



JAMES R. DOUGHERTY

PROFESSIONAL EXPERIENCE:

James R. Dougherty, a partner at Whitt Law, LLC, concentrates his practice in the areas of property tax and assessment litigation, school district related litigation, general commercial litigation, insurance coverage litigation, construction litigation, financial services litigation, and employment litigation, as well as professional liability and product liability matters. He has tried cases in Illinois State and Federal courts and before the Illinois Property Tax Appeal Board. In addition, he has represented clients before the Illinois Appellate Court and United States Court of Appeals for the Seventh Circuit. Mr. Dougherty has obtained multimillion dollar judgments on behalf of his clients in numerous cases and several venues including Cook, DuPage, and Kendall Counties. He has also successfully defended high exposure cases throughout Illinois and acted as national counsel in such cases pending throughout the country. In the course of his practice, Mr. Dougherty has represented clients in cases pending in Illinois, New York, California, Delaware, Wisconsin, Louisiana, Virginia, Massachusetts, Pennsylvania, Michigan, Hawaii, Tennessee, New Mexico, Ohio, Florida, New Jersey, Kentucky, Oregon, South Carolina, Texas, Indiana, Oklahoma, Maryland, Alabama, Rhode Island, Montana, and the Cayman Islands.

Mr. Dougherty also routinely provides counsel to various insured and self-insured entities regarding risk management and litigation related issues, and has defended insured and self-insured entities including school districts, railroads, and private business organizations against a variety of actions. Mr. Dougherty is highly regarded in the Illinois legal community as evidenced by his selection to the 2012, 2013, 2014, 2015, and 2016 Illinois Super Lawyers Rising Stars list, published by Thomson Reuters. Selection to the Rising Stars list is based upon peer review and is limited to only 2.5% of Illinois lawyers meeting the criteria for selection. Additionally, Mr. Dougherty has been named as an "Emerging Lawyer" for 2015, 2016, 2017, and a "Leading Lawyer" for 2018, 2019, and 2020 in the area of commercial litigation by Law Bulletin Publishing Company's "Leading Lawyers" division. This is a distinction earned by fewer than 5% of all attorneys licensed to practice law in Illinois. Attorneys selected for these honors were recommended by the state's top lawyers as those most likely to lead the profession in future years.

Mr. Dougherty has been successful in handling a variety of civil disputes on behalf of a diverse client base, which include the following:

- Successfully recovered over \$1.1 million in delinquent property tax payments on behalf of numerous Illinois taxing districts from a corporate Chapter 11 Bankruptcy proceeding pending in the United States Bankruptcy Court for the District of Delaware;



AREAS OF PRACTICE:

Litigation
Property Taxation
Education Law
Risk Management

BAR ADMISSIONS:

Illinois, 2002
U.S. District Court Northern District of Illinois, 2002
- Trial Bar Member
U.S. Court of Appeals for the Seventh Circuit, 2011

EDUCATION:

The John Marshall Law School
Chicago, Illinois, J.D.

Eastern Illinois University, B.A.

PROFESSIONAL ASSOCIATIONS:

American Bar Association
Illinois State Bar Association
Chicago Bar Association
Kane County Bar Association
National Institute for Trial Advocacy
National Association of School Boards
Illinois Association of School Boards
National Council of School Attorneys
Illinois Council of School Attorneys
America's Registry of Outstanding Professionals

E-MAIL:

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PUBLICATIONS:

Business Litigation Insights: Top Litigation Lawyers Share What They Know Best (2013)
(Contributing Author)

Fifty State Employment Law Handbook
(Contributing Author)

PROFESSIONAL EXPERIENCE, Continued:

- Successfully defended \$84 million of property taxes paid by WRB Refining, LP at the Wood River Refinery in Madison County, Illinois for tax years 2011 through 2013, resulting in a four-year settlement agreement providing for the payment of \$90 million in additional taxes for years 2014 through 2017;
- Obtained an \$11.1 million judgment on behalf of a regional lender in a commercial mortgage foreclosure and breach of guaranty action arising out of a failed property development;
- Successfully defended one of the largest school districts in the State of Illinois in an action seeking injunctive and declaratory relief, as well as approximately \$1 million in property tax relief in the form of refunds for taxes paid and exemptions for taxes owed, by obtaining a complete dismissal of all claims and an order requiring all outstanding taxes to be paid;
- Obtained a \$3.8 million judgment on behalf of a financial services company of a big three auto manufacturer in a breach of guaranty action arising out of a failed automobile dealership;
- Successfully defended a civil engineering firm in a wrongful death action arising out of a motorcycle accident which occurred during a resurfacing project on a major thoroughfare;
- Obtained a \$1.4 million judgment on behalf of a regional lender in a breach of contract and breach of guaranty action arising out of a non-performing business loan;
- Obtained a \$1.3 million judgment on behalf of a national real estate group in a breach of commercial lease and breach of contract action ultimately resulting in a multimillion dollar buyout of the remainder of the lease term by the defaulting tenant;
- Successfully obtained the dismissal of a complaint under the recreational immunities provisions of the Local Governmental and Governmental Employees Tort Immunity Act, which alleged negligence and willful and wanton conduct against a school district in connection with serious facial injuries allegedly sustained while the plaintiff was operating a volleyball net crank during an after school practice. The dismissal was affirmed on appeal to the Illinois Appellate Court, Second District. Allison Leja et. al., v. Community Unit School District 300, 2012 IL App (2d) 120156;
- Successfully defended a manufacturer of household appliances in a high-exposure product liability action seeking both compensatory and punitive damages alleging a defective oven range caused severe burns to a ten-month-old child's face and arms;
- Successfully defended a Chicago-based cruise line in a negligence action alleging severe personal injuries occurring at Chicago's Navy Pier as a result of improper embarking and disembarking procedures;
- Successfully defended a large suburban school district from claims of willful and wanton conduct and negligence arising out a student's two-story fall while participating in the construction of a new home during a building trades course;

In addition to representing clients throughout Illinois, Mr. Dougherty devotes a portion of his time each year to public service by serving as President and Trustee of the Mill Creek Water Reclamation District, which provides potable water and sanitary sewer disposal services for thousands of homes, numerous businesses, and several schools within Kane County.

Prior to joining Whitt Law, LLC, Mr. Dougherty was a litigation associate with a New York-based international law firm and a senior attorney with a Chicago-based national law firm.