



Gia F. Colunga

Partner | Chicago

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Areas of Practice

Labor and Employment | Litigation/Trial Practice

Gia Colunga is a Partner in the Litigation and Labor & Employment Practices of Smith, Gambrell & Russell, LLP. Ms. Colunga was a Partner at Freeborn & Peters, which combined with SGR in 2023.

Ms. Colunga represents clients in all phases of complex commercial litigation in state and federal courts across the country in a wide range of contract, business tort, and employment cases.

- Contract – she has substantial experience in breach of contract litigation, including relating to supplier and vendor agreements, purchase agreements, franchise agreements, and restrictive covenant agreements.
- Business Tort – she regularly litigates claims of fraud, trade secrets, sexual assault, intentional infliction of emotional distress, defamation, false light, and other related business torts.
- Employment – she has defended against countless employment claims, including Title VII, ADEA, FLSA, and retaliatory discharge claims.

But her "sweet spot," so to speak, is managing sensitive litigation, which may have a difficult subject matter, be worth millions of dollars, or have hit the news. In those types of cases, her skills truly shine through. In such a case, a third-party provided the following feedback to Chambers about her work: "I cannot speak highly enough of her... She was the one person who developed an encyclopedic understanding of the facts, witnesses and issues that were critical to the defense. She coordinated an immense amount of diverse effort that ultimately led to the resolution of the case. Her greatest strengths are her organizational ability, leadership qualities and coolness under fire. She has no weakness, but for a comparatively young litigator she has accomplished major league results.

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I anticipate her value to clients will only increase in the coming years. I have not encountered an attorney with the multi-faceted skill set possessed by Gia Colunga." Likewise, a client told Chambers: "She represents us vigorously, adeptly and competently. When you have a tricky attorney on the other side, she is the right match. She knows when to be aggressive and when to dial it back. She knows how to handle high-stakes." She received similar feedback from nominators several years ago when she received the "40 Under Forty" award from the Daily Law Bulletin and Chicago Lawyer.

In addition to her general caseload, she regularly devotes time to non-profit organizations and to pro bono matters. The Illinois Legal Aid Online non-profit organization recognized her for pro bono work, naming her the pro bono attorney of the month. More recently, Gia served as pro bono counsel alongside the National Immigrant Justice Center, to win freedom and protection for a woman from Cameroon. She also in on the Board of Directors of New Moms, a non-profit that partners with young moms and their children who are experiencing poverty and homelessness in the Chicagoland by providing critical services and coaching around housing, job training, and family support.

Ms. Colunga received her B.A. from Tulane University, *cum laude*, where she was the Recipient of a four-year academic scholarship, The Founder's Scholarship. She received her J.D. from Loyola University Chicago School of Law, *cum laude*, where she served as Executive Student Articles Editor of the Loyola University Chicago Law Journal and was the Recipient of the CALI Excellence Award in Legal Writing, Appellate Advocacy, Constitutional Law, and Secured Transactions.

Representative Experience

Contract Experience

- Secured favorable preliminary injunction after expedited discovery for a large corporation in a contract and business tort case in federal court.
- Secured a trial victory in a contract case brought by a national insurance brokerage company, including obtaining an award of \$1.9 million in attorneys' fees and an injunction.
- Defeated the plaintiff's claims in a multi-day arbitration involving contract and tortious interference with prospective business advantage claims.

Business Tort Experience

- Defeated at the summary-judgment stage claims of a conspiracy to defraud where the plaintiff was seeking damages in excess of half a billion dollars.
- Obtained dismissal of defamation and false light claims relating to the entity's statement that it believed the woman's allegations of sexual assault.
- Served as lead counsel for a large corporation in a multiple plaintiff, multiple defendant sexual abuse case.

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Employment Experience

- Successfully obtained summary judgment for printing company on gender discrimination and sexual harassment claims.
- Defeated the plaintiffs' motion for conditional certification in a Fair Labor Standards Act case, where the plaintiffs alleged a national policy of failing to pay for orientation and training at a restaurant chain.
- Successfully achieved summary judgment on a retaliatory-discharge claim.

Admissions

Illinois

United States District Court for the Northern District of Illinois

United States Court of Appeals for the Seventh Circuit

Memberships

Illinois State Bar Association

Women's Bar Association of Illinois

Recognitions

Crain's Chicago Business Notable Women in Law – 2022

Illinois Super Lawyers - 2022, Business Litigation

Illinois Super Lawyers - Rising Stars (2012-2019)

Chicago Daily Law Bulletin and Chicago Lawyer – 40 Under Forty Illinois Attorneys to Watch – 2017

Illinois Leading Lawyers - Emerging Lawyers - (2015-2020)

Pro Bono Attorney of the Month - Illinois Legal Aid Online - September 2008

Publications

- Presenter, "Protecting Your Brand from Counterfeits and Knock-Offs," Juvenile Products Manufacturers Association Webinar (January 28, 2020).
- "Trial Techniques in Business and Commercial Cases," Business and Commercial Litigation IICLE (2022) (co- author).
- Federal Regulations Update, Empl. Rel. Today, 42(3): 51-57 (Fall 2015) (co-author).
- Federal Regulations Update, Empl. Rel. Today 42:49-54 (Spring 2015) (co-author).
- Federal Regulations Update, Empl. Rel. Today 41:53-5 (Fall 2014) (co-author).

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- "Supreme Court to Decide if Security Screening Time is Compensable Under FLSA," 29 No. 7 WJEMP 1, Westlaw Journal Employment (October 2014).
- "Center Partners, Ltd. v. Growth Head GP, LLC: The Subject Matter Waiver Doctrine Does Not Apply To The Disclosure Of Privileged Documents During Business Negotiations." Illinois Institute for Continuing Legal Education Civil Litigation Flash Points Series (March 2013).
- "Greer v. Advanced Equities, Inc.: Confirming That a Nonrelease Clause Precludes Fraud as a Matter of Law," Illinois Institute for Continuing Legal Education Civil Litigation Flash Points Series (April 2012).
- "Palmolive Tower Condominiums, LLC v. Simon: Clarifying When An Appellate Court Has Jurisdiction Over An Appeal Pursuant To Illinois Supreme Court Rule 304," Illinois Institute for Continuing Legal Education Civil Litigation Flash Points Series (June 2011).
- "Steam Sales Corp. v. Summers: The Validity of the Legitimate Business-Interest Test is a Continuing Debate," Non-Competition and Trade Secret Advisor (4th Quarter 2010).
- "Nationwide Business? A Non-Compete Agreement with a Customer Restriction Can Protect Your Bottom Line," Non-Competition and Trade Secret Advisor (Spring 2010).
- "People v. Givens: Examining the Court's Ability to Address Issues Sua Sponte," Illinois Institute for Continuing Legal Education Civil Litigation Flash Points Series (July 2010).
- "Turner v. Memorial Medical Center: Emphasizing The Challenges A Plaintiff Faces When Alleging A Retaliatory Discharge Claim," Illinois Institute for Continuing Legal Education Civil Litigation Flash Points Series (August 2009).
- "Imperial Apparel, Ltd. v. Cosmo's Designer Direct, Inc., Reexamining The First Amendment's Effects on Defamation," Illinois Institute for Continuing Legal Education Civil Litigation Flash Points Series (April 2008).
- "Home-Buyers Beware: Your Title Insurance Protects You Only So Far," Illinois Institute for Continuing Legal Education Civil Litigation Flash Points Series (June 2006).