

LITIGATION

The MWH Litigation Group has a deep bench of experienced trial attorneys. We guide our clients through complex litigation and have established a team approach to operate within the parameters established and defined by the client, at the inception of the litigation. MWH attorneys' offers a wide array of litigation services with specialized expertise in several areas.

SCOPE OF SERVICES

- Trial and Appellate Practice
- Business Dispute Litigation
- Commercial Litigation
- Contract Dispute Litigation
- Employment Litigation
- ERISA Litigation
- Intellectual Property Litigation
- Premises and Product Liability

RELATED EXPERIENCE

Commercial Litigation: MWH attorneys have handled a wide array of matters involving breach of contract, interference with business relationships and with prospective business relationships, fraud, and other business disputes as well as intellectual property claims including copyright, trademark and domain name matters, non-compete agreements, and unfair competition and trade secrets litigation.

Consumer Financial Services Litigation: Our attorneys have defended financial institutions against claims made under the Fair Credit Reporting Act (FCRA), the Fair Debt Collections Practices Act (FDCPA), the Truth in Lending Act (TiLA) and the Real Estate Settlement Practices Act (RESPA), and have handled multi-party cases. Collectively, we have litigated and arbitrated hundreds of disputes involving insurance, mortgage and consumer fraud, RICO, contested foreclosures, consumer lending and servicing violations, property conveyance, quiet title and eminent domain matters, including class actions.

Insurance Defense: MWH has defended parties sued for negligence and wrongful death related to auto and truck accidents. The cases that we've handled have required us to work with accident re-constructionist and other liability experts. The claimed injuries have ranged from soft tissue injuries, fractures, spinal injuries and complex pain syndromes to death.

Premises Liability Litigation: MWH has defended premises owners/operators sued by patrons who suffered injuries while on the client's property. We've handled slip and fall cases that have required us to work with accident re-constructionist and other liability experts.

Product Liability Litigation: MWH has defended companies sued by customers who claim to have suffered bodily injury or property damage caused by a wide variety of client products, often involving accident re-constructionist and other liability experts.

ERISA, Workers' Compensation and Employment Litigation: MWH represent companies and workers' compensation carriers sued by employees allegedly injured in the course of their employment. MWH litigates employment discrimination, harassment, retaliation and wrongful termination claims on behalf of employers and their management before state and federal administrative agencies and courts.

REPRESENTATIVE EXPERIENCE

- Successfully defended a demolition company at jury trial in an action alleging property damages to a home arising from the Illinois Adjacent Landowner Excavation Protection Act and nuisance, resulting in a defense verdict.
- Dismissal with prejudice of plaintiff's negligence action based on motion alleging failure to timely serve the defendant with the complaint.
- Defended breach of contract, negligence and bailment case in which millions in damages were being sought. Case was resolved at mediation in early stages of litigation.
- Obtained dismissal with prejudice of plaintiff's cause of action for breach of contract and negligence against an insurance broker arising from claims of a failure to obtain insurance covering a property loss.
- Successful defense in the jury trial of Hunter v. State Farm Fire & Casualty Company, a breach of contract case relating to a home owner's insurance policy, in which the jury returned a verdict in favor of State Farm Fire & Casualty Co. in minutes. The case was reported in the "National Jury Verdict Review & Analysis," Volume 24, Issue 5, May 2009.
- Dismissal with prejudice of a wrongful death and negligence suit against a municipality.
- Ongoing representation of Fortune 500 financial institution and its subsidiaries in consumer litigation involving claims under the Fair Credit Reporting Act, other federal and state debt collection statutes and regulations, and title issues arising out of consumer mortgage loans, credit card, and student loans.
- Representation of Fortune 100 financial institution in various consumer class actions in state and federal courts brought under state consumer fraud loan statutes relating to mortgage assignments, transfers and state recording taxes.
- Won jury trial involving a litigious former employee of a Fortune 500 Energy Company, who sued our client five times. In this lawsuit, Plaintiff claimed a breach of prior settlement agreement and asserted claims of retaliation, defamation and emotional distress. The entire matter was dismissed during summary judgment.



KERRIE M. MURPHY
PARTNER | WEST DES MOINES

1501 42nd St., Suite 465
West Des Moines, IA 50266
Tel: (515) 453-8509 Fax: (515) 267-1408
Email: kerrie.murphy@mwhlawgroup.com

BIOGRAPHY

Kerrie M. Murphy has more than 25 years of experience as a trial lawyer. She represents and defends corporate clients on a wide range of complex matters including labor and employment, product liability, auto accidents, premises liability, workers' compensation, contested foreclosure litigation, and financial services litigation.

Ms. Murphy also has an appellate practice which includes successfully defending multiple appeals before the Iowa Supreme Court and Eighth Circuit Court of Appeals.



