

DAVID JIMENEZ-EKMAN, Partner

David Jiménez-Ekman is a seasoned litigator, trial lawyer, and trusted advisor. Lawyers and law firms have sought his counsel for more than two decades, during which he has represented more than a dozen national and international law firms in numerous high-stakes professional responsibility matters. The underlying matters have ranged the gamut from failed mergers to alleged Ponzi schemes, from opinion letters on leasing transactions to allegations of litigation negligence, and issues involving sanctions and alleged attorney misconduct. For the last decade, he has also served as one of the few attorneys in Jenner & Block's Office of General Counsel, advising his partners and associates on risk and professional responsibility issues and representing the firm itself.

Consistently named an *Illinois Super Lawyer* in general litigation, Mr. Jiménez-Ekman also litigates and tries cases in a variety of areas. He has tried or arbitrated, usually to a verdict or decision, cases involving high-dollar attorney malpractice, attorney's fees, patent infringement, actuarial malpractice, and state False Claims Act claims, federal antitrust violations, spent nuclear fuel cost recoupment, constitutional rights violations, criminal RICO violations, and state criminal law charges (including murder). He has resolved short of trial many more litigated matters, including defeating on motion practice or successfully settling class actions, energy-related environmental claims, software defect claims, consumer protection law claims, TCPA claims, partnership disputes, defamation and libel claims, and many others. From 1993 to 2006, Mr. Jiménez-Ekman was appointed a Special Assistant Attorney General for the State of Illinois, obtaining summary judgment or dismissal for the state in dozens of cases alleging unconstitutional employment actions based on political affiliation. He also has conducted a number of internal investigations, involving health care, environmental, employment, and professional responsibility issues.

Mr. Jiménez-Ekman has an active pro bono practice defending clients in criminal cases and prosecuting claims of constitutional rights violations.

In Environmental Litigation and utility representation, Mr. Jiménez-Ekman has represented a utility in defense of RCRA and state law class action claims arising out of manufactured gas plant operations, and defended a nuclear utility against a class action alleging that radioactive waste was improperly released. Mr. Jiménez-Ekman has also litigated to successful settlement two government contract claims by nuclear utilities for failing to accept delivery of spent nuclear fuel, and tried a third such case to a \$56 million judgment in the Court of Federal Claims in February 2009. Mr. Jiménez-Ekman represented a mid-sized construction company in defense of criminal charges based on an alleged environmental release, and a large chemical company in an internal investigation of a violation of state labeling requirements. In Bankruptcy, Mr. Jiménez-Ekman represented a thermal energy utility in renegotiation of dozens of royalty contracts in bankruptcy.

Mr. Jiménez-Ekman counsels and represents clients in a wide range of white collar criminal matters. He has conducted numerous internal investigations



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PRACTICE GROUPS

Bankruptcy Litigation

Energy

Litigation

Professional Responsibility

Transitions in Energy and Climate

Solutions

EDUCATION

University of California, Berkeley - School of Law, J.D., 1992; With Honors, Order of the Coif

University of Chicago, A.B., 1988; With Honors

ADMISSIONS

Illinois, 1992

COURT ADMISSIONS

US Supreme Court, 1996

US Court of Appeals, Seventh Circuit, 1994

US District Court, Northern District of Illinois, 1994

US District Court, Northern District of Illinois (Trial Bar), 2006

US District Court, Central District of Illinois, 1994

US District Court, Southern District of Illinois, 1994

JUDICIAL CLERKSHIPS

Hon. Suzanne B. Conlon, US District Court, Northern District of Illinois, 1992 - 1993

involving potential False Claims Act violations, both within and outside of the health care field, and has also represented clients in investigations by the government. He represented a county commission in an investigation of a purported loss of funds. Mr. Jiménez-Ekman has also participated in the defense of clients to RICO charges, and perjury and obstruction of justice charges. In addition to white collar criminal matters, Mr. Jiménez-Ekman routinely represents both paying and pro bono clients in defense of criminal charges or investigations, and has tried six jury trials and numerous bench trials and hearings to verdict.

Awards

- *Illinois Super Lawyer*
General Litigation – 2006, 2009-2012
Professional Liability: Defense -- 2013-2018
- U.S. District Court for the Northern District of Illinois
Award for Excellence in Pro Bono Service - 2012

Publications

- "Economic Necessity or a Contract with Trouble?" *National Law Journal*, June 15, 2009

Speaking Engagements

- Co-Presenter, "*In Pari Delicto* Update: Legal Malpractice Cases, Bankruptcy Trustees, & Receivers," Annual Jenner & Block/ALAS Luncheon (Chicago, IL), February 22, 2019
- Panelist, Aon Law Firm Symposium, November 17, 2016
- "Staying Out of Trouble: What Every Attorney Must Know About Ethics 2014," Practising Law Institute, April 30, 2014