
Publications

- *Law of Class Action, Fifty-State Survey*, American Bar Association, 2026, January 2026
- *A Primer on Shareholder Derivative Lawsuits under New York Law*, American Bar Association, June 16, 2025
- *Practical Guidance*, LexisNexis, December 12, 2024
- *Federal Class Action Deskbook*, Matthew Bender, a division of LexisNexis, 2025 Edition, December 5, 2024
- "Class Action Notices Under Federal Rule of Civil Procedure 23," *Class Actions*, Illinois Institute for Continuing Legal Education, March 2024
- *Law of Class Action, Fifty-State Survey*, American Bar Association, 2024, January 2, 2024
- *Federal Class Action Deskbook*, Matthew Bender, a division of LexisNexis, 2024 Edition, December 26, 2023
- "Upcoming Changes to Federal Rules for Experts," *Journal of The National Association of Certified Valuators and Analysts*, October 18, 2023
- *Federal Class Action Deskbook*, Matthew Bender, a division of LexisNexis, 2023 Edition
- LexisNexis Practical Guidance: *Civil Litigation Series*, July 15, 2022
- "Expert Witnesses: Be Prepared for Changes to Federal Rules of Evidence," *The Value Examiner*, July 7, 2022
- "Seventh Circuit Overrides a Forum Selection Bar in Federal Securities Lawsuits," American Bar Association *Securities Litigation Journal*, March 17, 2022
- Client Alert: Seventh Circuit Overrides a Forum Selection Bar in Federal Securities Lawsuits, January 19, 2022
- *Federal Class Action Deskbook*, LexisNexis, 2022 Edition
- "Risks Facing Directors & Officers," *Financier Worldwide* Roundtable, October 2021
- "Supreme Court Gives More Tools for Defendants to Challenge Class Certification in Securities Fraud Cases," Harvard Law School Forum on Corporate Governance, July 7, 2021
- Client Alert: Supreme Court Gives More Tools for Defendants to Challenge Class Certification in Securities Fraud Cases, June 24, 2021
- *Illinois Practical Guidance Practice Notes*, LexisNexis, June 4, 2021
- *Federal Class Action Deskbook*, LexisNexis, 2021 Edition
- Client Alert: Practical Implications of Supreme Court's Decision Related to SEC's Disgorgement Remedy, January 8, 2021
- "Two Circuits Hold Statute of Limitations Does Not Apply to SEC Employment, Officer, and Director Bars," American Bar Association *Securities Litigation Journal*, January 5, 2021
- Litigation Risks Facing Directors and Officers, *Financier Worldwide*, October 2020
- Co-Author, "New Covid-19 Securities Developments: Class Action Omissions Theory and SEC Enforcement Actions," American Bar Association *Securities Litigation Reporter*, August 13, 2020
- *Class Actions*, Illinois Institute for Continuing Legal Education, 2020
- Co-Author, Client Alert: Practical Implications of Supreme Court's Decision Related to SEC's Disgorgement Remedy, June 30, 2020

- *Illinois Litigation Practice Series*, LexisNexis, 2020
- Co-Author, "Delaware Supreme Court Declares Federal Forum Provisions in Corporate Charters are 'Facially Valid,'" American Bar Association *Securities Litigation Reporter*, Spring 2020
- Coordinating Editor, *The Law of Class Action: 50 State Survey 2020*, American Bar Association Class Actions and Derivative Suits Committee, 2020
- Co-Author, Client Alert: New COVID-19 Securities Developments: Class Action Omissions Theory and SEC Enforcement Actions, April 29, 2020
- Co-Author, "11th Circ. Ruling Deepens 'Event or Occurrence' Circuit Split," *Law360*, April 28, 2020
- Co-Author, "SEC Investigation Shows Maturation of Cannabis Scrutiny," *Law360*, April 1, 2020
- Co-Author, Client Alert: First COVID-19 Securities Class Action Lawsuits Hit Cruise Line and Pharmaceutical Company, March 18, 2020
- Co-Author, Client Alert: Seventh and DC Circuits Allow Nationwide Class Actions with Claims of Out-of-State Plaintiffs after Bristol-Myers Squibb, March 13, 2020
