



## TIMOTHY J. MILLER

### PARTNER

Chicago, IL

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Timothy Miller is experienced in matters concerning attorneys' and other professionals' liability, directors' and officers' liability, partnership law, contract law and business torts.

Representing lawyers and law firms in malpractice (or non-malpractice) situations makes up a large portion of Tim's practice. He has represented law firms ranging from solo practitioners to large, multinational law firms in matters alleging a wide range of malpractice in all types of forums, including trial and appellate courts, private arbitrations and private mediations.

Tim regularly represents lawyers and law firms accused of malpractice in connection with transactional and estate planning work. He has represented lawyers and law firms charged with negligence in their handling of litigation. Tim has defended lawyers from claims that they aided and abetted their clients' wrongdoing, conspired with their clients to commit wrongful acts, tortiously interfered with contracts or business expectations, and/or committed fraud on behalf of their clients. Tim also has represented lawyers and law firms accused of charging excessive fees, and lawyers and law firms trying to collect unpaid fees.

### BACKGROUND

Tim was previously a lawyer and general counsel at Novack and Macey in Chicago, and joined Armstrong Teasdale in 2023.

### EDUCATION

- Duke University School of Law (J.D., *high honors*, 1985)
  - Order of the Coif
  - Duke Law Journal (Managing Editor)

### PROFESSIONAL ACTIVITIES

- Association of Professional Responsibility Lawyers
- Chicago Bar Association
- Mealey's D&O Liability Litigation Reports (Former Editorial Board Member)

### ACCOLADES

- *The Best Lawyers in America*®, Legal Malpractice Law - Defendants (2021-

### SERVICES AND INDUSTRIES

Alternative Dispute Resolution  
Appellate  
Complex Commercial  
Litigation  
Litigation  
Ethics and Professional  
Responsibility

present), Commercial Litigation (2023-present)

- Martindale-Hubbell, Preeminent-Rated Attorney
- Illinois Leading Lawyers (2004-present)
- Illinois Super Lawyers® (2012-present)

## EXPERIENCE

### **Obtained Early Dismissal in \$50 Million Breach of Fiduciary Duty, Professional Malpractice Suit**

In suit seeking over \$50 million damages against receiver and her law firm, obtained early dismissal of claims against law firm and prevented filing of defamation claim under Barton doctrine. Secured summary judgment in favor of receiver on over a dozen claims for breach of fiduciary duty and professional malpractice. Successfully defended all challenged rulings on appeal to the Seventh Circuit.

### **Dismissal and Favorable Verdict in Breach of Contract, Malpractice Suit**

Represented founder of private buying club and his outside counsel against his former employee/attorney in breach of contract and malpractice suit; obtained dismissal of claim against outside law firm and favorable verdict on behalf of client after bench trial.

## THOUGHT LEADERSHIP

August 23, 2022

### **Legal Malpractice Claims Begin to Accrue When It Is “Plainly Obvious” The Plaintiff Has Been Injured**

JD Supra

February 21, 2022

### **The Legal Malpractice Statute of Limitations Begins to Run when the Client Suffered a Monetary Loss Attributable to the Attorney’s Neglect**

JD Supra

October 18, 2021

### **Disability Disclosure — What is an Attorney’s Duty?**

JD Supra

May 13, 2020

### **Attribution Aggravation: Make Sure to Cite Your Sources (part 2 of 2 )**

Chicago Lawyer

April 21, 2020

### **Careful What You Copy: Repurposing Briefs Can Prove Costly (part 1 of 2)**

Chicago Lawyer

July 11, 2019

### **Cause of Action Before an Adverse Judgment**

JD Supra

June 28, 2019

**Fifth District Holds Two-Year Statute of Limitations for Actions Against Lawyers is Not Just for Malpractice**

JD Supra

June 14, 2019

**One Cause, One Count, One Judgment: Drafting and Judging a Complaint that Complies with 735 ILCS 5/2-603**

JD Supra

June 10, 2019

**A Plaintiff's Responsibilities: Keeping Appointments, Presenting Expert Testimony, and Providing Records**

JD Supra

May 13, 2019

**Speculation in Determining Causation: First District Holds Testimony as to What a Witness Would Have Done Absent Attorney's Alleged Malpractice is Admissible**

JD Supra

April 1, 2019

**Client Relationships: Illinois Case Split Over Attorney Consent**

Chicago Lawyer

December 2018

**Civil Practice: Trying the Case – 2019 Edition**

Illinois Institute of Continuing Legal Education

November 2017

**Beware: Illinois Federal Attorney-Client Privileges and Work Product Doctrines are Different**

Illinois Bar Journal, Vol. 105 #11

July 20, 2016

**A Website User's Assent to Arbitration Terms Is Required**

American Bar Association Section of Litigation Alternative Dispute Resolution Practice Points

September 2015

**Defining the Boundaries: Ethical Limits on Witness Preparation**

CBA Record

February 20, 2015

**Arbitration Panel Issues \$10 Million Sanction Against Lance Armstrong**

Case Note, American Bar Association Section of Litigation Alternative Dispute Resolution News & Developments

2015

**Ethical Issues in Outsourcing Negotiation**

Practising Law Institute, Intellectual Property Course Handbook Series

2015

**Chapter 8: Recurring Ethical Issues When Representing Closely Held Entities**

Handbook on Disputes Involving Closely Held Companies, published by the Illinois Institute of Continuing Legal Education