



Katheleen A. Ehrhart

Partner | Chicago

kehrhart@sgrlaw.com

Tel: 312-360-6460

Fax: 312-360-6520

Areas of Practice

Litigation/Trial Practice | Insurance and Reinsurance | Antitrust and Trade Regulation

Katheleen A. Ehrhart is a Partner in the Litigation Practice of Smith, Gambrell & Russell, LLP. She was a Partner at Freeborn & Peters, which combined with SGR in 2023.

First and foremost, Ms. Ehrhart is a litigator and has tried cases and arbitrations in federal and state courts throughout the United States. As one client has described, "(Kathy's) cross-examinations are strict and unfaltering, and she irritates counterparties with her thorough preparation." In this role, Ms. Ehrhart represents a variety of individuals, corporations, business and professional firms. She is well-versed in and enjoys representing both the Davids and Goliaths of the world.

She has extensive experience working with executives, senior management, and in-house counsel of corporations in managing litigation as well as advising on litigation risks and strategy. Clients also rely on Ms. Ehrhart for her talent in working with experts, in particular with damages modeling and bringing together the necessary links between mathematics and the law.

Her areas of focus include complex commercial litigation with particular emphasis on restrictive covenant cases, class actions, reinsurance, antitrust, securities fraud, accountant liability, employment and breach of contract claims.

While at Freeborn (now SGR), Ms. Ehrhart served as the Co-Leader of the Insurance Brokerage Team. Before joining Freeborn, Ms. Ehrhart was a Partner at Kirkland & Ellis LLP focusing on similar matters.

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Ms. Ehrhart earned her J.D. from the University of Chicago Law School, graduating *with honors*. She earned her B.S. from the University of Illinois at Urbana-Champaign where she received the Broadcast Journalism 1997 Bronze Tablet (designating Highest Honors - Top 3%).

Representative Experience

- Successfully represented party in breach of contract and fiduciary duty arbitration with \$80 million in claimed damages brought by a major insurance carrier against its managing general underwriter for alleged underwriting guideline violations.
- Obtained temporary injunction in Florida state court for insurance intermediary Brown & Brown, against multiple individuals and AssuredPartners Inc. in a lawsuit over violations of restrictive covenants of former Brown & Brown employees hired by AssuredPartners resulting in a \$20 million settlement paid to Brown & Brown.
- Complete defense victory obtained on behalf of managing general agent when carrier brought claims for underwriting violations related to a nonstandard auto insurance program.
- Successfully defended breach of contract, breach of fiduciary duty, and fraudulent misrepresentation claims brought by insurance carrier for over \$100 million in damages against its managing general agent related to specialty lines and surety bond programs.
- Obtained verdict for damages and attorneys' fees in Kentucky state court for insurance intermediary Brown & Brown against former employee for violations of restrictive covenants.
- Currently prosecuting multiple lawsuits for insurance intermediaries against former employees for violations of restrictive covenants.
- Represented a German reinsurer in an arbitration against a U.S. insurer where the client raised breach of contract claims as well as breaches of the duty of utmost good faith. In a unanimous decision, the panel found for our client, awarding it over \$15 million in compensatory damages plus 6.5% compound interest and \$1 million in punitive. The award was confirmed by a federal court. *AXA Versicherung AG v. New Hampshire Insurance Co. et al*, (S.D.N.Y).
- Defense of putative nationwide class action alleging gender discrimination under Title VII and The Equal Pay Act. Successfully defeated two class certification motions and Federal Rule of Civil Procedure 23(f). Successfully defended rulings on appeal in front of Seventh Circuit Court of Appeals.
- Defense of antitrust claims alleging price fixing and market. Obtained summary judgment on all claims and successfully defended judgment on appeal to the Ninth Circuit Court of Appeals.
- Defense of nationwide class action alleging securities fraud against developer and marketer of satellite global phone system.
- Defense of lost wages and benefits claims based on breach of contract and promissory estoppel.

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- Defense of claims alleging business conspiracy and race discrimination, summary judgment was granted in favor of client on all counts, affirmed by the Fourth Circuit.
- Prosecution of breach of contract claims based on the proposed merger of two large cellular companies to successful outcome.
- Defense of antitrust claims alleging price fixing in the linerboard and corrugated container
- Trial of Illinois class action involving the exempt status of auto and casualty adjusters under the Illinois Minimum Wage Act (which incorporates provisions of the FLSA), resulting in a complete defense verdict for our client.
- Defense of accounting negligence case for Arthur Obtained complete defense verdict in first jury trial the client faced following the Enron indictment.

Admissions

Illinois

United States Court of Appeals for the Ninth and Tenth Circuits

United States District Court for the Northern District of Illinois

Memberships

Member, International Association of Defense Counsel

Recognitions

Crain's Chicago Business - Notable GenX Leaders in Law – 2021

Illinois Leading Lawyers - 2020 (cited in multiple years)

Illinois Leading Lawyers - Emerging Lawyers - 2017 (cited in multiple years)

Chicago Daily Law Bulletin and Chicago Lawyer – 40 Illinois Attorneys Under Forty to Watch – 2015

Publications

- Speaker, "Wading into Flood Insurance," *AIRROC Chicago Regional Education Day* (June 12, 2018).
- Speaker, Women in Law & Leadership Summit: Chicago (June 6, 2018).
- "Policing the Workforce and Litigating Employment cases in the High Tech Era of Social Networking, Blogging and Texting," *Chicago Bar Association*, Labor and Employment Law Committee.
- Co-Author, "To Arbitrate or to not Arbitrate—That is the Question," *Bench & Bar Newsletter*, Illinois State Bar Association, Vol. 47, No. 11 (June 2017).
- Speaker, "Head Injuries and Sports: Emerging Claims Issues," *AIRROC Membership Meeting* (March 2013).