EMERY K. HARLAN
PARTNER | MILWAUKEE & CHICAGO

735 N. Water St., Suite 610
Milwaukee, WI 53202
Tel: (414) 436-0353 Fax: (414) 436-0354
Email: emery.harlan@mwhlawgroup.com

BIOGRAPHY

Emery K. Harlan has more than 25 years' experience as a trial lawyer representing clients from a broad array of industries in complex civil litigation matters. His practice includes an emphasis on representing financial institutions in multi-party cases.

Throughout his career, Mr. Harlan has served as a leader in promoting greater diversity and inclusion in the legal profession. Immediately prior to co-founding MWH Law Group, Mr. Harlan served as Chairman of one of the largest minority-owned law firms in the United States. He also co-founded the premier trade association focused on creating opportunities for women and minority-owned law firms - the National Association of Minority Owned Law Firms (NAMWOLF).



JULIE T. BITTNER
PARTNER | WEST DES MOINES

1501 42nd St., Suite 465
West Des Moines, IA 50266
Tel: (515) 453-8509 Fax: (515) 267-1408
Email: julie.bittner@mwhlawgroup.com

B I O G R A P H Y

Julie T. Bittner litigates as lead counsel with respect to employment, auto/premises liability, and civil litigation matters. During her first few years of practice, Ms. Bittner handled a variety of general civil litigation cases. Ms. Bittner also has employment/labor experience in the defense of discrimination, harassment, retaliation and wrongful termination claims brought at the administrative level, as well as in state and federal court.



MOYENDA M. KNAPP
PARTNER | CHICAGO

150 N. Michigan Ave., Suite 2800
Chicago, IL 60601
Tel: (312) 734-1457
Email: moyenda.knapp@mwhlawgroup.com

B I O G R A P H Y

Moyenda Mutharika Knapp represents clients in all phases of employment law and business litigation matters, including the representation of litigants as first chair in jury trials. She litigates employment discrimination cases on behalf of employers and their management, counsels employers with regard to the discharge of employees, and provides employment-related trainings.

Her business litigation experience includes matters involving breach of contract actions, Carmack Amendment cases arising from interstate trucking losses, and matters involving fraud, unjust enrichment, conversion, violations of the Illinois Consumer Fraud and Deceptive Practices Act, matters involving claims of breach of non-disclosure agreements, and actions for an accounting.



WARREN E. BULIOX
PARTNER | MILWAUKEE

735 N. Water St., Suite 610
Milwaukee, WI 53202
Tel: (414) 436-0353 Fax: (414) 436-0354
Email: warren.buliox@mwhlawgroup.com

B I O G R A P H Y

Warren E. Buliox has extensive experience representing and counseling small and large businesses (including Fortune 50, 100, and 500 Corporations) in all phases of employment litigation. In addition, he has provided counsel and representation to companies on a wide array of civil rights matters.

He has defended or provided counsel on claims before state administrative agencies, federal administrative agencies and in federal court involving allegations of race and color discrimination, sex discrimination, age discrimination, religious discrimination among many others. Additionally, he has argued dozens of motions in Wisconsin state courts and has first chaired served jury trials as a special prosecutor for the State of Wisconsin's DA's office.



NELSON W. PHILLIPS III
PARTNER | MILWAUKEE

735 N. Water St., Suite 610
Milwaukee, WI 53202
Tel: (414) 436-0353 Fax: (414) 436-0354
Email: nelson.phillips@mwhlawgroup.com

B I O G R A P H Y

Nelson W. Phillips III has extensive litigation law experience with respect to representing commercial and health care clients in a variety of matters, including contract disputes, white collar investigations, intellectual property claims, and defense of nursing care facilities.

For over nine years, Mr. Phillips also served as a federal and state prosecutor in both the United States Attorney's Office for the Eastern District of Wisconsin and the Milwaukee County District Attorney's Office where he litigated numerous cases before the Wisconsin Federal District and State Circuit Courts and tried a large number of those cases to verdict. As a prosecutor, Mr. Phillips has argued cases before the Seventh Circuit Court of Appeals.



CARLOS R. PASTRANA
SENIOR ASSOCIATE | MILWAUKEE

735 N. Water Street, Suite 610
Milwaukee, WI 53202
Tel: (414) 436-0353 Mobile: (787) 308-0733
Email: carlos.pastrana@mwhlawgroup.com

B I O G R A P H Y

Carlos R. Pastrana has experience litigating tort, contract, libel, defamation and employment cases before both state and federal courts and agencies, on behalf of local, national, and international private- and public-sector corporate clients. Mr. Pastrana also has extensive experience in appellate practice, including three different oral arguments before United States Courts of Appeal, as well as vast mediation and arbitration experience.

Fully bilingual, Mr. Pastrana has advised and trained English- and Spanish-speaking clients on a wide array of legal matters.

MWH Law Group LLP offers sophisticated legal expertise by more than 15 dedicated and passionate attorneys that have over 250 years of combined law experience.

The firm has offices in Wisconsin, Illinois, Indiana, and Iowa.