

John S. Monical
Managing Partner

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John S. Monical, Lawrence Kamin's managing partner, has been with the firm since 1998. His primary area of practice is litigation, including defending major manufacturers of juvenile products in their product liability actions across the country and representing the financial services industry in arbitration, mediation and litigation of disputes between broker-dealers, their registered representatives and their clients.

Opposing counsel have most often complimented John for his tenacious attention to detail. John uses the details to tailor case strategies that have been successful in trial as well as direct settlement negotiation and mediation. For example, one client hired John after losing five straight related cases with another attorney. John developed new defenses that prior counsel had failed to present. These defenses resulted in the client winning three subsequent related cases and favorably settling one more. In another case, John negotiated an innovative settlement by advising his client to accept full responsibility for a quarter-million-dollar tax penalty in exchange for other concessions by the opposing party. Because John was able to convince the IRS to reverse the entire penalty, his client ultimately paid nothing.

John, along with his partner Charles Risch, had similar success in a substantial arbitration brought against one of the world's largest broker-dealers. The claimants' case was supported by a scathing internal memorandum chastising the individual broker for his interactions with clients. After tirelessly studying documents and interviewing witnesses, John chose not to play down the memorandum, but to embrace it. At trial, he identified subtle changes in the broker's subsequent client interactions and reconstructed through testimony the broker-dealer's extensive, but largely undocumented, actions in response to the memorandum that had brought about these changes. Presented with this evidence, the NASD arbitration panel denied all of the claimants' claims and took the unusual step of charging the claimants for all of the costs associated with the 17 days of hearing. The opposing counsel had lined up dozens of similar claims against the same broker and firm, aggregating tens of millions of dollars. Faced with this convincing result, he chose to forgo any further filings.

Through his active membership in the Defense Research Institute (DRI) as well as the Securities Industry and Financial Markets Association (SIFMA), John stays current on legal developments and contributes to the ongoing discussion of cutting-edge arguments for his clients. As an example, John authored and presented *The Post-Sale Duties to Warn or Recall – Are They Preempted When NHTSA and the CPSC Oversee the Manufacturer's Conduct?* (DRI Product Liability Conference) (2001). This article urged litigators to press a creative, but untested, preemption argument. A year later, at a meeting of prominent defense counsel, a speaker credited his successful case result to this innovative defense.

John grew up with 11 sisters and five brothers—honing his skills arguing and mediating between his 16 siblings.



Practice Areas

Litigation
Product Liability
Securities

Experience

Lawrence, Kamin, Saunders & Uhlenhop LLC
Managing Partner: 2005-Present
Partner: 2001
Associate: 1998-2000
Lord Bissell & Brook, 1994-1998

Education

Northern Illinois Univ. College of Law, J.D.,
magna cum laude, 2nd in class, 1994
Assistant Articles Editor, *NIU Law Review*

University of Illinois, Urbana, B.S.,
Computer Engineering, 1991

Honors

Named a 2008 Rising Star by Super Lawyers Magazine
Northern Illinois University College of Law 2004
Young Alumnus of the Year

Bar Admissions

State of Illinois
State of Indiana

Court Admissions

United States District Courts
Northern District of Illinois
Eastern District of Wisconsin

United States Courts of Appeals
Seventh Circuit

**Professional Memberships
& Affiliations**

American Bar Association
Illinois Liaison to Committee on State Regulation
Of Securities, 2009-Present

Chicago Bar Association
Legislative Liaison to Securities Committee
2008-Present

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Professional Memberships & Affiliations (continued)

Defense Research Institute
Co-Chair, Children's Products Specialized
Litigation Group, 2006-Present

Illinois Bar Association

NIU College of Law Board of Visitors

Securities Industry and Financial Markets
Assoc., Compliance and Legal Division

