

TIMOTHY J. STORM

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PROFESSIONAL EMPLOYMENT

Storm Law Office (and predecessors)

Principal, 1996–present

Susman, Saunders & Buehler (and successors)

Associate, 1992–1996

ACADEMIC EMPLOYMENT

The John Marshall Law School

Adjunct Professor of Law, 2008–present

Teaching Appellate Practice (Herzog Moot Court Competition) and
Advanced Persuasive Writing

EDUCATION

The John Marshall Law School, J.D. *cum laude*, 1992

Top 10% of graduating class
Order of John Marshall
Dean's Scholarship – all semesters

University of Chicago, B.A., 1986 (Class of 1987)

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REPRESENTATIVE CASES

Listed below is a sampling of cases in which Mr. Storm served as sole or lead counsel. In addition, Mr. Storm has served as sole, lead, or co-counsel in numerous other cases concluded by reported opinions and in scores of cases decided in unpublished decisions.

In re Marriage of Gutman, 232 Ill.2d 145, 902 N.E.2d 631 (2008)

Affirming the appellate court's dismissal of a claim against our client for lack of appellate jurisdiction, the court found the appellate court's reasoning as to the effect of a pending petition for rule to show cause was incorrect and rendered a decision consistent with our arguments instead.

Polly v. Estate of Polly, 385 Ill.App.3d 300, 896 N.E.2d 350 (1st Dist. 2008).

Representing the estate, we successfully argued that the trial court properly dismissed as untimely a claim against the estate by the decedent's widow that decedent had assigned his interest in certain earnings to the widow.

Robbins v. Allstate Ins. Co., 362 Ill.App.3d 540, 841 N.E.2d 22 (2nd Dist. 2005), *appeal denied*, 219 Ill.2d 597, 852 N.E.2d 249 (2006) [Unreported Supervisory Order entered on June 29, 2006].

This case involved a minimally-educated *pro se* plaintiff who filed responses to requests to admit covering a dispositive issue. His responses were both timely and correct, except that they were not sworn. Based upon a deemed admission arising from the absence of proper responses, the circuit court granted summary judgment for the insurer. The appellate court affirmed.

Robbins retained us to take the matter to the Illinois Supreme Court. Although the time to file a petition for leave to appeal had passed, we obtained leave to file the petition late. The Supreme Court denied the petition. We then filed a motion for reconsideration, suggesting that the unique circumstances of the case were cause for entry of a supervisory order.

On reconsideration, the Supreme Court again denied our petition for leave to appeal. However, the Supreme Court entered a supervisory order directing the appellate court to vacate its order and remand the case to the circuit court with directions to vacate its order and give the plaintiff 28 days to file properly sworn responses.

In this case, we were retained only after the case was lost in the trial court and the appellate court and the time to appeal to the Supreme Court had expired. Nevertheless, as a result of our work, the plaintiff obtained a complete reversal and the right to have his case decided on the merits.

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REPRESENTATIVE CASES (Continued)

Cincinnati Ins. Co. v. Wood, No. 06-1839 (7th Cir. 2006).

This insurance coverage action arose from the insurer's refusal to cover catastrophic personal injuries suffered by our client as a result of being struck by a speeding automobile. In the trial court, the insurer made no offer of settlement. Trial counsel retained us to handle the appeal and we briefed the case in the court of appeals. After the briefing was completed, the insurer finally engaged in settlement discussions and ultimately agreed to a very substantial payment to cover our client's needs arising from the incident.

In re Marriage of Kohl, 334 Ill.App.3d 867, 778 N.E.2d 1169 (1st Dist. 2002).

Leading case regarding application of comity and enforcement of foreign child support orders under the Uniform Interstate Family Support Act.

Young v. General Acceptance Corp., 770 N.E.2d 298 (Ind. Sup. 2002).

Case of first impression interpreting the Indiana Control Share Acquisition Statute.

Scavenger Sale Investors, L.P. v. Bryant, 288 F.3d 309 (7th Cir. 2002).

In this opinion relating to penalties in settlement agreements (favorable to our client), the court of appeals effectively overruled a prior opinion of the same court that was issued only fourteen months before by a three-judge panel which included one of the same judges on the panel in our case.

Salomon v. Astor Village Condominium Assoc., 2001 WL 664404 (Ill. App. 1st Dist. 2001).

