



ERIC N. MACEY

PARTNER

Chicago, IL
312.516.5624
emacey@atllp.com



Eric Macey is considered one of the country's top commercial litigators. He has earned a number of accolades throughout his career including recognition from Chambers USA, Illinois Super Lawyers® and The Best Lawyers in America®.

His clients consist of a wide range of business corporations and institutions, investment ventures, partnerships and individuals. Eric has represented International Game Technology, Groupon, PJM Interconnection, LLC, Sears Holdings Management Corporation, Medline Industries, Inc., Kohler Co., Sunoco Logistics, L.P., Yahoo! Inc., General Growth Properties, Inc., Constellation Energy Group, Mirant Corporation, Central Purchasing LLC, North American Corporation of Illinois, Checker Taxi Association, Inc., The Lurie Co., GES Exposition Services, Inc., Travelweb LLC, McDonald's Corporation, affiliates of Time Inc., Hyatt Corporation, ExxonMobil Corporation and Harbor Freight Tools.

Although he is always happy to see a client's case through to a successful resolution short of trial, Eric is most at home in the courtroom. He has extensive trial experience in state and federal courts throughout the country and has acted as both an arbitrator and mediator in various alternative dispute resolution settings.

For over two decades, Eric was an adjunct professor at Northwestern University School of Law teaching courses in trial advocacy and discovery. He also has experience as an instructor with the National Institute of Trial Advocacy. Today, Eric is an adjunct professor teaching the Business Law course at Indiana University at its Northwest Indiana campus for undergraduates and M.B.A. candidates.

Active in the legal community, Eric was a long-time member and past president (2006-2008) of the Chicago-Lincoln American Inn of Court. He is a fellow of the American Bar Foundation and a member of the Chicago Bar Foundation's Abraham Lincoln Circle of Justice, a prestigious group of lawyers, judges and other legal professionals who support the long-term sustainability of the Foundation's mission.

BACKGROUND

Prior to joining Armstrong Teasdale, Eric founded Novack and Macey, a Chicago commercial and business litigation firm, in 1984. He joined Armstrong Teasdale in 2023.

EDUCATION

- George Washington University Law School (J.D., *high honors*, 1978)

SERVICES AND INDUSTRIES

Alternative Dispute Resolution
Class Action Litigation
Complex Commercial Litigation
Noncompete and Trade Secrets
Energy and Utilities
Financial Services and Banking
Manufacturing and Innovation
Real Estate, Development, Construction
Technology

ADMISSIONS

Illinois
U.S. District Court, Northern District of Illinois
U.S. Court of Appeals, Seventh Circuit
Trial Bar of the U.S. District Court, Northern District of Illinois
U.S. District Court, Central District of Illinois
U.S. District Court, Southern District of Illinois
U.S. District Court, Eastern District of Wisconsin

- Order of the Coif
 - George Washington Law Review
- University of Pennsylvania (M.A., 1975)
 - Communications
 - Full-tuition scholarship
 - Research scholarship
- Princeton University (A.B., *magna cum laude*, 1973)

PROFESSIONAL ACTIVITIES

- Chicago Bar Association, Abraham Lincoln Circle of Justice
- American Bar Association (Fellow)
- International Society of Barristers (Fellow)
- Chicago-Lincoln American Inn of Court (Officer, 2002-2008; 2018-2020; Past President, 2006-2008)
- Northwestern University School of Law (Adjunct Professor)
- National Institute of Trial Advocacy (Instructor)
- Indiana University Northwest School of Business and Economics (Adjunct Professor)

CHARITABLE AND CIVIC INVOLVEMENT

- The Posse Foundation Past Chairman (Chicago Chapter) and National Board Member

ACCOLADES

- Illinois Super Lawyers® (2005-present), Top 100 Lawyers in Illinois (2012-present)
- Chambers USA, Litigation: General Commercial (2017-present)
- The Best Lawyers in America®, Litigation: Bankruptcy, Mass Tort Litigation/Class Actions - Defendants (2024); Commercial Litigation (2020-present), Litigation: Real Estate (2017-present); Lawyer of the Year, Litigation: Real Estate (2017, 2020)
- Preeminent Attorney, Martindale-Hubbell (client rated – 5.0/5.0)
- Illinois Leading Lawyers (2004-present)

EXPERIENCE

Conflicts Counsel in Health Care Corporation Chapter 11 Proceedings

Serving as conflicts counsel to the unsecured creditors committee for a health care corporation and 216 affiliated debtors in their Chapter 11 bankruptcy proceedings.

