



## James R. Figliulo

Partner | Chicago

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### Areas of Practice

Litigation/Trial Practice | Commercial Litigation

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Jim Figliulo is a Partner in the Litigation Practice and Managing Partner of the Chicago Office of Smith, Gambrell & Russell, LLP.

Jim Figliulo is a trial lawyer with more than 45 years of experience in business-related litigation and a founding partner of Figliulo & Silverman, the firm that combined with SGR in 2022.

Mr. Figliulo has a track record of success in jury and bench trials in federal and state courts, and arbitrations. He has represented clients in a wide variety of business and real estate related disputes. Mr. Figliulo also has served as an arbitrator and mediator. He has extensive appellate court experience, including oral arguments before the U.S. Supreme Court, the 7th Circuit Court of Appeals, and Appellate Courts in Illinois and Arizona.

Mr. Figliulo is a Fellow of the American College of Trial Lawyers (1999 to the present) and served as Chair of its Upstate Illinois State Committee (2009-2010).

Mr. Figliulo is recognized as being among *The Best Lawyers in America*® in the following categories: Bet-The-Company Litigation, Commercial Litigation, Legal Malpractice Litigation, Securities Litigation, Banking and Finance Litigation, and has been selected as Chicago Lawyer of the Year for Securities Litigation (2014) and Chicago Lawyer of the Year for Legal Malpractice Litigation (2012). Mr. Figliulo has been listed among *The Best Lawyers in America*® for more than 20 years.

Mr. Figliulo is a leader in the Chicago legal community. He served as president of the 7th Circuit Bar Association in 2005-06. He also served as co-chair of the 7th Circuit American Jury Project. He was appointed to serve as Chair and as a member of Federal Magistrate Judge Merit Selection and Review Panels for the U.S. District Court for the Northern District

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of Illinois (2004-2014). Mr. Figliulo also was selected to serve as a member of U.S. Sen. Mark Kirk's bipartisan Judicial Advisory Committee. He was also appointed to serve as a member of the Illinois Supreme Court Rules Committee for nine years, including a term as Chair of the committee.

Mr. Figliulo is a member of the Board of Trustees of the United States Supreme Court Historical Society.

Mr. Figliulo received the prestigious American Inns of Court Professionalism Award for the 7th Circuit in 2010. He is a founder, past president, and Master of the Bench of the Chicago Inn of Court.

Mr. Figliulo has been honored by the Chicago legal community. He received the Judge Joel M. Flaum Award for excellence, ethics, civility and professionalism from the Chicago Inn of Court. In October 2015, he was honored as a recipient of the Justice John Paul Stevens Award for excellence, integrity and public service by the Chicago Bar Association and Chicago Bar Foundation.

Mr. Figliulo was also recognized by the Chicago Daily Law Bulletin as one of the "Ten Attorneys Who Raised the Bar" during the first decade of this millennium for his extensive contributions to the legal profession. In 2009, he was also featured in Leading Lawyers Magazine's 2009 Business Litigation edition in the cover story entitled, "Trial Master—from Chicago's Southside to the Elite of his Profession."

Mr. Figliulo received his B.A., *cum laude*, from St. Mary's College in Winona, Minnesota, and his Juris Doctorate from the University of Arizona in Tucson, Arizona.

## Publications

Mr. Figliulo co-edited a book on cross-examination titled, "Your Witness: Lessons on Cross-Examination and Life from Great Chicago Trial Lawyers," a collection of courtroom stories by 50 of Chicago's best trial lawyers. "Your Witness" includes Mr. Figliulo's chapter on a key turning point in a trial that involved McDonald's Corporation's franchise rights in France. The book has drawn high praise from prominent members of the legal profession and the community at large.

He is co-author of a chapter in the Illinois Institute of Continuing Legal Education book on Attorneys' Liability.

## Experience

Mr. Figliulo has been lead trial counsel in many jury and bench trials, successfully representing his clients in cases where they have been plaintiffs, and where they have been defendants.

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Examples of results where Mr. Figliulo was lead counsel in plaintiff cases that went to trial include: a jury verdict of over \$41 million in a breach of contract case against BP after a nine-week trial in federal court; a jury verdict of over \$24 million for unreasonable interference with air rights against METRA (the commuter rail system in the Chicago metro area) and the Regional Transportation Authority (RTA) after a four-week trial in federal court; a \$25 million jury verdict against the Village of Evergreen Park in an eminent domain case in Cook County Circuit Court; a \$27.5 million judgment in favor of his client, Walsh Construction Company, after a four-week bench trial in Cook County Circuit Court.

Mr. Figliulo has also successfully defended corporations, partnerships, and other entities. For example, he successfully represented McDonald's Corporation in a 65-day bench trial in Cook County Chancery Court where plaintiffs were seeking injunctive relief and damages claiming bad faith termination of a Master License Agreement for the exclusive rights to France. He successfully represented KPMG in trials and in motion practice in federal court. Mr. Figliulo also was lead counsel in successfully defending the City of Joliet in a 99-day bench trial in federal court in a housing discrimination case brought by HUD, the Southern Poverty Law Center and wealthy owners of a Section 8 housing complex. He has also successfully represented numerous individuals in trials, motion practice, arbitrations, and settlement negotiations in federal and state court cases.

Mr. Figliulo has also successfully argued appeals in the United States Supreme Court, the 7<sup>th</sup> Circuit Court of Appeals, and in appellate courts in Illinois and Arizona.

## **Court Admissions**

### **State Courts:**

Illinois

Arizona (inactive)

### **Federal Courts:**

United States Supreme Court

Seventh Circuit Court of Appeals

Northern District of Illinois (member of Trial Bar)

District of Arizona

## **Professional Memberships**

American College of Trial Lawyers (Fellow 1999 to the present)

Chicago Inn of Court (Co-founder, Past President, and Master of the Bench)

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7th Circuit Bar Association Board of Governors (President 2005-2006)

American Bar Association (Litigation Section)

Illinois State Bar Association

Chicago Bar Association

United States Supreme Court Historical Society (Board of Trustees)

## Recognitions

American Inns of Court Professionalism Award for the 7th Circuit (2010);

Judge Joel M. Flaum Award for excellence, ethics, civility and professionalism from the Chicago Inn of Court (2015);

Justice John Paul Stevens Award for excellence, integrity and public service by the Chicago Bar Association and Chicago Bar Foundation (2015);

*The Best Lawyers in America*® (2002-2023), including Chicago "Lawyer of the Year" in Securities Litigation (2014) and Chicago "Lawyer of the Year" for Legal Malpractice Litigation (2012);

Leading Lawyers of Illinois (2005-2022);

Illinois Super Lawyers (2009-2022);

One of the "Ten Attorneys Who Raised the Bar" during the first decade of this millennium for making extensive contributions to the legal profession (Chicago Daily Law Bulletin);

National Law Journal: lead counsel in two of the top 50 jury verdicts in the country in 2009