- *The Federal Class Action Deskbook*, LexisNexis, 2020 Edition
- Coordinating Editor, *The Law of Class Action: Fifty-State Survey 2019*, American Bar Association Book Publishing, 2019
- Co-Author, "#MeToo: Legal and Practical Concerns for Companies and Boards," *Financier Worldwide*, September 2019
- Co-Author, "Second Circuit Creates Split on Investment Company Act Private Right of Action," and "Eighth Circuit Reminds: The First Principle of Arbitration Is Get Consent," American Bar Association *Securities Litigation Journal*, Summer 2019
- Editor, *Illinois Civil Litigation*, LexisNexis, 2019
- Co-Author, "Recent Noteworthy Class Action Decisions," Practising Law Institute's Course Handbook Series: Class Action Litigation, 2019
- Co-Author, Client Alert: US Supreme Court Holds that Classwide Arbitration is Unavailable Unless the Parties Clearly Agree to It, April 26, 2019
- Co-Author, Client Alert: The Supreme Court Raises Questions About Private Rights of Action to Challenge Tender Offers Under Exchange Act § 14(e), April 25, 2019
- Co-Author, "You May Never Be Free of Liability, If the SEC Has Its Way," *Risk & Compliance*, April-June 2019
- *Federal Class Action Deskbook*, LexisNexis, 2019 Edition
- "After *Kokesh*, Does the SEC Have a New Time Limit for Claims Seeking an Officer or Director Bar?" American Bar Association *Securities Litigation Journal*, August 25, 2018
- Client Alert: The Supreme Court Reaffirms the Reach and Force of The Federal Arbitration Act, This Time In Employment Cases, May 22, 2018
- *Federal Class Action Deskbook*, LexisNexis, 2017 Edition
- Co-Author, Client Alert: Supreme Court Holds That Statute of Repose Imposes Absolute 3-Year Bar on Opt-Out Claims, June 30, 2017
- Co-Author, "Recent Noteworthy Class Action Decisions," *Class Action Litigation*, 2017
- Co-Author, Client Alert: *Kokesh v. SEC*, June 8, 2017
- Co-Author, "Class Actions," Chapter in *Illinois Causes of Action*, Illinois Institute of Continuing Legal Education, 2016
- *Federal Class Action Deskbook*, LexisNexis, 2017 Edition

- Coordinating Editor, *Survey of State Class Action Law 2016-17*, American Bar Association, 2016
- Co-Author, "Recent Noteworthy Class Action Decisions," *Class Action Litigation*, 2016
- Coordinating Editor, *Survey of State Class Action Law 2015-16: A Report of the State Laws Subcommittee of the Class Actions and Derivative Suits Committee of the American Bar Association*, 2015
- *Federal Class Action Deskbook*, LexisNexis, 2016 Edition
- Co-Author, *Class Actions 2015 Edition*, Illinois Institute for Continuing Education, 2015
- Co-Author, "Recent Noteworthy Class Action Decisions," *Class Action Litigation*, 2015
- Co-Author, "Using Forum Selection Clauses to Avoid Default Arbitration Rules," *Transaction Advisors*, May 2015
- Co-Author, "Using Forum Selection Clauses to Avoid Default Arbitration Rules," *New York Dispute Resolution Lawyer*, Spring 2015
- Co-Author, Client Alert: Companies Should Review Confidentiality, Severance and Other Agreements in View of New SEC Whistleblower Case, April 8, 2015
- "Courts Split on SEC Forms 4 for the Truth of Their Contents on Motions to Dismiss," *American Bar Association Securities Litigation Journal*, Winter 2015
- Co-Author, Client Alert: *U.S. v. Newman*: Second Circuit Reverses Remote Tippees' Convictions for Insider Trading Where Tippers Never Charged, December 22, 2014
- *Federal Class Action Deskbook*, LexisNexis, 2015 Edition
- Coordinating Editor, *Survey of State Class Action Law 2014-15: A Report of the States Laws Subcommittee of the Class Actions and Derivative Suits Committee of the American Bar Association Section of Litigation*, 2014