Leading case defining the duties of condominium associations and directors under the Illinois Condominium Property Act.

Young v. General Acceptance Corp., 738 N.E.2d 1079 (Ind. App. 2001).

Case of first impression involving application of the Indiana Dissenters' Rights Statute.

Lipman v. Batterson, 316 Ill.App.3d 1211, 738 N.E.2d 623 (1st Dist. 2000).

Case of first impression in Illinois relating to director liability for "death spiral" corporate financing.

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PUBLISHED WRITING

Books

Illinois Trial Objections (Thomson West, Third ed., 2011).

Courtroom reference book of 380 pages providing analysis and guidance for trial objections including a brief discussion of Illinois evidence law applicable to each objection, published by the nation's leading legal publisher.

Practice Guides

Standards of Appellate Review for Civil Cases in the United States Court of Appeals for the Seventh Circuit: A Summary Reference for Practitioners 2005–2006 (October, 2005).

Standards of Appellate Review in Illinois Civil Cases: A Summary Reference for Practitioners 2004–2005 (October, 2004).

Standards of Appellate Review for Civil Cases in the United States Court of Appeals for the Seventh Circuit: A Summary Reference for Practitioners 2004–2005 (March, 2004).

Standards of Appellate Review in Illinois Civil Cases: A Summary Reference for Practitioners 2003–2004 (October, 2003).

Law Review Articles

The Standard of Review Does Matter: Evidence of Judicial Self-Restraint in the Illinois Appellate Court, 34 S. Ill. U. L. J. 73 (Fall 2009).

Remedies for Oppression of Non-Controlling Shareholders in Illinois Closely-Held Corporations: An Idea Whose Time Has Gone, 33 Loy. U. Chi. L.J. 379 (2002) (Illinois Judicial Symposium issue).

Bar Journal Articles

Practical Counseling for the Client Considering Appeal, The Docket, Lake County Bar Association, July, 2011 (Vol. XVIII, No. 7), at 16.

Is the Decision Appealable? A Trial Lawyer's Guide to Illinois Appellate Jurisdiction, The Docket, Lake County Bar Association, August, 2008 (Vol. XV, No. 8), at 19.

Client communication should start at the beginning, General Practice Solo & Small Firm Newsletter, Illinois State Bar Association, May, 2008 (Vol. 36, No. 7), at 5.

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PUBLISHED WRITING (Continued)

Practice advisory: Appellate practice changes, General Practice Solo & Small Firm Newsletter, Illinois State Bar Association, April, 2008 (Vol. 36, No. 6), at 5.

Vision Point: A Course Correction on Requests to Admit, Illinois Bar Journal, Illinois State Bar Association, January, 2008 (Vol. 96, No. 1), at 26 [96 Ill.B.J. 26].

Harnessing the Power of Requests for Admission of Facts, The Docket, Lake County Bar Association, December, 2007 (Vol. XIV, No. 12), at 9.

“Reading” the Poor Man’s Will – A Guide To Interpreting Pay on Death Accounts Under Illinois Common Law and Statutes (with Charles T. Newland), The Docket, Lake County Bar Association, June, 2007 (Vol. XIV, No. 6), at 19.

An Overview Of Standards Of Appellate Review In Illinois Civil Cases, The Docket, Lake County Bar Association, March, 2007 (Vol. XIV, No. 3), at 7.

To Appeal Or Not To Appeal: Practical Counseling For The Client Considering An Appeal, DCBA Brief, DuPage County Bar Association, February, 2007 (Vol. 19, Issue 6), at 12 [19 DCBABR 12].

The Top 10 Waiver Missteps that Doom Appeals in the Seventh Circuit, Wisconsin Lawyer, Wisconsin State Bar Association, 79 Wis. Law. 18 (July, 2006) [79-JUL Wis. Law. 18].

Preserving the Trial Record for Appeal in Illinois Civil Cases, The Docket, Lake County Bar Association, March, 2006 (Vol. XIII, No. 3), at 7.

The Trial Lawyer’s Guide to Preserving the Record for Appeal During Pre-Trial Proceedings in Illinois Civil Cases, The Docket, Lake County Bar Association, December, 2005 (Vol. XII, No. 12), at 15.

