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## Johnathon Koechley

Senior Associate | Chicago

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### Areas of Practice

Litigation / Trial Practice

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Johnathon Koechley is a Senior Associate in the Litigation and Trial practice of Smith, Gambrell & Russell, LLP.

Mr. Koechley has represented domestic and international clients in a wide variety of complex and multi-faceted litigation. He is able to guide businesses and their general counsel through every phase of a dispute. His approach involves exploring novel legal theories and adapting his litigation style to suit each client's case, leading to success in resolving cases early in litigation.

Mr. Koechley also has extensive experience in later phases of litigation, including briefing and arguing federal appeals and taking cases to trial. Additionally, he offers counsel on various legal and regulatory issues that may impact his clients' businesses, such as insurance coverage or compliance risks related to emerging technology. With a focus on the evolving field of data privacy, he has provided consulting on changes to the CCPA, GDPR, BIPA, and other similar, pending legislation.

Prior to joining SGR, Mr. Koechley practiced at a national law firm where he regularly served as trial and appellate counsel for legal and accounting professionals in complex professional liability disputes. He also has experience practicing at a boutique Chicago-based firm where he litigated matters in various jurisdictions across the United States and furthered his experience with professional liability and data privacy matters. While in law school, Mr. Koechley was a legal intern for the Complex Litigation Unit in the Civil Actions Bureau of the Cook County State's Attorney's Office and helped defend elected public officials, career public servants, and law enforcement personnel named in high-profile Section 1983 claims in federal court and administrative hearings.

## Admissions

Illinois

U.S. District Court for the Northern District of Illinois

U.S. Court of Appeals for the Seventh Circuit

## Representative Experience

### Account Malpractice

- Secured the dismissal with prejudice of judgment creditor's claim against a financial services firm for allegedly failing to protect the assets of an aircraft maintenance company while acting as its court appointed receiver.

### Legal Malpractice

- As second chair for appellant before the Supreme Court of Illinois, secured reversal of appellate court decision that found plaintiff's trial testimony was confidential by operation of a HIPAA protective order and permitted plaintiff to proceed on his Mental Health and Developmental Disabilities Confidentiality Act claims against his former attorney. *Doe v. Burke Wise Morrissey & Kaveny, LLC*, 2023 IL 129097.
- Drafted appellee brief and participated in divided argument before the U.S. Court of Appeals for the Seventh Circuit, securing affirmance of dismissal of civil RICO claims against a regional bank and its attorneys. *Maron v. Am. Enter. Bank*, No. 21-2771, 2022 WL 807379 (7th Cir. Mar. 16, 2022).
- Secured dismissal with prejudice on behalf of a law firm and named partner that allegedly mishandled the prosecution of \$2.1 million FINRA arbitration claim.
- Procured summary judgment on behalf of law firm and principal attorney that failed to timely appeal a \$1.3 million federal jury verdict.
- Secured favorable settlement after being engaged as trial counsel for attorneys that allegedly mishandled plaintiff's high-profile retaliation claims against the Chicago Police Department following her undercover participation in "Operation Brass Tax" on behalf of the Federal Bureau of Investigation.
- Defended a law firm and attorneys in sprawling litigation involving multiple putative class actions brought by dozens of professional athletes and other high net-worth individuals seeking to recover more than \$20 million invested into tax shelters that were later disallowed by the IRS.

### Commercial Litigation

- Defense of Illinois real estate brokerage named in 12 federal lawsuits and dozens of civil RICO and consumer fraud claims related to real estate investments marketed and brokered by one of its branch offices.
- Represented principals of futures and commodity brokerage firm in equity dispute.

## Insurance Coverage

- Secured declaratory judgment that the exclusion contained in a works' compensation and employers liability policy limited the carrier's payment obligation to the amount its insured was required to pay its injured employees under Illinois workers' compensation law, known as the *Kotecki cap*. *StarNet Ins. Co. v. Ruprecht*, 2019 WL 6877599 (N.D. Ill. Dec. 17, 2019), *aff'd* 3 F.4th 342 (7th Cir. 2021).

## Memberships

- American Bar Association
- Association of Professional Responsibility Lawyers
- Illinois Defense Counsel

## Recognitions

- Illinois Super Lawyers, Rising Stars, 2024

## Publications and Speaking Engagements

- Panelist, "Current Ethical Issues Facing All Practitioners," Chicago Bar Association, Feb. 7, 2024.
- Contributor, *Attorneys' Legal Liability*, Ch. 6, "Litigating the Legal Malpractice Case," IICLE, 2022.