- Co-Author, "Recent Noteworthy Class Action Decisions," *Class Action Litigation 2014*, Practising Law Institute, 2014
- Client Alert: Halliburton: The Supreme Court Upholds Fraud-on-the-Market but Allows Defendants to Disprove Price Impact, June 27, 2014
- "When the Arbitration Forum Is Unavailable: What Happens Next?," *Alternative Dispute Resolution*, February 2014
- *Federal Class Action Deskbook*, LexisNexis, 2014 Edition
- Co-Editor, *Illinois Causes of Action: Estate, Business & Nonpersonal Injury Actions*, 2014
- Co-Editor, *Illinois Civil Litigation Guide, Illinois Practice Series*, Thomson Reuters, 1998-2014
- *Survey of State Class Action Law-2013-2014: A Report of the State Laws Subcommittee of the Class Actions and Derivative Suits Committee*, American Bar Association Section of Litigation, 2013
- "Ex-Colorado Fund Finance Chief Slapped for Lying to CCO," *BoardIQ*, September 10, 2013
- "Disclosure Edits Don't Mean Early Versions Faulty," *BoardIQ*, July 30, 2013
- Editor and Co-Author, "Recent Noteworthy Class Action Decisions," *Federal Civil Practice Update 2013: A Practical Guide to New Developments, Procedures & Strategies*, Practising Law Institute, 2013
- *The Law of Class Action: Fifty-State Survey, 2012-2013*, American Bar Association Section of Litigation Class Actions and Derivative Suits Subcommittee on State Laws, 2013
- "The Use of Sarbanes-Oxley Certifications to Plead Scienter," *The Review of Securities & Commodities Regulation*, April 3, 2013
- *Federal Class Action Deskbook*, LexisNexis, 2013 Edition
- "Staying Shareholder Derivative Suits in Favor of Related Securities Class Actions," *American Bar Association Securities Litigation Journal*, December 26, 2012

- "Class Action Notices Under Fed.R.Civ.P. 23," *Illinois Institute for Continuing Legal Education Class Actions 2013 Edition*, 2014
- Co-Author, "Can an Arbitrator Order Prehearing Discovery from a Nonparty?," *The Dispute Resolver*, An American Bar Association Forum Newsletter, September 2012
- Editor and Co-Author, "Recent Noteworthy Class Action Decisions," *Federal Civil Practice Update 2012: A Practical Guide to New Developments, Procedures & Strategies*, Practising Law Institute, 2012
- *The Law of Class Action: Fifty-State Survey, 2011-2012*, American Bar Association Section of Litigation Class Actions and Derivative Suits Subcommittee on State Laws, 2012
- "Enforcing Third-Party Discovery in Arbitration," American Bar Association *Litigation News*, Winter 2012
- Co-Author, "When is the Statute of Repose Period for Federal Securities Fraud Claims Triggered?" *Review of Securities & Commodities Regulation*, February 2012
- *Federal Class Action Deskbook*, LexisNexis, 2012 Edition
- Columnist, Lexology, *Association of Corporate Counsel*, 2011-2013
- "The Ethical ADR Lawyer," *The Role of Ethics in ADR*, Aspatore Books, 2011
- Executive and Coordinating Editor, *Survey of State Class Action Law 2011: A Report of the State Laws Subcommittee of the Class Actions and Derivative Suits Committee of the American Bar Association Section of Litigation*, American Bar Association Section of Litigation, 2011
- "Can an Arbitrator Order Prehearing Discovery from a Nonparty?," American Bar Association *Securities Litigation Journal*, Fall 2011
- Co-Author, "Recent Noteworthy Class Action Decisions," *Federal Civil Practice Update 2011: A Practical Guide to New Developments, Procedures & Strategies*, Practising Law Institute, July 2011
- Co-Author, "Class Action," *Illinois Causes of Action: Estate, Business & Non-Personal Injury Actions*, Illinois Institute for Continuing Education Treatise, 2011
- Co-Author, "Benefits and Risks Associated with Medallion Signature Guarantees," American Bar Association *Securities Litigation Journal*, April 2011