Not Too Late To Appeal: Extensions of Time to Appeal in Illinois and Federal Practice, DCBA Brief, DuPage County Bar Association, November, 2005 (Vol. 18, Issue 3), at 10 [18 DCBABR 10].

Planning Ahead: The Trial Lawyer’s Guide To Preserving The Trial Record For Appeal in Illinois Civil Cases, CBA Record, Chicago Bar Association, September, 2005 (Vol. 19, No. 6), at 30.

SELECTED PRESENTATIONS

Counseling the Client on Appeal, Lake County Bar Association, May, 2011

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SELECTED PRESENTATIONS (Continued)

What's the Standard of Review Got To Do With It?, Illinois Appellate Lawyers Association, February, 2011

The New Illinois Rules of Evidence, Lake County Bar Association, January, 2011

A Law Firm is a Business: Treat It That Way, Illinois State Bar Association, March, 2009.

The Fee Or Not The Fee, That Is The Question, Northwest Suburban Bar Association, March, 2008.

Appellate Practice Pointers, Hot Topics in Legal Developments for the General Practitioner, Illinois State Bar Association Annual Meeting, June, 2006.

Planning Opportunities with Buy-Sell Agreements, Chicago Bar Association, November 2003.

Valuing Internet Stocks – What a Difference a Year Makes!, American Society of Appraisers (Chicago Chapter) / Chicago Bar Association Corporation and Business Law Committee, January, 2001.

How to Start Your Own Law Practice, The John Marshall Law School Law Practice Management Program, November, 2000.

Resolving Stockholder Disputes Under the Illinois Business Corporation Act, Chicago Bar Association Corporation and Business Law Committee, December, 1999.

Fee Agreements and Billing, Northwest Suburban Bar Association, November, 1999.

Effective Retainer Agreements with Start-Up Ventures, Chicago Bar Association Subcommittee on Entrepreneurial and Start-Up Ventures, November, 1999.

How to Start Your Own Law Practice, The John Marshall Law School Law Practice Management Program, October, 1999.

Techniques and Strategies for Resolving Shareholders' Disputes: The Litigation Perspective, Chicago Bar Association Young Lawyers Section, January, 1999.

How to Start Your Own Law Practice, The John Marshall Law School Law Practice Management Program, October, 1998.

What is "Fair Value" Under the Illinois Business Corporation Act?: Legal and Valuation Perspectives, Chicago Bar Association Corporation and Business Law Committee, May, 1997.

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COURT ADMISSIONS

United States Supreme Court

Illinois Supreme Court and all courts of the State of Illinois

United States Courts of Appeals for the District of Columbia, Third, Sixth, Seventh, Eleventh and Federal Circuits and United States Tax Court

United States District Court for the Northern District of Illinois and Trial Bar

PROFESSIONAL AFFILIATIONS

Illinois State Bar Association

Assembly, 2010–present

Elected from the 19th Judicial Circuit to serve as a member of the supreme governing body of the ISBA

General Practice, Solo and Small Firm Section Council

Chair, 2011–present

Vice-Chair, 2010–2011

Secretary, 2009–2010

Chair, Matthew Maloney Tradition of Excellence Award Committee, 2010–2011

Continuing Legal Education Coordinator, 2008–2010

Chair, Professional Education Committee, 2008–2010

Special Committee for Solo and Small Firm Conference Planning

Vice-Chair, 2011–present

Member, 2008–present

Co-Chair, Substantive Law Track, 2008–2011

Illinois Appellate Lawyers Association

Chicago Bar Association

Corporation and Business Law Committee

Chair, 2002–2003

Vice-Chair, 2001–2002

Subcommittee on Entrepreneurial and Start-Up Ventures

Chair, 1999–2002

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PROFESSIONAL AFFILIATIONS (Continued)

Judicial Evaluation Committee

Investigation Division Member, 2000–2003

Lake County Bar Association

The Docket Editorial Board

Member, 2011–present

Continuing Legal Education Committee

Member, 2011–present

OTHER MEMBERSHIPS

American MENSA

The Authors Guild

Illinois Bar Foundation Fellow

SCRIBES – The American Society of Legal Writers

Sons of the American Revolution

Sons of Union Veterans of the Civil War

PRO BONO SERVICE

Chicago Volunteer Legal Services

Volunteer panel attorney handling appeals

Panel Attorney, Office of the State Appellate Defender