



Tina Wills

Partner | Chicago

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Areas of Practice

Litigation/Trial Practice | Lawyers' Professional Liability | Consumer Defense Litigation

Tina Wills is a Partner in the Litigation Practice of Smith, Gambrell & Russell, LLP. Ms. Wills was a Partner at Freeborn & Peters, which combined with SGR in 2023.

Ms. Wills focuses her practice on complex commercial lawsuits, critical motions designed to resolve cases before trial, trials, and appeals. She is known for her attention to detail, cogent legal briefs, and effective oral advocacy. She counsels clients on strategic matters at all stages of litigation and arbitration, from the initiation of lawsuits through and including proceedings before state and federal appellate courts and the U.S. Supreme Court. She has briefed appeals before four different court of appeals and supreme courts.

Ms. Wills represents corporations, small businesses, and individuals in a wide range of complex commercial matters, including:

- Contract Disputes – Ms. Wills regularly litigates contract claims, including supplier agreements, purchase agreements, royalty agreements, service agreements, and claims under Article 2 of the Uniform Commercial Code related to the sale of goods.
- Commercial Torts – Ms. Wills also has substantial experience litigating fraud claims, employment disputes, breach of fiduciary duty claims, discrimination claims, workplace accommodation claims, pursuing claims against former employees, and False Claims Act cases.
- Professional Liability – Ms. Wills also counsels clients and professionals regarding professional responsibility, the rules of ethics, and evaluating claims of malpractice, as well as litigating legal and accounting malpractice claims.

These cases frequently implicate complex issues of pleading, class and collective action certification, contract interpretation, preemption, standing, and statutory construction. Tina's ability to manage highly complex cases draws

from her extensive litigation experience. A third-party provided the following feedback to The Chicago Daily Law Bulletin about her work: "Tina is an exceptional attorney and her breadth of knowledge; her expertise and tenacity has been instrumental in achieving favorable outcomes."

In addition, Ms. Wills regularly contributes to pro bono matters. Ms. Wills has twice served as lead pro bono counsel for detained asylum seekers, in both cases winning their freedom and protection from deportation to Cameroon and Haiti.

Ms. Wills earned her B.A. from Illinois Wesleyan University, *cum laude*, and her J.D. from DePaul University College of Law, *magna cum laude*; Top 5%. She was a member of the Order of the Coif and a recipient of the CALI Excellence Award in Evidence, Advanced Legal Writing, Trial Advocacy, Securities Fraud, Legal Drafting, Litigation Strategy and Litigation Laboratory.

Representative Experience

Contract Experience

- Prevailed at trial in action to reform contract, successfully barring most of defendant's affirmative defense before trial and using defendant's own expert in client's case-in-chief at trial.
- Evaluated supply agreement and counseled client on legal implications of release-by-release contracts for sale of goods.

Commercial Torts

- Successfully obtained dismissal of False Claims Act complaints against clients at the pleading stage.
- Obtained sever discovery sanctions against Plaintiff in whistleblower lawsuit and settling lawsuit shortly thereafter.
- Successfully obtained dismissal of lawsuit against client based on claims of private nuisance at the pleading stage.
- Prevailed in the defense of a corporate client in a matter involving federal preemption and the transportation of hazardous materials at both the trial court and appellate levels.
- Defeated dispositive motions related to client's lawsuit claiming breach of fiduciary duties by former employee.
- Successfully obtained dismissal of employment race, national origin, and disability discrimination claims.

Professional Liability

- Positioned lawsuit claim professional liability contribution claim for dismissal at pleading stage, resulting in prompt settlement of claims.
- Counseled lawyer regarding the application of ethics rules to proposed law firm business model.

Admissions

Illinois

United States Supreme Court

United States Court of Appeals for the Third and Seventh Circuits
United States District Court for the Northern District of Illinois

Memberships

Appellate Lawyers Association

Recognitions

40 Under Forty, Chicago Daily Law Bulletin, 2023

Rising Stars in Law - Crain's Chicago Business, 2021

Illinois Super Lawyers - Rising Stars, 2019

Publications

- "Salary Forfeiture: A Deterrent with Teeth" *Civil Litigation Flashpoints*, published by the Illinois Institute for Continuing Legal Education, August 2015.
- "News Flash! Cattle Farms Have Flies, and That's No Manure!" *Civil Litigation Flashpoints*, published by the Illinois Institute for Continuing Legal Education, December 2012.
- "Condominium Associations Face New Challenges Collecting Unpaid " August 2012.
- "The Illinois Supreme Court Bolsters Shield Against SLAPP " January, 2011.