



Christina Berish

Partner

Chicago
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PRACTICES

- Alternative Dispute Resolution
- Appellate
- Banking and Financial Services
- Business Ownership & Governance Disputes
- Business Litigation
- Trust & Estate Litigation

EDUCATION

- University of Michigan Law School, J.D., 2003
- University of Michigan, B.A., graduated with High Distinction, 2000

ADMISSIONS

- Illinois
- Illinois USDC, Northern District
- Michigan USDC, Eastern District
- US Ct Appeals, 7th Circuit (Covers IL, IN, WI)

AFFILIATIONS

- Chicago Bar Association, Member, Judicial Evaluation Committee, Investigative Division(2014-2020)

Christina Berish is a deeply valued resource to clients as they interpret and enforce agreements.

Christina assists businesses facing critical situations related to the sale or purchase of goods, services, property, or even in the post-acquisition aftermath of assets. Her work includes payment terms, contract requirements and performance, post-acquisition disputes, and recovery and remedies including injunctive relief, fraud, contract termination, and warranty claims. She also handles partner disputes, fraud and business torts, and property and construction litigation. Her practice spans many industries including manufacturing, energy and gas, real estate, financial services, and transportation.

Clients rely on Christina's advice at all stages of a dispute, including during the pre-litigation stage when just the hint of a disagreement may be forming. Clients often proactively send their contracts for Christina's keen review at this early stage to discuss rights and obligations and the best path for reaching the desired results. However, should a matter not be resolved in pre-litigation, Christina applies her substantial experience handling all stages of litigation, conducting pre-trial proceedings, injunction motions, arbitrations, trials, appeals. Post-judgment, she handles judgment enforcement proceedings including alter ego, piercing the corporate veil, and fraudulent transfer actions.

While much of Christina's experience stems from the manufacturing and supply chain sector, over the years, she has also handled significant procurement and bid protests.

Christina also regularly represents shareholders and LLC members in various shareholder disputes, a "business divorce." Often in these scenarios, there is a question about a partner's obligations, leading to claims of breach of fiduciary duty, corporate valuation, and possible dissolution.

Across all of her work, Christina aligns her focus with client goals: resolving matters so that the client may get back to business in the most efficient way possible. Where achievable, she resolves a case before it even arises. Other times, she resolves a dispute by obtaining judgment through the judicial process, at trial, or with the appellate court. In all matters, she efficiently applies her ample skills to achieve the best possible results.

EMPLOYMENT

- Thompson Coburn LLP Partner, 2013-Present Associate, 2003-2012
- Foley & Lardner Summer Associate, 2001
- John D. Dingell, U.S. House of Representatives Assistant Campaign Manager
- Dr. Dennis MacShane, U.K. House of Commons Issue Researcher

Her representative matters include:

Manufacturing, Procurement, and Business Litigation

Obtained jury defense verdict for employer against former employee after 6-day trial where employee sought additional alleged compensation.

Successfully defended "bid protest" in a transit authority's award of a \$1.3 Billion railcar contract, resulting in the transit authority's award being affirmed.

Obtained dismissal of real property dispute for energy and gas company.

Defended charitable gifts to higher education and religious entities in a will contest proceeding.

Obtained favorable settlement for public company in dispute with software vendor.

Defended alleged infringer in federal copyright case, obtaining summary judgment and a judgment for defense attorneys' fees.

Obtained injunction order for public company, requiring defendant to abide by parties' real estate contract.

Successfully defended TRO action in procurement bid protest on behalf of winning bidder, a transportation manufacturer.

Resolved numerous energy supply contract and invoice disputes with commercial, manufacturing customers.

Obtained numerous judgments for clients in breach of contract matters.

Represented manufacturing clients in sole supplier supply chain disputes.

Fraud And Business Torts

Defended public company against nationwide competitor on federal antitrust and tortious interference claims.

Represented a bankruptcy trustee prosecuting a fraudulent transfer. After a bench trial, bankruptcy court awarded client-trustee the full amount sought.

Shareholder Disputes And Corporate Dissolution

Regularly represents majority shareholders and LLC members in breach of fiduciary duty, corporate valuation, and breach of contract proceedings.

Defended minority shareholder in arbitration against multi-million dollar indemnity claim and post-acquisition dispute, resulting in no liability.

Appeals

Defended commercial tenant against landlord seeking to invalidate contract, arguing appeal to the Michigan Court of Appeals with unanimous appellate ruling for client.

Defended officer of a corporation in action to pierce corporate veil to hold him personally liable for corporate debts. Obtained summary judgment, affirmed by United States Court of Appeals for the Seventh Circuit.

Obtained summary judgment on appeal for defendant insurance company

against insured.

Successfully attacked standing of out-of-state members of potential class action on a motion to dismiss, with the dismissal affirmed on appeal.

Represented bank after property owners appealed orders of judicial sale, judgment affirmed on appeal.

Industries

- Financial Services
- Manufacturing
- Nonprofit and Charitable Organizations
- Real Estate
- State and Local Government

Recognitions

- Included in "Illinois Super Lawyers" (by Thomson Reuters) Rising Stars list, 2009-2018

Presentations

- "Effectively Forming Corporations & Choice of Entity," The Rossdale Group, July 2018
- "Navigating Difficult Situations: Ethics For In-House Counsel," Thompson Coburn LLP, June 2018
- "Taking & Defending Powerful Depositions CLE," The Rossdale Group, May 2017
- "Client Confidentiality, Attorney-Client Privilege & Work Product Protection: What You Need to Know," Practising Law Institute (PLI), September 2016
- "Reducing Risk: Corporate & Personal Guaranties," National Association of Credit Managers, June 2016
- "Tips & Techniques to Defend Your Position," American Business Appraisers, May 2016
- "Mastering Corporations, Partnerships, LLC's & Choice of Entity," The Rossdale Group, November 2015
- "Creating the Perfect Partnership: Strategies to Protect You and Your Business," National Association of Women Business Owners Annual Conference, October 2015
- "Powerful Trial Prep & Jury Selection CLE," The Rossdale Group, April 2015; September 2015
- "Introduction to Securing Risk," National Association of Credit Managers, Midwest Conference, October 2010

Publications

- “CB on the Law: January 2019 Newsletter” January 2019
- “CB on the Law: Fall 2018 Newsletter” September 2018
- "Protecting the Identity of Your LLC Members & LP Partners in Litigation, Part II: Strategies for Discovery"; March 2015
- "Protecting the Identity of Your LLC Members & LP Partners in Litigations Part I: Motions to Remand"; February 2015
- “The Name Game: Preventing Trademark Infringement against Newly Formed Businesses”; *Illinois State Bar Association, Corporation, Securities & Business Law Forum, Vol. 48, No. 3*, March 2003