

Jeffrey T. Kubes

SHAREHOLDER

When Jeffrey Kubes and Tom Crisham formed Crisham & Kubes, Ltd. in 2001, a new era in complex civil litigation was born. It was a firm small in size but among the most highly respected in the country for bringing a specialized expertise and appreciation to the intricacies of civil litigation, particularly in the areas of construction law, professional liability and product liability. Jeffrey Kubes has successfully represented numerous design professionals, contractors, and owners on claims involving allegations of design and construction defects.

Among his vast trial experience, including several jury verdicts in Cook County and four collar counties, Jeffrey Kubes and the defense teams under his guidance have effected decisions at trial that have literally changed how the roles of design professionals are viewed in matters of professional liability.

JOHN HANCOCK BUILDING LITIGATION

- As lead counsel representing the design professionals in the matter involving a 100-foot swing stage that fell from the 34th floor and resulted in catastrophic injuries and several deaths, Jeffrey and his team experienced more than four years of discovery and litigation, including 18 plaintiffs filing lawsuits against 20 different defendants, 50+ depositions and significant legal wrangling to achieve an extremely favorable settlement on behalf of their clients – totaling less than 5% of the more than \$90 million received by all plaintiffs.

FEDERAL FAIR HOUSING ACT/ADA

- Pursuant to these federal statutes, initiated in 1990-1991 but first enforced by the U.S. Department of Justice in Chicago in 1996, letters were issued to architects and developers on 50 different multi-family projects throughout the Chicago area threatening to enter



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PRACTICE AREAS

Construction Law
Commercial Litigation
Professional Liability
Product Liability
Appellate Practice



restraining orders terminating all construction and marketing of these units. Jeffrey served as lead counsel for the design professionals that were cited and sued by the U.S. Department of Justice. Following many months of meetings with U.S. Senators and Representatives and the entire Department of Justice, the Department revamped its prosecutorial strategy and instead of focusing on the design professionals, placed them a distant second to developers. As a result, design professionals are frequently no longer named as defendants in those lawsuits. From that initial involvement, Jeffrey Kubes and his team have handled hundreds of high profile Federal Fair Housing Act and ADA matters throughout the U.S. Also, for the past 12 years, Jeffrey has served as national counsel for all Federal Fair Housing Act and ADA matters filed against CNA-insured design professionals.

Prolific author, highly sought-after lecturer and expert litigator, Jeffrey Kubes and his talented colleagues are proud to continue setting new standards in civil litigation as an integral part of Schuyler, Roche & Crisham, P.C.

PUBLICATIONS AND LECTURES

"Illinois Design Professionals Beware - If You Include Duty to Defend Provisions in Your Contracts, You May End Up "Paying" for More Than You Bargained"; paper published in Euclid Insurance Agencies Newsletter, July 2010.

"Preferred Risk Management Seminar B Part VI", conducted for various insurers and insureds; lectures and papers presented, Oak Brook, Illinois, February 9, 2010.

"Exit Stage Left - Tips for When a Professional Employee Moves to Your Competitor's Design Firm", handout at Preferred Risk Management Seminar - Part VI, Oak Brook, Illinois, February 9, 2010.

The Legal Aspects of the Practice of Engineering; seminar presented to Illinois Society of Professional Engineers-Salt Creek Chapter, Westmont, Illinois, January 20, 2010.

Illinois Court Enforces Contract Clause Shortening Status of Limitations; paper published in The Critical Path, a DRI Construction Law publication, October 29, 2009.

Limiting Counterclaims and Third-Party Claims In FHA Cases; paper published in The Critical Path, a DRI Construction Law publication, June 25, 2009.

Konstant Contract Clause Starts Four-Year Clock Ticking, Licensed Architect periodical, an Association of Licensed Architects publication, April 2009

The Ethics of the Practice - Keeping Your License Intact lecture presented to the ASCE Geotechnical Group, Chicago, IL, February 11, 2009

EXPERIENCE

Schuyler, Roche & Crisham, P.C.
Chicago, IL

Shareholder
2009 to Present

Crisham & Kubes, Ltd.
Chicago, IL

Shareholder
2001-2009

Quinlan & Crisham, Ltd.
Chicago, IL

Partner
1996-2001

Hinshaw & Culbertson
Chicago, IL

Partner
1985-1996

EDUCATION AND DISTINCTIONS

J.D. with Honors, Northern Illinois University
College of Law,
Glen Ellyn, IL 1981

B.S., Eastern Illinois University, Charleston, IL
1978

PEER RECOGNITION

Illinois Super Lawyers, *Construction Litigation, Professional Malpractice and Product Liability*, 2005-2010.

Leading Lawyers Network, Law Bulletin
Publishing Company, 2005-2010.

Martindale-Hubbell, "AV" Rated; highest rating available from this peer review service based on ethical standards and legal ability, annually since 1996.