- Co-Author, "Courts Split on Contractual Waiver of Judicial Review of Arbitration Awards," *Asbestos*, Westlaw Journal, March 18, 2011
- "Delaware Disparity on Disclosing Merger Projections," *Securities Law360*, February 4, 2011
- Co-Author, "Circuits Split Over Whether the PSLRA's Safe Harbor Applies to Knowing Misrepresentations," American Bar Association *Securities Litigation Journal*, November 2010
- *Survey of State Class Action Law 2010: A Report of the State Laws Subcommittee of the Class Actions and Derivative Suits Committee*, American Bar Association Section of Litigation, 2010
- Editor and Co-Author, "Recent Noteworthy Class Action Decisions," *Federal Civil Practice Update 2010: A Practical Guide to New Developments, Procedures & Strategies*, Practising Law Institute, 2010
- "Enforcement of Arbitration Awards - Judicial Review of Arbitrators' Awards of Attorney's Fees for Manifest Disregard of the Law," *Arbitration Awards: Demystification of Myth*, Amicus Books, Icfai University Press, 2010
- "Removal Under CAFA: The Emerging Judicial Split Over Whether A Defendant May Rely On Its Own Documents To Establish That The Amount In Controversy Exceeds The \$5 Million Statutory Threshold," *Mealey's Litigation Report: Class Actions*, October 2009
- "Combining '33 and '34 Securities Act Plaintiffs in the Same Class," *Law.com*, September 8, 2009
- "*Beck v. Dobrowski*: The Application of the PSLRA and Bell Atlantic to Section 14(a) Securities Claims," American Bar Association *Securities Litigation Journal*, July 2009
- "Removal Under CAFA: The Judicial Split Over Proving the Amount in Controversy," *Mealey's Litigation Report: Class Actions*, May 2009

- “May Arbitrators Issue Discovery Subpoenas to Non-Parties? - The Deepening Split Among the Circuits,” *Bloomberg Law Reports: Litigation*, March 30, 2009
- “Protecting Proffer Session Statements from Being Used in Civil Litigation,” American Bar Association *Committee on Pretrial Practice & Discovery Newsletter*, March 2009
- “May Courts Assist Private International Arbitration?,” *Law.com*, March 19, 2009
- “Are Sarbanes-Oxley Whistleblower Claims Arbitrable?,” American Bar Association *Securities Litigation Journal*, Winter 2009
- Consulting Editor, “Federal Civil Motion Practice,” *Moore’s AnswerGuide*, LexisNexis, 2009
- Consulting Editor, “Federal Discovery Practice,” *Moore’s AnswerGuide*, LexisNexis, 2009
- *Illinois Civil Litigation Guide, Illinois Practice Series*, Thomson West, 2009-2010
- *Survey of State Class Action Law 2009: A Report of the State Laws Subcommittee of the Class Actions and Derivative Suits Committee of the American Bar Association Section of Litigation*, American Bar Association Section of Litigation, 2009
- “Deadline for Confirming an Arbitration Award: The Sharpening Split Among the Courts,” *Bloomberg Law Reports: Litigation*, November 3, 2008
- “Arbitrability of USERRA Claims: Battle on the Home Front,” *Law.com*, October 15, 2008
- “Protecting Proffer Session Statements from Being Used in Civil Litigation,” American Bar Association *Securities Litigation Journal*, September 2008
- *Survey of State Class Action Law 2008: A Report of the State Laws Subcommittee of the Class Actions and Derivative Suits Committee of the American Bar Association Section of Litigation*, American Bar Association Section of Litigation, 2008
- “When Does an Employee’s Silence Signify Agreement to a Mandatory Arbitration Contract?,” *Employee Relations Law Journal*, Vol. 34, No. 1, Summer 2008
- “Class Action,” *Illinois Causes of Action - Elements, Forms, & Winning Tips: Estate, Business & Non-Personal Injury Actions*, Illinois Institute of Continuing Legal Education, 2008
