

Sarah R. Marmor

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312-662-6197

Sarah R. Marmor concentrates her practice on employment law, complex business litigation, and life sciences/product liability. Ms. Marmor has tried complex cases throughout the United States, in state courts in Illinois, Colorado, Oklahoma, Louisiana and Texas and in federal courts in Illinois, Michigan, California and New York.

Ms. Marmor heads the Firm's Employment Counseling and Litigation Practice. Her employment law experience comprises counseling in all aspects of this discipline, including discrimination claims, wage and hour issues, background checks, leave policies and law, diversity initiatives, and employment contracts and non-compete and related restrictive covenant matters. Ms. Marmor defends clients in state and federal investigations, 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.

Ms. Marmor has represented clients in a variety of complex commercial disputes, including breach of contract claims, insurance coverage for corporate policy holders, bond redemption and issuance litigation, veil piercing and alter ego litigation, theft of confidential and intellectual property allegations and non-compete suits. She also has significant experience in consumer fraud litigation, with cases in Madison County, Illinois; Chicago, Illinois; and San Diego, California.

Ms. Marmor 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, Ms. Marmor



Practice Areas:

Commercial Litigation
Employment
Entertainment & Sports
Insurance
Life Sciences
Pay Equity

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)

has gained significant experience in developing scientific defenses to personal injury and property damage claims - particularly in the disciplines of toxicology and epidemiology.

Ms. Marmor was a member of the team that defended a multinational chemical company in the first and only breast implant class action suit ever certified. Ms. Marmor also 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.

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

- Court Theatre (Board of Trustees, 2017-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

- "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.