

**Emily A. Shupe****Phone:** (630) 510.4930**Email:** eshupe@rathjelaw.com

Emily joined Rathje Woodward in 2006 and is an experienced counselor, litigator and employment lawyer. Emily has represented clients in a variety of commercial, employment and regulatory matters across the country. Since 2016, Emily also has served as the lead outside counsel for Illinois' second largest public higher education institution (with nearly 30,000 students). In that capacity, Emily works closely with the college's administration to provide guidance and advice on governance, compliance, and litigation matters. Emily consistently has been recognized as a Rising Star in the Illinois legal community from 2014-2021.

Practice Areas

- Litigation
- Employment Law
- Higher Education

Education

- Loyola University School of Law (J.D., 2006) *cum laude*
- University of Illinois at Urbana - Champaign (B.S., 2003)

Bar Admissions

- 2006 State of Illinois
- 2007 United States District Court for the Northern District of Illinois
- 2009 United States Court of Appeals for the Seventh Circuit
- 2012 United States District Court for the Central District of Illinois
- 2013 United States District Court for the Northern District of Illinois Trial Bar
- 2014 United States District Court for the Eastern District of Michigan

Memberships

- American Bar Association
- DuPage County Bar Association
- Illinois State Bar Association
- Robert E. Jones Inns of Court

Awards & Achievements

- Illinois Super Lawyers, Rising Star (2014-2021)
- Illinois Super Lawyers (2022-2024)
- Fellow, Litigation Counsel of America

Representative Matters

- In 2016, Emily assumed the role of lead outside counsel to the College of DuPage, Illinois' largest community college. In that capacity, Emily provides legal counsel to the College on a broad variety of matters, including state and federal regulatory matters, accreditation reviews, Open Meetings Act and FOIA compliance, and board governance. Emily also represents the College in state and federal court litigation.
- Emily currently serves as outside counsel to a large, multi-office dental group. In that capacity, Emily provides counsel on a wide variety of employment and contract matters.
- Since 2012, Emily has served as employment counsel for a chain of grocers and restaurants. Her work has involved internal investigations, reviewing policies and practices, handling complaints, and litigation.
- Since 2012, Emily has served as national litigation counsel for several national rehabilitation and therapy services providers. Emily has represented those providers in various commercial disputes in nine states.
- Emily served as trial counsel in a case in which attorney Peter Francis Geraci sought \$90 million in damages for the alleged misappropriation and use of software by a competitor. After an eight-day trial, a jury found in favor of her client on all claims. The court also awarded over \$100,000 in fees as a sanction against Geraci's counsel. *Peter Francis Geraci v. Thomas Macey, et al.*, Case No. 14-cv-6876 (N.D. Ill. 2014) and *Peter Francis Geraci v. Legal Helpers, P.C., et al.*, Case No. 10-CH-4854 (DuPage Co. 2010).
- Emily served as trial counsel in an enforcement action filed in federal court in Wisconsin by the Consumer Financial Protection Bureau. The CFPB sought over \$70 million from the firm's clients. Prior to trial, Emily and a Rathje Woodward team successfully argued that the CFPB's regulation that purported to grant it authority to prosecute the case exceeded the CFPB's authority. The court invalidated a significant portion of that regulation in April 2016. *See CFPB v. Mortgage Law Group*, 182 F. Supp. 3d 890 (W.D. Wis. 2016). The CFPB's remaining claims were tried in a week-long bench trial in April 2017. *Consumer Financial Bureau v. Mortgage Law Group, LLC, et al.*, Case No. 14-cv-513 (W.D. Wis.).
- Emily served as counsel in an action in which the insurer wrongfully failed to indemnify a pasta manufacturer for loss and business interruption resulting from a contamination event at its facility. After a six-day jury trial, the jury returned a verdict of nearly \$2

million in favor of Emily's client. *Foulds, Inc. v. Liberty Surplus Insurance Co.*, Case No. 14-cv-7047 (S.D.N.Y. 2014).

- Between 2013-2021, Emily defended several national law firms and several of their members in more than a dozen separate state regulatory enforcement actions and statewide private class action lawsuits. In those actions, the plaintiffs sought tens of millions in damages from the firm's clients. Emily and the RW team aggressively defended those actions in court and secured favorable settlements in all of them.
- Emily served as counsel for Cronimet and two of its executives in a lawsuit in which a competitor claimed Cronimet had wrongfully hired the executives and misappropriated various trade secrets. Emily successfully argued that the executives' employment agreements were void, and secured dismissal of the competitor's contract, unfair competition and tortious interference claims. *Cronimet Holdings, Inc. v. Keywell Metals, LLC*, 73 F. Supp. 3d 907 (N.D. Ill. 2014).
- Emily served as counsel for a contractor of military housing against its legal liability insurance carrier with respect to the denial of a claim for the clean-up of demolition debris illegally dumped by a subcontractor. The client's loss exceeded \$15 million. After selecting a jury, but before trial commenced, RW was able to obtain a settlement for the client. *Picerne Military Housing, LLC v. American Specialty Lines Insurance Co.*, Case No. 08-273 (D.R.I. 2008).
- Emily represented an indigent defendant in a criminal appeal. Emily drafted the briefs and gave the oral argument that resulted in reversal of the client's money laundering convictions. *U.S. v. Aljabri*, 363 Fed. App. 403 (7th Cir. 2010).