



## P. ANDREW FLEMING

### PARTNER

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Andrew Fleming represents individuals and companies of all sizes in complex commercial litigation. He has extensive experience in contract, employment, real estate, partnership and business disputes.

A litigator with extensive trial experience, Andrew has obtained through trial verdicts (jury and bench) or settlements over \$300 million collectively for clients and has successfully defended claims of a similar scale. Andrew recently won a jury verdict of over seven figures in the Circuit Court of Cook County against a Fortune 500 company for breach of an Original Equipment Manufacturer contract.

Andrew has been recognized repeatedly by peers for his outstanding legal ability and professionalism. He has earned numerous awards and honors, including listing as an Illinois Leading Lawyer annually since 2004, a recognition given only to the top 5% of lawyers in Illinois. Andrew is also an Illinois Super Lawyer® in the area of business litigation.

Andrew's practice has always been diverse and interesting and often involves high-stakes litigation. One such case involved a dispute over a priceless work of art, a valuable Monet painting (*Pommiers en Fleurs*) that belongs to the Union League Club of Chicago. One of the Club's ex-members claimed that the Union League Club had agreed to sell his client the painting and initiated suit in the Circuit Court of Cook County, Illinois, in an action styled *Thompson Fine Art Limited vs. Union League Club of Chicago*, Case No. 2021 CH 00502. Andrew successfully obtained judgment on the pleadings in favor of the Club within two months of the case being filed. The plaintiff took the case up on appeal and Andrew successfully defended the judgment.

Another high-stakes matter related to the mass shooting that took place during the July 4, 2022, parade in Highland Park, Illinois. Following the tragic deaths of a couple, a family relative started a GoFundMe account to raise money for their orphaned two-year-old son. The fundraising became the largest fundraiser in the history of GoFundMe and raised over \$3 million in a matter of days. Andrew was retained to ensure that these funds would be protected and used only for the support and best interests of the child. Within less than two days of being retained, Andrew had a trust prepared and a petition on file in the Circuit Court of Lake County, Illinois, placing the trust and the proceeds of the GoFundMe account under the direct supervision of the Court. Andrew's quick and decisive actions ensured that the monies raised will always be used solely for the benefit of the orphaned son.

Andrew has represented a number of manufacturing clients with plants throughout

### SERVICES AND INDUSTRIES

Appellate

Class Action Litigation

Complex Commercial Litigation

Employment and Labor

Insurance Coverage Litigation

Manufacturing and Innovation

Noncompete and Trade Secrets

Private Equity and Venture Capital

Product Liability

Real Estate

Trusts, Estates and Private Wealth Management

### ADMISSIONS

Illinois

Trial Bar of the U.S. District Court, Northern District of Illinois

England and Wales

Europe and the United States; has defended major product liability cases involving wrongful death, mass torts and major class actions; and has represented real estate developers, lenders and brokers in every type of dispute in the real estate industry. He is experienced in business torts, litigation involving financial institutions and partnership law, and has represented numerous energy suppliers in contract disputes. Andrew's diverse practice has brought him to litigate cases in California, Louisiana, Michigan, Texas and Virginia, among other places.

A lawyer with a true international background, Andrew was also asked to appear in federal court in Michigan to testify as an expert on U.K. defamation law on behalf of a multilevel marketing company in a dispute with a U.K.-based manufacturer of vacuum cleaners.

Andrew is a member of the Order of Malta, a humanitarian organization founded in 1113 as a lay religious order of the Roman Catholic Church. The Order is dedicated to the care of the sick and the poor. Andrew volunteers every month at a soup kitchen operated by the Order at a church in Chicago's Uptown area. He has also devoted significant time to Mission Outreach, a warehouse facility near Midway Airport that sorts and packs medical supplies donated by local hospitals and distributes them worldwide to those in need. Chicago-area members of the Order also assist in home-rebuilding projects every Spring.

## **BACKGROUND**

Andrew was previously a partner at Novack and Macey in Chicago, and joined Armstrong Teasdale in 2023.

## **EDUCATION**

- Illinois Institute of Technology, Chicago-Kent School of Law (J.D., 1982)
- Leeds University (LL.B., 1979)
  - Honourable Society of the Inner Temple
  - Called to the Bar (1980)

## **PROFESSIONAL ACTIVITIES**

- American Bar Association
- Chicago Bar Association

## **CHARITABLE AND CIVIC INVOLVEMENT**

- The Order of Malta

## **ACCOLADES**

- Preeminent Attorney, Martindale-Hubbell
- Illinois Leading Lawyers, Commercial Litigation and Products Liability Defense Law (2004-present)

- *Illinois Super Lawyers*®, Business Litigation (2006-2014, 2022-present)
- Commercial Real Estate Hall of Fame, *Midwest Real Estate News* (2017)

## EXPERIENCE

### **Represented Managing Director in Compensation Claim**

Represented managing director in a claim for compensation arising out of the sale of a company to a big box retailer for a reported \$200 million.

### **Represented Battery Company in Product Liability Suit**

Represented battery company in the successful defense and settlement of a nationwide product recall of lithium batteries and obtained summary judgment against client's insurer.

### **Represented Commercial Coffee Equipment Manufacturer in Breach of OEM Contract Dispute**

Obtained jury verdict on behalf of Original Equipment Manufacturer after two-week trial.

### **Represented Boat Rental Company in Wrongful Death Case**

Represented boat rental company in the successful defense and settlement of three wrongful death actions.

### **Represented Client in Breach of Employment Agreement that Violated the Illinois Wage Payment and Collections Act**

Represented CEO in claim for bonus arising out of the sale of one coffee company to another for a reported \$100 million.

### **Counsel for Apex Construction Group**

Obtained summary judgment against contractor and its bonding company.

### **Counsel for Pharmaceutical Client in \$70 Million Suit**

Served as counsel in a case in which the client, a pharmaceutical company, won \$70 million following a trial in federal court in Chicago.

### **Successfully Represented Inventors of Night-Vision Goggles**

Served as lead counsel in the successful representation of the inventors of night-vision goggles, which the U.S. Air Force hailed as a revolutionary piece of military equipment. The goggles provided pilots with more than double the field of vision of the old systems, while also enhancing safety. According to the complaint, the Air Force was on the verge of awarding the inventors a contract to produce thousands of goggles when a subcontractor misappropriated the technology and ultimately wrested the contract away from the inventors. A very favorable settlement was reached the night before a jury trial was to begin in federal court in Virginia.

### **Successfully Prevented Northwestern University from Closing its Dental School Until All Enrolled Students Graduated**

Represented a group of students at Northwestern University's Dental School in a successful opposition to the University's proposed closure of the school prior to the graduation of all enrolled students. This outcome ensured that all current students in

Northwestern's Dental School would receive a diploma from the University.

## THOUGHT LEADERSHIP

June 10, 2020

**With COVID-19, It's Time to Review Your Insurance Policy**

JD Supra

March 16, 2020

**Coronavirus and CRE: Making Use of the Force Majeure Clause**

Illinois Real Estate Journal

January 27, 2015

**Are Handshake Deals Still Good? Not under the Illinois Credit Agreement Act**

Midwest Real Estate Journal

July 1, 2012

**Practice Makes Perfect, How to Prepare for a Deposition**

Smart Business Chicago Magazine