



Steven M. Hartmann

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Areas of Practice

Labor and Employment Practice | Litigation / Trial Practice | Bankruptcy / Creditors Rights | Workers Safety and OSHA

Steven M. Hartmann is Counsel in the Litigation Practice of Smith, Gambrell & Russell, LLP. He also serves as Co-General Counsel of the Firm. Mr. Hartmann was previously a Partner with Freeborn & Peters, which combined with SGR in 2023.

For over 40 years Mr. Hartmann has handled and served as lead trial attorney on a variety of complex business and employment litigation matters. He has successfully tried to verdict dozens of jury and non-jury commercial cases in federal and state courts throughout the country, as well as appeals, arbitrations and mediations.

- **Commercial Loans:** Mr. Hartmann represents secured lenders in the enforcement of commercial loan agreements in various contexts such as work-outs, foreclosures, receiverships, lender liability and prepayment premiums.
- **Employment:** Mr. Hartmann represents employers in single-plaintiff and class action litigation involving claims alleging discrimination, retaliation, wrongful discharge, sexual harassment, whistle-blower retaliation and wage and hour. He also represents companies in occupational safety and health investigations and OSHA enforcement actions.
- **Bankruptcy:** Mr. Hartmann represents bankruptcy trustees in investigations and fraud and director and officer litigation.

He also counsels company presidents, CFOs and other senior executives with respect to employment agreements, executive comp and separations, and serves as outside general counsel to a number of closely-held businesses.

While at Freeborn (now SGR), he was a member of the Firm's Executive Committee and Alternative Fee Arrangements Committee. He also served as the Firm's long-standing General Counsel, making him the proverbial "lawyer's lawyer."

Mr. Hartmann earned his J.D. from the University of Illinois College of Law where he graduated *magna cum laude*, member of the Order of the Coif and Honor Society, and served as Editor, Recent Decisions Section of the Illinois Bar Journal. He earned his B.A. from Northwestern University graduating with honors.

Representative Experience

- Obtained a \$5 million judgment following a three-week jury trial in Colorado federal court on behalf of four clients for whistleblower retaliation against a \$1B defense contractor.
- Prevailed on the trial of an action by the Wisconsin Department of Insurance seeking to suspend the insurance broker's license of our client for alleged misrepresentation of certain insurance policies procured by him.
- Represented class of bank loan officers on claims for minimum wages, overtime pay and unpaid commissions, which settled for \$5 million.
- Represented the relator-plaintiff in a qui tam case under the Federal and State False Claims Acts against a Fortune 500 company in a case alleging fraud with respect to a Cook County technology contract. We defeated defendants' motion for summary judgment and the case settled for \$25 million.
- Prevailed on summary judgment for the employer on a whistle-blower retaliation claim brought by our client's senior executive.
- Defeated multiple chapter 11 "cram-down" reorganization plans proposed by commercial borrowers on behalf of secured lender clients.
- Prevailed on summary judgment on behalf of the firm's commercial mortgage lender client in multiple cases brought by borrowers that attempted to challenge the enforceability of prepayment premium provisions in their loan documents.
- Obtained a \$3.7 million judgment on behalf of a bankruptcy trustee against a bankrupt company's president based on breach of fiduciary duty and fraud.
- Obtained dismissal of claims against our client, a steel fabrication company, for indemnification and contribution in a large construction defect case involving construction of an ethanol plant.
- Prevailed on summary judgment on behalf of a major railroad in a case alleging that the client's policy to exclude persons with a felony conviction within 7 years from access to its hub operations constituted race discrimination in violation of Title VII.
- Obtained a defense jury verdict in favor of our client on Title VII gender discrimination and retaliation claims brought by the company's female vice president of operations.

Admissions

Illinois

Wisconsin

United States Supreme Court

United States Court of Appeals for the Third, Sixth, Seventh, Tenth and District of Columbia Circuits

United States District Court for the Northern District of Illinois (including Trial Bar) and Central District of Illinois

United States District Court for the Eastern District of Michigan

United States District Court for the District of Colorado

United States District Court for the Eastern District of Wisconsin

United States District Court for the Southern District of Texas

Memberships

Illinois State Bar Association

Cook County Bar Association

American Bankruptcy Institute

Recognitions

- *Illinois Super Lawyers* – Business Litigation - 2015-2019 (cited in multiple years)
- *Leading Lawyers* – Commercial Litigation, Creditors' Rights/Commercial and Bankruptcy & Workout Law/Commercial
- *Illinois Leading Lawyers* - 2015-2020 (cited in multiple years)

Publications

- Co-Author, "Client Alert: U.S. Treasury and SBA Offer Additional Guidance on "Paycheck Protection Program" (PPP)," *Freeborn & Peters LLP* (April 2020).
- Co-Author, "Client Alert: CARES Act Creates New \$349 Billion SBA Loan Program to Offer Loans to Eligible Small Businesses" *Freeborn & Peters LLP* (April 1, 2020).
- Author, "Lawyers as Employees: Rights and Responsibilities," *Illinois Institute of Continuing Education's Employment Termination*–2008 and 2013 Editions.
- Author, "Revisiting Till: Has a Consensus Emerged in chapter 11s?" *ABI Journal* (July/August 2008).
- Author, "Seventh Circuit Decision Enforcing Contractual Loan Prepayment Fee Reaffirms Sanctity of Contract in Illinois," *American Bar Association Business Litigation Newsletter* (Winter 2008).