

Daniel T. Graham

Member



Daniel T. Graham is a member of Clark Hill's Litigation Practice Group in the firm's Chicago office, and is an adjunct member of the Corporate and Construction Practice Groups. Dan is also a member of Clark Hill's Information Governance & Discovery Services team. He has represented several clients relating to their various legal disputes, as well as business formation issues, including:

- Anti-Trust
- Bankruptcy
- Breach of Contract
- Class Action Defense
- Commercial Litigation
- Construction
- Employment Matters
- Estate Litigation
- Non-Competition
- Non-Solicitation
- Product Liability
- Shareholder & Limited Liability
- Tortious Interference
- Trade Secret
- Trust & Hedge Fund Liquidation and Litigation

Dan's client list is extensive. It includes general contractors, international product manufacturers, broker-dealers, registered investment advisors and other affiliated entities in the securities industry, public entities, private companies, airlines, banks, product manufacturers and technology consulting firms. Dan frequently negotiates construction contracts and works in the resolution of disputes over building defects, design claims, and related issues. Moreover, he has experience in developing e-commerce initiatives, negotiating and drafting custom-design software development and license agreements, web development, and hosting agreements, cloud computing, as well as large-scale ERP, CRM, SCM, BI, and ASP implementation agreements. Dan also has extensive commercial litigation, arbitration, and mediation experience in the areas of custom software design, non-competition, trade secret, and software licenses. He was appointed a Special Attorney General for the State of Colorado to assist its Department of Education in the resolution of a major software license and implementation dispute.

Dan balances his practice with counseling entrepreneurs on the formation of their businesses and providing strategic vision to help them achieve their goals, with a particular emphasis on internet-based business models.

Dan is a founding and active member of the Chicago Bar Association's Commercial Litigation Committee and Cyber Law Committee. He has acted as the CLC's Vice Chair (2005-2006) and as Chairperson (2006-2007). Dan was a drafter of Cook County's Local Rule 20, Major Case Court-Directed Mediation. Moreover, Dan was appointed a member of the Seventh Circuit's E-discovery Pilot Program (2009), which drafted the Principles and Standing Order, currently in use in Illinois, Indiana and Wisconsin District Courts. Dan has also presented several seminars, which include:

- Presented at Panel discussion for Rule 26(f) Meet and Confer Conferences, The E-Discovery Institute at Chicago IIT-Kent Law School, 2013.
- Negotiating Contracts: Navigating the Clouds for a Safe Flight, presented at the Technology Executive Club, 2011.
- What Everyone Should Know About the Mechanics of eDiscovery, Seventh Circuit Electronic Discovery Pilot Program and the Merrill Corporation webinar, 2011.
- Negotiating Contracts That Will Keep our Clouds Afloat: You're Going to Put that In a Cloud?, presented at IIT's NetSecure'11 IT Security and Forensics Conference, 2011.
- Long-range Forecast: Down-to-Earth Contracts Keep Your Clouds Afloat – Best Practices in Using Managed Services, presented to the Technology Executives Club, 2010.
- E-Discovery: Plan for Principled Preservation and Production, presented at the Chicago IIT's NetSecure '10 IT Security and Forensics Conference, 2010.
- Judicial Pet Peeves: e-Discovery Rules, Rulings, Results for the "We're Not Settling – Prepare for Trial"

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Education

J.D., with distinction, University of Iowa College of Law, Iowa City, Iowa, 1990

B.A., maxima cum laude, Loras College, Dubuque, Iowa, 1987

State Bar Licenses

Illinois

Court Admissions

Supreme Court of Illinois
U.S. District Ct., N.D. of Illinois
U.S. District Ct., C.D. of Illinois
U.S. District Ct., S.D. of Illinois
U.S. District Ct., N.D. of Indiana
U.S. District Ct., E.D. of Wisconsin
U.S. District Ct., W.D. of Wisconsin
U.S. District Ct., E.D. of Michigan
U.S. District Ct., W.D. of Michigan
U.S. District Ct., N.D. of Illinois Trial Bar

- Litigation Skills II Conference, 2009.
- Top Five Compliance Pitfalls: "How will you cover your head?" IT Governance, Risk Management, and Compliance Seminar, TEC, 2009.
- Negotiating and Drafting Implementation Agreements for Licensed Software, IICLE, 2008.
- A Presentation of a Motion for a Temporary Restraining Order – The Inevitable Disclosure Doctrine – Chicago Bar Association CLE program, 2006.
- "Breach of Fiduciary Duties of Officers and Directors in Closely-Held Companies," A Mock Trial, Chicago Bar Association, 2005.
- 2002 Illinois Institute of Continuing Legal Education Course: Implementation Agreements for Licensed Software.
- "Avoiding Common Pitfalls in Software Development Projects and Protecting Intellectual Property – Two Dudes and A Van, Inc." – a Case Study, Presented to DePaul's Graduate School of Business, 2001.

Dan is active in public service. He has served as Chairman of the Howard Street store-front legal clinic for the Chicago Volunteer Services and has been a panel attorney for the over 22 years. He has coached local law school Moot Court teams and has been a judge for the ABA National Moot Court Competition for ten years.

Dan has also been published:

- Written Discovery – Requests to Admit after the Supreme Court's Decision in Vision Point – and Interrogatories, Supplement for Business and Commercial Litigation Handbook, published by the Illinois Institute for Continuing Legal Education, 2009.
- Written Discovery – Requests to Admit and Interrogatories, Business and Commercial Litigation Handbook, published by the Illinois Institute for Continuing Legal Education, 2007.
- "Is there any possibility of overreaching in attorney advertising? An Economic Analysis of Shaprio v. Board of Kentucky", Iowa Journal of Corporation Law, 1989.

Practices, Industries & Services

Construction
 Construction Law
 Cybersecurity, Data Protection & Privacy
 Information Governance 360
 Litigation

Areas of Emphasis

Alternative Dispute Resolution
 Asbestos
 Claim Prosecution & Defense
 Class Action Litigation
 Closely Held Business Entities
 Commercial Litigation
 Discovery Services
 E-Commerce & Technology
 Labor/Employment Disputes
 Product Liability
 Trust and Estate Controversy

Memberships

- Chicago Bar Association, Commercial Litigation Committee, Computer and Cyber Law Committees
- Illinois State Bar Association
- Advisory Panel for the Seventh Circuit's E-Discovery Pilot Program (2009-)
- Technology Executives Club
- St. Louise de Marillac Boy Scouts