

Litigation Experience

James Munson was as an associate and then partner at Kirkland & Ellis for 38 years. He is an accomplished commercial case trial lawyer with experience on a wide range of legal issues in scores of industries across the country.

At Kirkland, Munson led trials, appeals, arbitrations, mediations, temporary restraining order and preliminary injunction cases, as well as administrative proceedings, in federal and state courts and agencies throughout the country.

He was trial counsel in complex, high-stakes securities, contract, coverage, product liability, mass tort, transaction, RICO, lender liability and constitutional cases.

He has deep experience in a broad range of industries:

Financial Services

Banking, accounting, securities, futures, private equity, trading, investment banking.

■ Clients: banks, accounting firms, electric utility companies, private equity firms, trading companies, investment banks.

Energy

Coal supply, electric power production, electricity transmission, nuclear power, power plant engineering and construction management, natural gas storage, Nuclear Regulatory Commission.

■ Clients: electric utility companies, investment banks.

Insurance

Claims management, claims service agreements, loss sensitive retrospective premiums, insurance regulatory, D&O insurance, property casualty insurance, health insurance, loss allocation among multiple insurers, primary and excess coverage, trigger and occurrence issues, claims made policies, exhaustion of policy limits, toxic tort, hazardous waste and environmental coverage, professional and employer liability, contested takeover.

■ Clients: insurers, insureds.

Education

Yale, B. A.

University of Wisconsin, J.D.

Bar Admission

Illinois

Court Admissions

U.S. District Courts:

Northern District of Illinois

Southern District of New York

Eastern District of New York

Northern District of New York

Eastern District of Wisconsin

U.S. Courts of Appeals:

Seventh Circuit

Second Circuit

Eighth Circuit

Tenth Circuit

U.S. Supreme Court

Law Clerk to John W. Reynolds,
U.S. District Court Judge,
E.D. Wisconsin

Health Care

Medicare administration contracts, provider retirement plan discounts, medical malpractice.

■ Clients: health insurance companies, association of health insurance companies, professional sports teams.

Construction

Warranty claims, limitation of liability, schedule, equipment defects, design and construction management.

■ Clients: nuclear power plant owners, private equity funds.

Media

Defamation, confidential source privilege, prior restraint, cable television licensing, fairness doctrine.

■ Clients: newspapers, magazines, broadcasters, cable TV.

Manufacturing

Product liability, mass torts.

■ Clients: tobacco, automobile companies.

Government

Challenges to agency bond power, fuel and sales taxes, Voting Rights Act cases on city governance structure and appointment of U.S. Senate replacement, challenge to public transportation rate structure, municipal zoning ordinance disputes.

■ Clients: metropolitan transportation agency, historical society, pre-school, U.S. Senate and municipality voters.

Additional industries include:

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| • Aviation | • Engineering | • Real estate |
| • Apparel | • Entertainment | • Training services |
| • Asbestos | • Grocery | • Transportation |
| • Dairy | • Outsourcing | • Venture capital |



Arbitrator and Mediator Experience

Munson has been the arbitrator or mediator in more than 50 cases over the past few years and is regularly selected from the American Arbitration Association's Commercial and Large, Complex Commercial case and Mediation panels.

He has served as a single arbitrator and as a member and chair of three-arbitrator panels, and as a mediator, on cases involving:

- Car dealer warranty commissions
- Commercial loans
- Cost of data base marketing programs
- Credit report defamation
- Defaulted subprime loans
- Distributor terminations
- Insurance agency commissions
- Insurance fees
- Insurance premium adjustments
- Intellectual property licensing
- Investment adviser disputes
- Marketing contracts
- Medical device provider compensation
- Personal guarantee insurance
- Preferred stock purchase agreements
- Repricing medical services
- Sales consultant contracts
- Structure component failures
- Supplier contract terminations
- Supply contract pricing
- Tax service fees
- Trading losses

Industries:

- Agricultural product processing
 - Automobile retailing
 - Banking
 - Car wash technology
 - Data base marketing
 - Event management
 - Eye glass lenses
 - Industrial control systems
 - Insurance
 - Investment adviser
 - Medical device distribution
 - Medical products
 - Medical services pricing
 - Pharmacy supplier networks
 - Professional tax services
 - Real estate
 - Trading
 - Wind farms
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