Multimillion-Dollar Judgment for Manufacturing Clients Affirmed on Appeal

Secured opinion from the Seventh Circuit Court of Appeals affirming a judgment in favor of manufacturing clients who brought breach of contract and fraud claims against sales

representative. At trial in federal court in Chicago, the jury awarded over \$3 million in contract damages, \$400,000 in fraud damages and just over \$900,000 in punitive damages. The District Court awarded additional amounts for unjust enrichment and interest for a total judgment over \$5.6 million.

Multimillion-Dollar Judgment for Commercial Landlord

Secured an \$8+ million judgment for a commercial landlord against a surety on a bond posted to secure WeWork's obligations as the tenant of a commercial building in Denver.

Denial for Class Certification

Won denial of a motion for class certification by a consumer against an internet service company for an alleged violation of a state's right to publicity act.

Summary Judgment for Internet Gaming Company

Won summary judgment for an internet gaming company on the copyright owner's theory seeking billions under the Digital Millennium Copyright Act.

Multimillion-Dollar Jury Verdict for Chinese Manufacturer

Secured a multimillion-dollar jury verdict in federal court for a Chinese manufacturer and a Chinese distributor for fraud, breach of contract and defamation against their manufacturer's representative.

Federal Decision Against Major Pharmacy Chain

Won a decision in federal court against a major pharmacy chain for unjust enrichment on behalf of a manufacturer.

Judgment Against National Bank

Obtained summary judgment plus attorneys' fees against a national bank on behalf of the landlord in a commercial lease dispute.

Dismissal of Class-Action Complaint

Obtained dismissal of a four-count class-action complaint against an internet gaming company in U.S. District Court for the Northern District of Illinois.

Secured Judgment for Client in Post-Termination Equity Case

Secured judgment for a publicly traded master-limited partnership against a former executive's claim for post-termination equity.

Arbitration Award for Michigan Avenue Property Owner

Earned an arbitration award for the owner of a Michigan Avenue property, defeating the developer's claim that it had substantially completed construction.

Significant Reduction of Punitive Damages in Illinois Supreme Court Case

Secured a reduction of a \$1.75 million punitive damages award to \$65,000 by the Illinois Supreme Court.

\$50 Million Energy Market Dispute for Regional Transmission Organization

Reached a settlement agreement for a regional transmission organization in a \$50 million energy market dispute with hedge funds.

\$8 Million Judgment for CEO of Construction Company

Secured an \$8 million judgment in a stock buyout suit for the former CEO of a nationwide construction company.

Judgment in \$10 Million Breach of Warranty Claim Case

Secured judgment at the close of plaintiff's case for a \$10 million breach of warranty

claim on large power generators.

\$70 Million Judgment Against Pharma Company in Royalty Dispute

Secured a \$70 million judgment against a pharmaceutical company in a royalty payment dispute.

Multimillion-Dollar Judgment for Nation's Largest Wholesale Power Producer

Secured a multimillion-dollar judgment for the nation's largest wholesale power producer after a bench trial.

Injunction Against Orbitz for Breach of Contract

Secured an injunction for an internet travel service against Orbitz for breach of contract.

Summary Judgment Win for Shopping Center Client Against Debtor's Claim

Beat back an \$11 million claim in bankruptcy case asserted against country's second largest owner of shopping centers based on doctrine of judicial estoppel.

Successful Defense of Board of Directors in Fiduciary Duty, Shareholder Oppression Trial

Successfully defended a corporation's board of directors against claims by shareholders for breach of fiduciary duty and shareholder oppression at trial in federal court in Chicago.

Arbitration Award Restraining \$100 Million+ Litigation in Guatemala

Earned an arbitration award restraining a more than \$100 million litigation in Guatemala against a U.S. domestic power wholesaler, which was confirmed by the federal court in Washington, D.C.

Damages Award in Insurance-Related Breach of Duty to Defend Case

Secured a damages award against an insurance company for breach of the duty to defend.

Jury Verdict in Federal Court Rescinding Client's Multimillion-Dollar Fake Antique Purchase

Secured a jury verdict in federal court in Chicago to rescind a client's multimillion-dollar purchase of fake antique statues.