Learning to Recognize Risk: A Case Study seminar presented to the Association of Licensed Architects, Northbrook, IL, May 13, 2008

Don't Be Disabled by the ADA seminar on the Americans with Disabilities Act, presented to engineers, municipal representatives and contractors, Itasca, IL, September 13, 2007

Defamation Claims Against Experts, paper published in The Critical Path, a DRI Construction Law publication, September 2007

Potential Benefits and Risks of Offshore Outsourcing The Critical Path, September 2007

Members of the Political Action Committee of the Structural Engineers Association of Illinois, panelist, August 30, 2007

46th Annual Meeting of Invited Attorneys, moderator of three-day seminar presented to attorneys involved with the representation of design professionals throughout the U.S., Chicago, IL, May 16-18, 2007

Design of Construction Basics, seminar presented to professional liability insurance claims representatives of CNA, Chicago, IL, May 15, 2007

Consultant Liability, lecture presented to members of the American Society of Civil Engineers - Illinois Section, Schaumburg, IL February 8, 2007

Effects of Cutting Corners, lecture presented to members of the Structural Engineers Association of Illinois, Chicago, IL, January 9, 2007

Out-of-State Engineering Experts, For the Defense, a DRI Construction Law publication, September, 2006

Hiring Foreign Workers For the Defense, September, 2006

Avoiding Litigation - Learning from Prior Mistakes, lecture presented to design professionals, Oak Brook, IL, September 29, 2006

The Ethics of the Practice - Keeping Your License Intact, lecture presented at the Chicago Architecture Conference sponsored by the Association of Licensed Architects, Oak Brook, IL, September 19, 2006

Seminar in Risk Management, conducted for representatives of a civil engineering/surveying firm, Naperville, IL, June 7, 2006

The Pros and Cons of Working with a Construction Manager, paper and lecture presented at the 45th Annual Meeting of Invited Attorneys, Savannah, Georgia, May 18-20, 2006

Residential Projects - The Real Money Pit, lecture and seminar presented for the Association of Licensed Architects, Northbrook, IL, May 4, 2006

Joint and Several Liability Issues: Defending Multiparty Cases, paper and lecture presented at the Illinois Association of Defense Trial Counsel Spring Defense Tactics Seminar, Chicago, IL, March 10, 2006

Avoiding the Courtroom - Learning from the Mistakes of Others, lecture presented at the Chicago Architecture Conference sponsored by the Association of Licensed Architects, Oak Brook, IL November 8, 2005

BAR AND COURT ADMISSIONS

Illinois, 1981

Illinois Supreme Court, 1981

U.S. District Court for the Northern District of Illinois, 1981

Trial Bar of the U.S. District Court for the Northern District of Illinois, 1988

U.S. District Court for the Central District of Illinois, 2002

U.S. Court of Appeals for the Fifth Circuit, 1999

U.S. Court of Appeals for the Sixth Circuit, 2002

U.S. Court of Appeals for the Seventh Circuit, 2004

U.S. Supreme Court, 1999

PROFESSIONAL MEMBERSHIPS

American Bar Association

Forum on Construction Industry
Design Professional Liability Subcommittee
Litigation
Tort and Insurance

Illinois State Bar Association

Civil Practice and Procedure
Insurance Law
Tort Law

Chicago Bar Association

Tort Litigation Committee
Officer, 1993-1995
Chairman, 1995-1996

DuPage County Bar Association

Defense Research and Trial Lawyers Institute

Construction Law Committee
Steering Committee, 2007-2010
Architectural/Engineering Group Leader,
2005-2009

International Association of Defense Counsel

Construction Law and Litigation Committee
Vice-Chair of Articles, 2004-2006
Professional Errors and Omissions Committee

Author of various articles published monthly for the Construction Law and Litigation Committee of the IADC, 2004-2005

Avoiding Pitfalls in Construction Litigation Defense Counsel Journal, Vol. 72, No. 2, Pages 170-180, April, 2005

Author of several articles published semi-annually in *The Critical Path*, 2005-2006

Risk Management Seminar, conducted for representatives of civil engineering and surveying firms, Lansing, IL, March 7, 2005

Utilizing AIA Contract Forms, lecture and paper presented at the IADC Mid-Year Meeting, February, 2005

The Perils of Third-Party Practice in Construction Litigation, lecture and paper presented at the IADC Mid-Year Meeting, February 10, 2004

Legal Issues Affecting the Practice of Civil Engineering and Wetland Consulting, lecture presented at the Illinois Association for Floodplain and Storm Water Management annual conference, March 4, 2004

Preferred Risk Management Seminar – Part IV, lectures and papers presented to insurers and insureds, Oak Brook, IL, May 8, 2003

Legal Issues Affecting the MEP Engineer, lecture presented to the Illinois Chapter of ASHRAE, April 14, 2004

