

DANIEL J. WEISS, Partner

Dan Weiss is a litigator with deep experience in disputes involving complex financial arrangements, corporate transactions, and high-value real-estate assets.

His experience includes leading the representations of financial institutions, REITs, securities issuers, real-estate developers, and national consumer brands in cases involving matters of company-wide materiality. He has successfully tried multiple cases and arbitrations to verdict or award and has argued and won dozens of pre-trial victories for clients on dispositive motions.

Businesses across several industries engage Mr. Weiss to handle their most important matters. He has defended multiple clients in cases challenging multi-billion dollar corporate transactions, such as mergers and leveraged buyouts; represented REITs and real-estate developers in disputes involving high-value portfolios and assets, such as disputed appraisals, rent resets, joint venture conflicts, rights of first offer, and reciprocal easement agreements; defended financial institutions in relation to claims involving the handling of institutional client investments; and pursued and defended against claims involving alleged financial misstatements and audit failures.

During his career, Mr. Weiss has tried cases to verdict or award in several state and federal courts and before the American Arbitration Association, JAMS and the International Centre for Dispute Resolution.

A pro bono advocate, Mr. Weiss's practice includes federal court representations in civil rights matters and multiple appeals in the Seventh Circuit. Several of his pro bono matters have involved the rights of persons civilly committed in Illinois.

A partner in the firm's Complex Commercial Litigation Practice, he also chairs the Real Estate Litigation and Counseling subcommittee, and co-chairs the firm's Investment Committee.

Representative matters include:

- Lead counsel for largest US healthcare REIT defending against claims alleging over \$1 billion in fiduciary duty-related liabilities in connection with real estate financing transactions; argued and won summary judgment in federal court.
- Lead counsel for leading financial institution in federal and state cases concerning alleged losses in securities lending program. Argued and won summary judgment in matter in California state court involving \$95 million in alleged losses.
- Senior trial team for REIT that won \$101 million jury verdict in federal court on claim of tortious interference with its \$2 billion acquisition of a public company. Verdict upheld on appeal in Sixth Circuit and remanded for additional damages. Verdict represents one of the largest awards for a tortious interference with business expectation case.



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PRACTICE GROUPS

Communications, Internet and Technology
Complex Commercial Litigation
Financial Services Litigation
Litigation
Real Estate Litigation and Counseling

INDUSTRY GROUPS

Hospitality

EDUCATION

University of Chicago Law School, JD, 1998;
with honors

American University, BA, 1995; *magna cum laude*

ADMISSIONS

Illinois, 1998

COURT ADMISSIONS

US Supreme Court, 2011

US Court of Appeals, Seventh Circuit,
2010

US Court of Appeals, Sixth Circuit, 2001

US District Court, Northern District of Illinois
(Trial Bar), 2008

US District Court, Northern District of Illinois,
1998

US District Court, Western District of
Michigan, 2001

US District Court, Western District of
Wisconsin, 2001

US District Court, Eastern District of
Wisconsin, 2000

Illinois Supreme Court, 1998

- Lead counsel for owner of landmark Chicago office tower in AAA arbitration involving disputed reciprocal easement agreement with neighboring owners related to development of adjoining sites. Won arbitration award following trial.
- Lead counsel for plaintiff in partnership dispute arbitration involving real estate development company investing over \$100 million in EB-5 immigrant investor funds. Case resolved during arbitration hearing.
- Multiple successful class action defense representations in securities, financial, and leisure industries. Argued and defeated motions for class certification in federal court in cases challenging sales of regulated products in millions of car rental transactions. Defeated motion for class certification in case alleging class of bank clients challenging bank's investments of client funds. Lead counsel for minority partner in real estate joint venture related to development of prominent office tower site in downtown Chicago. Case resolved before trial.
- Lead counsel for third-largest US restaurant franchisor in multiple system-wide disputes, including in connection with multi-unit relationship agreements, agreements with national franchisee association, and franchise terminations.
- Representation on both plaintiff and defense side in cases involving alleged deficiencies in securities disclosures, audits, and audit independence.
- Multiple representations of competitive telecommunications carriers against incumbent carriers in federal and state courts. Lead counsel for competitive carrier in \$20 million interconnection dispute against AT&T. Lead counsel for independent wireless carrier in roaming fees arbitration against AT&T.
- Lead counsel for acquirors, target companies, and board members in multiple cases challenging public company transactions in state and federal courts.
- Representation of defendants in securities class actions, Securities and Exchange Commission matters and New York Stock Exchange matters.

Awards

- *Illinois Super Lawyers*
Business Litigation - 2013-2020
- Jenner & Block Mentorship Award - 2014
- Law Bulletin Publishing Company
"40 Illinois Attorneys Under Forty to Watch" - 2012

Publications

- Co-Author, Client Alert: Recent Rulings in COVID-19-Related Lease Disputes, April 5, 2021
- Co-Author, Client Alert: Real Estate Litigation and Counseling Newsletter - March 2021, March 1, 2021
- Co-Author, Real Estate Litigation Newsletter September 2020, September 24, 2020
- Co-Author, Client Alert: How Landlords and Real Estate Lenders are Responding to Defaulting Tenants and Borrowers in Light of COVID-19, March 23, 2020
- Co-Author, Real Estate Litigation and Counseling Newsletter, July 2019
- Co-Author, "Personal Jurisdiction Defenses May Protect Parent Entities," *Law360*, March 5, 2018

