



## **WILLIAM T. EVELAND**

### **PARTNER**

Chicago  
161 North Clark Street  
Suite 4200  
Chicago, IL 60601

Phone number: (312) 876-7804  
Fax number: (312) 876-0288  
toby.eveland@saul.com

#### **SERVICES**

Litigation  
Product Liability

#### **INDUSTRIES**

Higher Education  
Insurance  
Real Estate

Toby Eveland is a skilled litigator and trial advocate for clients who are involved in high-profile cases that pose a risk to their reputation and complex business disputes that could affect their viability. His courtroom experience includes successes in state, federal, and appellate courts in numerous states.

Toby's nationwide litigation practice focuses on three main areas: higher education, municipal and government, and complex business disputes. He works across numerous industries, including manufacturing, insurance, and finance, and handles matters involving a range of issues such as employment, intellectual property, real estate, products liability, and shareholder disputes.

In addition to his work in the courtroom, clients retain Toby because of his dedication to causes involving diversity and equality. He is a passionate civil rights advocate and serves as co-chair of the Firm's Diversity & Inclusion Committee.

## **EXPERIENCE**

### **Higher Education Litigation**

Toby is a trusted advisor to Boards of Trustees, administrators, and general counsels for colleges and universities across the country. His defense work for these clients includes class actions and matters involving Title IX, Section 1983, First Amendment, Title VII, and ADA. Toby also audits policies and procedures connected to compliance with Title IX, VAWA, ADA, FERPA, HIPAA, and Title VI, and provides advice on ethics laws, open meeting laws, and FOIA. Additionally, his work in insurance matters for higher education institutions includes procurement, coverage analysis, claims management, and risk management practices and procedures.

Select representations include:

- Dismissal of class action suit alleging fraud based on law school's compilation and publication of post-graduate employment statistics, which was unanimously affirmed on appeal and certiorari denied by the Illinois Supreme Court.
- Unanimous appellate court decision enforcing university's student housing contractual rights against local alumni group.
- Defense and resolution of numerous Title VII claims, as well as failure to promote

and failure to award tenure cases.

- Defense and resolution of numerous Title IX claims and cases involving hazing allegations and other criminal misconduct.
  - Defense and resolution of claims alleging tuition misrepresentation.
- Informing his understanding of the broader implications litigation can have on clients is his past service managing a not-for-profit educational foundation that provides risk management services and assists colleges, universities, and fraternal organizations in times of loss. Toby has also served as an instructor for his law school's moot court program, and is a frequent presenter at conferences on issues such as Title IX, OCR regulations and guidance, protections for suicidal students, reasonable accommodations for emotional support and service animals, and internal investigations.
- 

## Municipal and Government Litigation

Toby is a long-time counselor to municipal and governmental entities and related authorities. Additionally, he has represented municipal and local governmental entities and public housing authorities in a number of pieces of litigation, including extensive work in state and federal courts in Illinois. Some representative recent cases and examples in Illinois include:

- Summary judgment and denial of motion to reconsider in a premises liability action where plaintiff sought multi-million dollar damages.
  - Defense of wrongful death and civil rights claims in connection with police shooting.
  - Unanimous appellate court decision affirming dismissal of plaintiff's petition for review of an administrative hearing.
  - Dismissal with prejudice where plaintiff sought damages for alleged racial profiling and segregation in housing assignments, First Amendment and fair housing statutory violations, and Section 1983 claims.
  - Summary judgment where former employee sought damages for a variety of employment claims, including age, gender, and race discrimination.
  - Successful resolution of tax appeal where certain exempt property had been improperly taxed.
- 

## Business Litigation

Toby routinely leads complex commercial litigation teams and represents clients in the manufacturing, finance, insurance, and real estate industries. His courtroom experience for them includes contractual disputes, employment matters and restrictive covenants, intellectual property rights, and property disputes. With an entrepreneurial focus, Toby seeks to understand his client's goals at the outset of an engagement, and then formulates a plan to see it to fruition. As such, he has become the go-to attorney for a number of corporate clients given his full-service approach.

Within the realm of litigation, some select examples include:

- Unanimous appellate court decision affirming trial verdict against plaintiff who sought to pierce corporate veil to collect judgment from company owner.
- Successful resolution of multi-state products liability actions for manufacturer involved in airplane crash litigation.
- Unanimous appellate court decision affirming dismissal of suit against title insurer claiming landmark designation was an encumbrance.
- Summary judgment in favor of manufacturer of personal watercraft for failure to warn

claims with multi-million dollar exposure.

- Successful resolution of multiple shareholder derivative suits involving financial and investment vehicles, commodities, and manufacturing.
- 
- 

## HONORS

Named to the Crain's Chicago Business' "Chicago's Notable LGBTQ Executives" list, 2018

Named to the "2016 Forty Under 40 List" by Chicago Lawyer magazine

Named to the 2016 "Rising Star List" by the Minority Corporate Counsel Association (MCCA)

Received the 2015 Loyola University Chicago School of Law's Advocacy Coach of the Year Award

Received the National LGBT Bar Association's annual Best LGBT Lawyers under 40 Award in 2011

Received the 2007 Windy City Media Group's annual "Thirty Under Thirty in Chicago" award recognizing his professional achievements and community involvement

Named to the "Illinois Rising Star List" by Illinois Super Lawyers®, 2010-2016

## MEMBERSHIPS AND AFFILIATIONS

Board member, Federal Bar Association, Chicago Chapter

American Bar Association

Illinois State Bar Association

Chicago Bar Association

Board member, Ignite (formerly Teen Living Programs)

Past chair of the ISBA's Diversity Leadership Council

Past chair of the ISBA's Committee on Sexual Orientation and Gender Identity

Past chair of the CBA's Committee on LGBT Rights

Former board member, AIDS Foundation of Chicago

Former board member, Equality Illinois

Former board member, Test Positive Aware Network

Former board member, National LGBT Bar Association

Former board member, Lesbian and Gay Bar Association of Chicago

Former session member, Lake View Presbyterian Church

## EDUCATION

J.D., Loyola University Chicago School of Law, 2004

- Moot Court Honor Society
- Most Outstanding Advocate of the Year at the National ABA Moot Court Competition
- Intraschool Moot Court Competition
- National Moot Court Team
- Dean's List honors
- Cooney Conway Fellowship

B.S., University of North Alabama, 1999, *magna cum laude*

## BAR ADMISSION

Illinois

Michigan

## FIRM MANAGEMENT POSITIONS

Diversity & Inclusion Committee, Co-Chair

Higher Education Practice Group Liaison: Chicago

Chicago Office, Vice Office Managing Partner