Defective Construction Claims, paper and lectures presented at a seminar sponsored by Property Loss Research Bureau, Orlando, FL, March 31-April 2, 2003

Technology Round Table, paper and letter presented for the Chicago Building Congress, Chicago, IL, March 19, 2003

Architects/Engineers' Liability: Latest Trends, paper and lecture presented at a seminar sponsored by Lorman Educational Institute, Chicago, IL, February 12, 2003

The Design Professional in the Electronic Age, Glenview, IL, June 18, 2002

Illinois Law for Design Professionals sponsored by Lorman Educational Institute, Chicago, IL, June 13, 2002

Preferred Risk Management Seminar – Part III, lectures and papers presented to insurers and insureds, Oak Brook, IL, May, 2002

Claim Prevention for Illinois Design Professionals, papers and lectures presented at a seminar sponsored by Lorman Educational Institute, Chicago, IL, April 11, 2002

Risk Management Seminar, conducted for representatives of civil engineering and surveying firms, Oak Brook, IL, March, 2002

Contracts and Lawsuits – Is This the Remedy? – lecture presented at PLUS 2001 International Conference, Chicago, IL, November 15, 2001

Illinois Law for Design Professionals, Part II, papers and lectures presented at a seminar sponsored by Lorman Educational Institute, Chicago, IL, November 6, 2001

May a Design Professional Electronically Seal or Sign Drawings? article, August, 2001

Illinois Association of Defense Trial Counsel

Professional Liability Underwriting Society

Society of Trial Lawyers of Illinois
Board of Directors, 2005-2007

Leading Lawyers Network
Member, selection through peer review

American Institute of Architects–
Chicago Chapter

American Society of Civil Engineers
Architectural Engineering Institute

Society of Illinois Construction Attorneys

Structural Engineers Association of Illinois

Faculty, legal research courses for the Paralegal Institute, 1992-1993

Participant, American Board of Trial Advocates
Mock Trial Advocacy Program, 1993-1994

Judge, ISBA Mock Trial Competition, 1994-1995

Committee member by appointment of the
Chief Judge of Cook County, IL to develop court
procedures for civil litigation, 1995-1996

Faculty, The John Marshall Law School
Advanced Trial Advocacy Program, Chicago, IL,
1997-1998

National coordinating litigation counsel for
handicap accessibility and disability claims and
lawsuits, 1998 - Present

Requests for Information – Protecting Against Greedy Contractors
article, June, 2001

Preferred Risk Management Seminar – Part II, lectures and papers
presented to insurers and insureds, Oak Brook, IL, June, 2001

Illinois Law for Design Professionals, papers and lectures presented
at a seminar sponsored by Lorman Educational Institute, Chicago, IL,
November 29, 2000

Preferred Risk Management Seminar, lectures and papers presented to
insurers and insureds, Oak Brook, IL, September, 2000

Professional Liability Update, paper and lecture presented at seminar
sponsored by Professional Liability Underwriting Society – Midwest
Chapter, Chicago, IL, October, 1999

The FFHA and ADA: Do They Spell Trouble for Design Professionals?
paper and lecture presented at seminar sponsored by CNA Insurance
Company, Tucson, AZ, May 22, 1999

*Broad Interpretation of the ADA – Owners, Contractors and Design
Professionals Beware*, paper and lecture presented at seminar sponsored
by the Defense Research Institute Construction Law Committee, Las
Vegas, NV, March 11, 1999

*Owners, Architects, Design Professionals, Contractors: Who's
Responsible for Safety?* paper and lecture presented at seminar
sponsored by the Construction Safety Counsel, Rosemont, IL, March,
1999

Interviewing Witnesses and Clients, paper and lecture presented at a
seminar sponsored by the Illinois Paralegal Association, Chicago, IL,
November 11, 1998

Tort Law Update, paper and lecture presented at the 37th Annual
Meeting of Invited Attorneys, New Orleans, LA, May, 1998

Trial Preparation Update, paper and lecture presented at seminar
sponsored by the Illinois Paralegal Association, Chicago, IL, 1996 and
1997

No Docs – No Dough, paper and lecture presented to the American
Subcontractors Association – Chicago Chapter, Hillside, IL, May 3, 1994

Trial Preparation, paper and lecture presented at seminar sponsored by
the Illinois Paralegal Association, Chicago, IL, October 20, 1994

Risk Management, presentation to the Pan American and Hispanic
American Construction Industry Association, Chicago, IL, 1993

Author of various articles for the Tort Trends publication of the Illinois
State Bar Association Tort Litigation Committee, 1992-1995

Case Summaries on Latest Construction Precedent Hinshaw Reports:
Torts, 1991-1995

Additional Insured Status – Insurers Beware!, lecture and papers
presented to representatives of various insurers, 1992-1993

My Insurance Company is Insolvent – Now What... Illinois State Bar
Association, Young Lawyers Division publication, May 1991