

BARRY LEVENSTAM, Of Counsel

Barry Levenstam is a litigator. His practice emphasizes civil and criminal appellate litigation, as well as complex civil litigation in the trial courts, relating to a broad range of issues ranging from complex commercial matters to product liability law to constitutional issues and criminal law. He has served as counsel for parties or amici in more than 100 appeals in the United States Supreme Court, United States Courts of Appeals across the country, the Illinois Supreme Court and appellate courts, and various other states' appellate and supreme courts.

Mr. Levenstam is AV Peer Review Rated, Martindale-Hubbell's highest peer recognition for ethical standards and legal ability. In 1995, the Federal Bar Association recognized Mr. Levenstam with the Walter J. Cummings Award "for excellence in advocacy on the part of appointed counsel" before the Seventh Circuit. In 2010, the Seventh Circuit Bar Association honored him with its First Annual Justice John Paul Stevens Pro Bono Award in recognition of "outstanding pro bono service in the Seventh Circuit." Mr. Levenstam is a member of the firm's Appellate and Supreme Court Practice, the Class Action Practice, and the ERISA Litigation Practice.

Mr. Levenstam has lectured for the Seventh Circuit Bar Association, the Federal Bar Association, the Illinois Institute for Continuing Legal Education, and the DuPage County Bar Association on preserving error for appeal and on appellate practice generally. He serves as Editor of the firm's online Product Liability and Mass Tort Defense Resource Center, providing information on the latest legal developments in these areas.

Awards

- Albert E. Jenner Pro Bono Award, 2015
- *Illinois Super Lawyers*
Appellate - 2005-2019
- Leading Lawyers Network
Civil Appellate Law, 2003-2019
Commercial Litigation, 2003-2019
Criminal Appellate Law, 2003-2019
- Seventh Circuit Bar Association
John Paul Stevens Pro Bono Award, 2010
Walter J. Cummings Award
Best Pro Bono Advocate in the Seventh Circuit Court of Appeals,
1995



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PRONOUNS

He / Him

CHICAGO

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PRACTICE GROUPS

Appellate and Supreme Court Practice
Class Action
ERISA Litigation
Litigation

EDUCATION

University of Illinois College of Law, J.D.,
1978; *magna cum laude*; Order of the Coif;
*University of Illinois Law Forum (now Law
Review)*, Topics Editor

University of Illinois at Urbana-Champaign,
B.S., 1975; *summa cum laude*; Phi Beta
Kappa; Bronze Tablet; Phi Kappa Phi

ADMISSIONS

Illinois, 1978

COURT ADMISSIONS

U.S. Supreme Court, 1983

U.S. Court of Appeals, Federal Circuit,
1989

U.S. Court of Appeals, D.C. Circuit, 1981

U.S. Court of Appeals, Second Circuit,
1993

U.S. Court of Appeals, Third Circuit, 2000

U.S. Court of Appeals, Fourth Circuit, 2008

U.S. Court of Appeals, Fifth Circuit, 1987

U.S. Court of Appeals, Sixth Circuit, 1988

U.S. Court of Appeals, Seventh Circuit,
1979

Community

- Governor Edgar's Task Force on Crime and Corrections
Assistant to Chairman, 1992-1993
- Respiratory Health Association of Metropolitan Chicago
Member, Board of Directors, 2003-Present
- United States Magistrates for the Northern District of Illinois
Member, Selection Panel, 1996-1998
- University of Illinois College of Law
Member, Board of Visitors, 1997-2000
- Youth Choral Theater of Chicago
Board of Directors, 2005-2014

Service To The Bar

- American Academy of Appellate Lawyers
- American Bar Association
- American Law Institute, 1998
- Appellate Lawyers Association
- Federal Bar Association
- Seventh Circuit Bar Association

Publications

- Co-Author, *Illinois Civil Appeals: State and Federal 2015 Edition*, Illinois Institute for Continuing Legal Education, 2015
- *Illinois Civil Litigation Guide*, Illinois Practice Series, Thomson West, 2009-2010
- *Illinois Civil Litigation Guide*, Illinois Practice Series, Thomson West, 2007-2008
- "Ruling On a Number of Business-Related Issues," *The National Law Journal*, October 24, 2005
- Co-Author, "Federal Litigation Guide," *Discovery*, Vol. 2, January 1, 2005
- *The Attorney's Guide to the Seventh Circuit Court of Appeals*, Chapters 7 and 9, entitled "Habeas Corpus: Conflicts Between State and Federal Courts" and "Judicial Review of Administrative Decisions," with annual updates, published by the State Bar of Wisconsin, 2005
- *Final Report of the Illinois Task Force on Crime and Corrections*. This Final Report received the Philip Hoke Award for Excellence in Analysis from the Justice Research and Statistics Association (1993), March 1, 2003

- U.S. Court of Appeals, Eighth Circuit, 1999
- U.S. Court of Appeals, Ninth Circuit, 1987
- U.S. Court of Appeals, Tenth Circuit, 2002
- U.S. District Court, Northern District of Illinois, 1978
- U.S. District Court, Northern District of Illinois (Trial Bar)
- U.S. District Court, Central District of Illinois, 1994
- U.S. District Court, Southern District of Illinois, 1991

JUDICIAL CLERKSHIP

- Hon. Robert J. Steigmann, Circuit Court of Illinois, Sixth Judicial Circuit 1977 - 1978 (Clerkship)
- Hon. Philip W. Tone, U.S. Court of Appeals, Seventh Circuit 1978 - 1979 (Clerkship)

- Petition for rehearing in *SWIDA v. National City Environmental*, April 1, 2001
- "Supreme Court Preview," published by American Lawyers Newspapers Group, Inc., October 1996
- Interim report of the Illinois Task Force on Crime and Corrections, June 1992
- Co-Author, "Punitive Damage Awards Against Successor Corporations: Do They Deter Malicious Torts or Legitimate Acquisitions?," *Tort & Insurance Law Journal*, Vol. XXVI, No. 1, Fall 1990
- "Preserving Error for Appeal in Illinois," *78 Illinois Bar Journal* 494, 1990
- "Plaintiff's Burden of Proving Enhanced Injury in Crashworthiness Cases: A Clash Worthy of Analysis," *38 DePaul Law Review* 55, 1988
- "Preserving Error in Civil Cases: Some Fundamental Principles," 1988 Trial Lawyers' Guide 1, 1988
- "Special Litigation Committees," *IALI-ABA Course Materials Journal*, Vol. 9, No. 5, 1985
- "Prohibition of Political Contributions by Illinois Liquor Licensees Constitutional," *University of Illinois Law Forum* 320, 1977

Speaking Engagements

- Moderator, "The Legacy of Justice John Paul Stevens and the Changing Court," Chicago Lawyer Chapter of the American Constitution Society and the Northwestern Law School Chapter, Chicago, IL, June 22, 2010
- Honoree, 59th Annual Meeting of the Seventh Circuit Bar Association and Judicial Conference of the Seventh Circuit, Chicago, IL, May 02, 2010 to May 04, 2010
- Moderator, "Appellate Practice in the Seventh Circuit Court of Appeals," Chicago Bar Association and the Seventh Circuit Bar Association, Chicago, IL, June 01, 2009
- Speaker, "Blow the Whistle on Asthma" Kick-Off Luncheon, ALAMC Asthma Walk, Chicago, IL, August 14, 2003