. National Milk Producers Federation, et al.*, S. District Court for the Southern District of Illinois
- *Winn-Dixie Stores, Inc., et al. v. Southeast Milk, Inc., et al.*, S. District Court for the Middle District of Florida
- Grand Jury Investigation of the Graphite Electrodes Industry - U.S. District Court for Philadelphia, Pennsylvania
- Grand Jury Investigation of the Eggs Industry - U.S. District Court for the Eastern District of Pennsylvania
- Investigations of Gasoline Pricing, Federal Trade Commission and numerous State Attorneys General
- Investigations of Ice Pricing, U.S. Department of Justice and Illinois Attorney General
- Investigation of Gasoline Pricing, United States Senate, Washington, D.C.
- Investigation of Petroleum Industry Practices and Pricing, Federal Trade Commission

SECURITIES FRAUD ACTIONS AND INVESTIGATIONS

- *Blatt v. Corn Products, Inc., et al.*, U.S. District Court for the Northern District of Illinois
- *Singer v. Nicor, Inc., et al.*, U.S. District Court for the Northern District of Illinois
- *Gilbert v. First Alert, Inc., et al.*, U.S. District Court for the Northern District of Illinois
- *Endo v. Albertine, et al.*, U.S. District Court for the Northern District of Illinois
- Securities and Exchange Commission Investigation of Cole National Group
- Securities and Exchange Commission Investigation of Nicor, Inc.
- Securities and Exchange Commission Investigation of Nicor Energy, Inc.
- Securities and Exchange Commission Investigation of Hollinger Inc.

HONORS & AWARDS

Scott serves on the board of Metropolitan Family Services and the Legal Aid Society of Chicago. Scott has received the highest peer ranking by *Martindale*, and is also recognized in *Best Lawyers* and *Super Lawyers*.

NEWS

Scott Solberg quoted in *Bloomberg Big Law Business* article, "DOJ Interest in Wine, Opioids Casts Shadow Over Class Suits"

04.2018

Scott Solberg quoted in *Global Competition Review* article, "Lawyers Doubt AT&T Lawsuit Marks Vertical Merger Policy Shift"

11.2017

Scott Solberg quoted in *Los Angeles Times* article, "Justice Department Sues to Block AT&T's Purchase of Time Warner, Which Vows a Fight"

11.2017

Scott Solberg quoted in *National Law Journal* article, "Access to Plaintiff-Friendly Jurisdictions Constrained in 'Game-Changing' SCOTUS Ruling"

06.20.2017

SPEAKING ENGAGEMENTS

Overview of the Antitrust Laws

Houston, Texas, 12.09.2014