- “Using Sarbanes-Oxley Certifications to Plead Scienter,” American Bar Association *Securities Litigation Journal*, Vol. 18, No. 3, April 2008
- “In the Wake of *Dura Pharmaceuticals*: How Courts are Addressing Key Loss Causation Issues,” *Bloomberg Law Reports: Securities Law*, Vol. 2, No. 11, March 2008
- “When Do Indemnity Claims for Product Liability Accrue?,” *Andrews Litigation Reporter: Products Liability*, Thomson/West, Vol. 19, No. 4, March 2008
- “May Absent Class Action Plaintiffs Have Access To Class Counsel's Files?,” *Mealey's Litigation Report: Class Actions*, Vol. 8, March 2008
- “Enforceability of Arbitration Agreements that Restrict Statutorily Mandated Rights: The Sharpening Split Among the Circuits,” *Bloomberg Law Reports: Litigation*, January 14, 2008
- Consulting Editor, “Federal Pretrial Civil Litigation,” *Moore’s AnswerGuide*, 2008
- *Illinois Civil Litigation Guide, Illinois Practice Series*, Thomson West, 2007-2008
- “Discovery Stays under the PSLRA,” American Bar Association *Securities Litigation Journal*, Vol. 18, No. 1, November 2007
- *Survey of State Class Action Law 2007: A Report of the State Laws Subcommittee of the Class Actions and Derivative Suits Committee*, American Bar Association Section of Litigation, 2007
- “Understanding Complete and Conflict Preemption Under ERISA: A Primer for Lawyers,” *Mealey's Litigation Report: ERISA*, Vol. 6, No. 4, August 2007

- "The Judicial Divide Regarding Application of the Federal Arbitration Act for Warranty Claims," *Law.com*, July 17, 2007
- "The Burden of Proof Under CAFA: Removal and Remand," *Andrews Litigation Reporter*, Thomson/West, Vol. 14, No. 4, May 2007
- "Courts Rule Consumers Cannot Challenge Arbitration Clauses Until They Are Invoked," *Bloomberg Corporate Law Journal*, Vol. 2. Issue 1, January 2007
- "A Cautionary Reminder About the Unique Application of the Federal Arbitration Act in State Court Proceedings," *Securities Regulation & Law Report*, Vol. 38, No. 48, December 2006
- "Circuits Are Split: What Authority Does a District Court Have When the Arbitration Clause Selects an Outside Forum?," American Bar Association *Securities Litigation Journal*, Vol. 16, Winter 2006
- Client Alert: Illinois Supreme Court Rules Class Action Not Permitted for Mass Tort Case, December 1, 2006
- "Are District Court Proceedings Stayed Pending Appeal of Arbitrability Question?" American Bar Association *Securities Litigation Journal*, Vol. 17, No. 1, Fall 2006
- "New Developments on the Standard for Finding 'Evident Partiality'," *Bloomberg Law Reports*, Vol. 2, No. 7, August 2006
- "Circuits Split on a Court's Authority to Compel Arbitration in Other Districts," *Bloomberg Law Reports*, Vol. 2, No. 1, January/February 2006
- Synopsis, *Class Action Fairness Act of 2005*, February 2005
- Co-Author, "Discovery," *Federal Litigation Guide*, Vol. 2, LexisNexis, 2005
- "E-Mails May Be Expensive to Your Wealth," *Securities News*, Vol. 13, Winter 2004
- "Under the Gun," *The Daily Deal*, June 17, 2003
- "Civil Liabilities and Remedies," *Securities Law*, Illinois Institute of Continuing Legal Education, 2003
- "Nationwide Class Actions," *Chicago Daily Law Bulletin*, 2001
- "Class Actions," *Moore's Federal Practice*, 3rd Edition, Vol. 5, Chapter 23, 1997
- "Advising Clients About Securities Arbitrations," American Bar Association *Securities News*, Winter 1996
- "Special Problems of Insiders," *Securities Law*, 1996
- "Recent Trends in Companies' Liability for Analyst Reports," *Expert Witness*, Summer 1995
- "Annual Survey," *Securities Arbitration Issues*, 1995-1998
- "Annual Symposium on Criminal Law Issues," *21 Loyola Law Review* 349, Winter 1990
- "Collateral Estoppel and the Compromise Verdict," *18 Intel. Soc. Bar. Q.* 354, 1983
- "The Court Years," *80 Michigan Law Review* 781, 1982