



DAVID S WAYNE

PARTNER

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SERVICES

Labor and Employment
Employment Litigation
Litigation

INDUSTRIES

Real Estate

David Wayne represents companies in complex business disputes, particularly those involving real estate, commercial disputes and employment-related matters. He has successfully litigated cases to judgment in Illinois state and federal courts, as well as to award before the American Arbitration Association, and he frequently appears before state and federal agencies such as the Equal Employment Opportunity Commission and the Illinois Department of Human Rights.

David's breadth of experience as a litigator has also enabled him to hone his skills as a trusted advisor and outside general counsel to successful entrepreneurs and business owners. In addition to assisting with dispute resolution (both pre-litigation and once in court), David also provides his clients with an array of services. These include drafting and negotiating employment and independent contractor agreements, preparing vendor agreements, and reviewing and counseling relating to leases, brokerage agreements and other real estate related contracts. Beyond these services, David also draws on his experience as a litigator to help business owners triage the issues they face and, when necessary, direct them to outside sources of assistance.

EXPERIENCE

Real Estate Matters

Select representations include:

- Obtained a dismissal with prejudice on behalf of a property management company sued for allegedly acting as a state actor and violating the plaintiff's claimed civil rights to panhandle in public spaces
- Successfully defended (at the trial and appellate courts) a real estate developer in a fraud action in connection with the sale of real estate
- Successfully defended real estate management company and property owner in connection with case before the Illinois Department of Human Rights claiming failure to accommodate a request for an emotional support animal

- Obtained successful resolution of high-profile forcible entry and detainer actions that were delaying development of very large real estate project

Commercial Litigation

Select representations include:

- Obtained an award at arbitration in favor of a financial services industry client for the recovery of significant wrongful charges levied upon it in connection with a revenue and cost sharing agreement
- Obtained summary judgment for a trading company who was sued for allegedly breaching a contract to engage in a joint business venture relating to the creation of trading funds
- Obtained a finding of no liability on behalf of a national retailer in an action involving a natural gas explosion
- Obtained a seven-figure judgment in favor of a nationally known personality in a defamation action
- Obtained dismissal of lawsuit against telemarketer claiming violation of federal Telephone Consumer Protection Act

Employment Matters

Select representations include:

- Obtained dismissal of claim before Illinois Department of Human Rights against dental practice alleging religious discrimination
- Successfully defended (at the trial and appellate court levels) a real estate brokerage firm and company principals in action seeking both company and individual liability for alleged violations of Illinois Wage Payment and Collection Act arising out of a brokerage fee agreement with former employee
- Successfully litigated claim against former employee of real estate brokerage firm for violations of restrictive covenants contained in employment agreement
- Assisted client in internal investigations relating to alleged discriminatory promotion practices involving veterans

Outside General Counsel Services

Sample industries represented include:

- Solar panel installation company
- Real estate brokerages, property management companies and property owners
- Indoor vertical farm company
- Homeowners' associations
- Tech Entrepreneurs
- Brewery Owners

MEMBERSHIPS AND AFFILIATIONS

Illinois Licensed Real Estate Broker

Board Member of the Home Builders Association of Greater Chicago (HBAGC)

Real Estate Investment Association (REIA)

International Council of Shopping Centers (ICSC)

EDUCATION

J.D., Loyola University Chicago, 1996

- *Loyola Law Review*, editor-at-large
- Loyola Employment Law Society

B.A., Northwestern University, 1993

BAR ADMISSION

Illinois