

# RUBERRY

RUBERRY STALMACK & GARVEY LLC

## Ed Ruberry



- Admitted in Illinois and New York, and before the U.S. Supreme Court and the U.S. Court of Appeals for the Seventh Circuit
- BA Coe College, JD Loyola University Chicago
- AV-Preeminent rating by Martindale
- Leading Lawyers and SuperLawyers Illinois selectee
- Author of numerous articles, and speaker at several conferences and seminars, on insurance issues
- Marine Corps veteran
- [ed.ruberry@ruberry-law.com](mailto:ed.ruberry@ruberry-law.com) // (312) 466-7222

Ed Ruberry has obtained over \$300 million in verdicts and settlements in cases, in jurisdictions across the country, involving numerous areas of law, including antitrust, securities, breach of fiduciary duty, business fraud, breach of contract, insurance coverage, bad faith, and professional liability, including the defense of attorneys, brokers, managing general agents, architects, engineers, and bankers. Ed also has tried lawsuits involving rule of reason and group boycotts. Ed has also litigated numerous complex insurance coverage disputes and bad faith actions throughout the country.

Ed has represented clients in some of the largest commercial lawsuits throughout the country, including the Corrugated Container Antitrust Litigation, the Uranium Cartel Antitrust Litigation, the Folding Carton Antitrust Litigation, the Fine Paper Antitrust Litigation, and the Liquid Gas Antitrust Litigation. Ed also represented the officers and directors of Continental Bank in the Continental Bank Securities Litigation, which involved the demise of Penn Square Bank and the massive EPS securities litigation. He also was one of the lead lawyers for the insurance industry in the tobacco litigation brought by States Attorneys General, as well as in litigation against the manufacturers of breast implants.

After graduating from the law school at Loyola University Chicago (where he was the editor of the Law Review), Ed clerked for Chief Justice Daniel Ward of the Illinois Supreme Court, Presiding Judge Arthur McGlooin of the Illinois Appellate Court, and Judge Edward Becker of the U.S. District Court for the Eastern District of Pennsylvania.

### Representative Cases

*Pillsbury v. International Paper* (Houston) – After a six month jury trial, Ed obtained over \$8 million for Pillsbury in a lawsuit that it brought against 15 defendants in a price-fixing conspiracy case.

*TIG v. Phelps Dunbar* (Tampa) – Ed obtained a \$6.2 million award in an arbitration proceeding on behalf of his client. The suit involved a legal malpractice action against defense counsel for its failure to adequately defend the insured in the underlying action.

*Folding Carton Antitrust Litigation* (Chicago) – Ed obtained a \$21.5 million settlement as an "opt out" plaintiff. The class, consisting of thousands of plaintiffs, obtained only a \$190 million settlement.

*International Insurance v. Employer's Casualty* (Huntsville, Alabama) – Ed tried a case on behalf of an excess carrier against a primary carrier, for failure to settle within policy limits. After a one-month trial, the jury returned a verdict in favor of Ed's client for \$900,000, the maximum amount that could have been awarded under the contract.

*Will v. Comprehensive Accounting* (Chicago) - After a lengthy trial, the jury returned a multi-million dollar verdict in favor of numerous franchises in a case involving claims of group boycott, tie-in, and breach of contract.

*Wells Fargo v. Zurich* (New York) – Ed tried an environmental coverage case to verdict wherein he represented Kemper, regarding an environmental policy purchased as additional security on a loan tied to a number of Florida gas stations. The plaintiffs claimed damages of \$15 million. Ed obtained a verdict of zero damages, and the verdict was affirmed on appeal.

*Johnson v. New Orleans* – Ed defended a class action brought against New Orleans by the residents of the Agricultural Landfill Project. The plaintiffs sought tens of millions of dollars for property damage and bodily injury and alleged that their exposure to environmental conditions at the site caused these catastrophic losses. After a lengthy trial on class certification, Ed obtained a favorable settlement.

*CSX Transportation v. Admiral* (Jacksonville) – Ed defended his client in a coverage suit against a number of carriers, to recover tens of millions of dollars the plaintiffs had expended to remediate environmental problems at numerous railroad yards throughout the country, and to obtain reimbursement for settlement in a number of cases involving exposure to chemicals and other toxic materials. After a month-long trial, Ed's client was found to have no liability.

*Continental Western Insurance Co. v. Foxfire Townhomes Owners Association Inc.* (Des Moines) – Ed obtained a favorable verdict following a lengthy trial. The court held that liability insurance did not provide coverage for repair and replacement costs associated with allegedly defective roof work claims. The court held that defective construction work alone does not constitute an "occurrence" causing "property damage" under Ed's client's CGL policy. The Iowa Court of Appeals affirmed.

*Goodman v. Otis* (Denver) – Ed obtained a defense verdict in a breach of contract suit, in which the plaintiff sought millions of dollars in damages. Ed then obtained a multi-million dollar verdict for his client on its counterclaim based on breach of contract and malicious prosecution.