



## John F. Sullivan

PARTNER

221 N. La Salle St., Suite 3500

Chicago, IL 60601

T: (312) 970-3480 | F: (248) 901-4040

jsullivan@plunkettcooney.com

### Practice Areas

Architect & Engineer Liability

Banking & Financial  
Services Litigation

Banking, Bankruptcy &  
Creditors' Rights Law

Commercial Litigation

Construction Law

Construction Lien Law

Insurance Coverage Law

Motor Vehicle - No-Fault

Motor Vehicle Negligence

Trucking Liability

### Education

- DePaul University  
College of Law, J.D.,  
1991
- University of Dayton,  
B.A., 1984

### Admissions

Illinois, 1991

U.S. District Court, Northern  
District of Illinois, 1991

U.S. District Court, Central  
District of Illinois, 2015

Northern Illinois Bankruptcy  
Court, 2011

John F. Sullivan is a partner in Plunkett Cooney's Chicago office, who maintains a diverse litigation practice. A member of several firm practice groups, Mr. Sullivan's litigation expertise includes complex commercial matters, employment law, civil rights, shareholder disputes, lender liability defense, consumer protection, insurance coverage, alleged fraudulent transfers, transportation and premises liability claims and professional errors and omissions.

Before joining the firm, Mr. Sullivan worked for over a decade in insurance claims, the last six of which exclusively involved management of toxic tort and environmental claims defense and coverage litigation for a nationwide insurer. In that capacity he was responsible for developing and implementing defense strategies for thousands of toxic tort and environmental claims. He also directed the insurer's coverage litigation in cases involving triggers of coverage, exhaustion of limits, insufficient proof of insurance, pollution exclusions and hostile fire exceptions and first-party claims seeking coverage for contamination claims.

### Representative Client Work

- Judgment following trial in favor of minority shareholder illegally frozen out of business by majority shareholders with award of damages equal to aggregate of improper dividends majority had approved for themselves
- Bankruptcy judgment in favor of bank following trial, finding debtor's pension plan assets exceeding \$1 million were not exempt where plan was facially compliant with the Revenue Code but the contributions to and distributions from the plan did not comply with

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U.S. District Court, Northern  
District of Florida, 2010

U.S. Court of Appeals,  
Seventh Circuit, 2019

the Code

- AAA award and circuit court judgment for "pair-off fees" in favor of bank for breach of contract for mandatory forward sales of securities by another bank
- Obtained \$860,000 judgment, including \$350,000 in punitive damages, following trial of a corporate dispute involving misappropriation of corporate opportunities by departed officer, director and shareholder
- Defense judgment following trial affirmed twice on appeal in favor of homeowners wrongfully sued by developer for violation of the Residential Real Property Disclosure Act
- Successfully obtained a \$10.6 million circuit court judgment affirmed on appeal against guarantor of insolvent residential developer
- Successfully obtained a \$468,000 judgment following bankruptcy adversary proceeding trial against debtor for breach of fiduciary duties as trustee for his grandchildren's trust brought on behalf of not-for-profit child advocacy center for the grandchildren's benefit
- Successfully defended employer and its principal against former employee's sexual harassment, assault and battery claims
- Successfully defended real estate appraiser in action seeking damages by client for negligent misrepresentation and fraud claims
- Successfully defended mortgage banker from claims alleging discriminatory lending practices
- Specific performance judgment following trial in favor of client vendee under articles of agreement for warranty deed for \$2 million commercial real estate parcel against vendor
- AAA award and circuit court judgment in favor of bank against correspondent lender for breach of loan purchase agreement by selling nonconforming loans
- Appellate court reversal of erroneous trial court dismissal of bank's claims against borrower based on res judicata
- Obtained dismissals of each asbestos personal injury case brought against insured client without payment of any indemnity
- Obtained a \$300,000 settlement during AAA arbitration in favor of hospital against national health insurer for breach of reimbursement

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requirements in provider agreement

- Successfully obtained a \$225,000 settlement in favor of additional named insured mortgagee for fire loss after proving property insurer had not validly cancelled a policy of insurance in compliance with Illinois law for more than 25 years
- Defense judgment following circuit court trial of borrower's lawsuit against bank, claiming violations of Fair Debt Collection Practices Act and Fair Credit Reporting Act
- Successfully obtained a \$550,000 settlement in favor of bank in no asset Chapter 7 bankruptcy proceeding as a result of fraudulent transfer proceedings against debtor's wife
- Successfully obtained judgment following trial in favor of bank that inadvertently destroyed all physical and electronic loan files and payment histories while the litigation was pending
- Obtained judgment following trial of adversary proceeding in the Northern District of Illinois Bankruptcy Court in client's favor that judgment of almost \$10 million against debtor is non-dischargeable
- Obtained summary judgment in bank's favor in borrower's multimillion dollar lender liability lawsuit
- Obtained dismissal of lawsuit, affirmed by appellate court, against retail bank seeking more than \$300,000 in damages for losses allegedly incurred as a result of an unauthorized person accessing plaintiff's safe deposit box

### **Professional Affiliations**

- Illinois State Bar Association