

Scott O. Reed

Bar Admissions:

Illinois (1980); U.S. Supreme Court; U.S. District Courts for the Northern District of Illinois, Southern District of Indiana, Western District of Michigan and Eastern District of Wisconsin; U.S. Courts of Appeals for the Third and Seventh Circuits.

Education:

University of Illinois (A.B. 1976, Major: History, Minor: Mathematics); University of Illinois (J.D. 1980) (Dean's List, Harno Fellow, recipient of McRoberts Memorial Law Scholarship).

Member:

Illinois State Bar Association

Publications:

“Tender-Hearted Insurers,” 108 Illinois Bar Journal, January 2020; “Understanding the Limits on Indemnity Agreements,” 106 Illinois Bar Journal, January 2018; “Are Courts Expanding an Insurer’s Duty to Pay for an Insured’s Independent Counsel?” 105 Illinois Bar Journal, March 2017; “Conflicts and the Use of Independent Counsel,” DuPage County Bar Association Brief, July 2013; “Liability Insurance Coverage for Fair Debt Collection Practices Act Claims,” Mealey’s Emerging Insurance Disputes, December 14, 2004; “Not All Settlements of Claims Are Covered ‘Losses’ Under D&O or E&O Policies,” Mealey’s Emerging Insurance Disputes, May 20, 2003; “Disqualifying an Opposing Party Arbitrator Before the Arbitration,” Mealey’s Litigation Reports – Reinsurance, January 11, 2001; “A Critical Examination of Plaintiffs’ Damage Analysis: An Important Defensive Tactic After Daubert and Kumho,” Andrews Corporate Officers and Directors Liability Reporter, January 10, 2000 “Disqualifying an Expert Witness,” Trial, June 1997; “Liability Insurance Coverage for the Tort of Conversion,” 62 Defense Counsel Journal, January, 1995 ; “The Impact of Derivative Securities Trading on Liability Insurers,” [1995] 3 International Insurance Law Review (subject presented as approved continuing education program to Underwriters at Lloyd’s, London in same year); “Discovery of Reserve and Reinsurance Information - An Update,” Federation of Insurance and Corporate Counsel Quarterly, Spring, 1994 (update of article in same journal, Summer 1990); “Actions Against Foreign Reinsurers in US Courts,” [1994] 2 International Insurance Law Review; “Developing Theories of Liability Against Reinsurers and Discovery Issues Affecting Reinsurers,” Journal of Reinsurance, Summer 1994; “The Liability of Attorneys for Environmental Exposures,” For the Defense, April 1994; “Illinois Civil Voir Dire Outline,” 78 Illinois Bar Journal 194, April 1990; “Discovery of Computerized Litigation Support Systems,” 77 Illinois Bar Journal, February, 1989 (First Place Article, Illinois State Bar Association Lincoln Legal Writing Contest); “Salvage and Subrogation,” chapter in Financial Institution Bonds (ABA, Tort and Insurance Practice Section), 1989; “Third Party Liability to the Surety,” ABA Annual Meeting, Tort and Insurance Practice Section, August 9,

1988; “Market Share Liability,” 75 Illinois Bar Journal, February 1987 (First Place Article, Lincoln Legal Writing Contest); “The Protected Class Under the Structural Work Act,” 74 Illinois Bar Journal, December 1985.

Appeals/Published Opinions:

Illinois Supreme Court: *In re Lawrence M.*, 172 Ill. 2d 523, 670 N.E.2d 710 (1996), affirming 269 Ill. App. 3d 253, 645 N.E.2d 269 (1995); *Jones v. O’Young*, 154 Ill. 2d 39, 607 N.E.2d 224 (1992); *Waste Management, Inc. v. International Surplus Lines Ins. Co.*, 144 Ill. 2d 178, 579 N.E.2d 322 (1991), affirming 203 Ill. App. 3d 172, 560 N.E.2d 1093 (1990); *Kinzer v. City of Chicago*, 128 Ill. 2d 437, 539 N.E.2d 1216 (1989).

United States Courts of Appeal: *Black & Veatch Corp. v. Aspen Insurance (UK) Ltd.*, 882 F.3d 952 (10th Cir. 2018); *Westfield Insurance Co. v. National Decorating Service, Inc.*, 863 F.3d 690 (7th Cir. 2017); *Krueger Int’l, Inc v. Royal Indem. Ins. Co.*, 481 F.3d 993 (7th Cir. 2007), affirming 2006 WL 1440852 (E.D. Wis., May 19, 2006); *In re Prudential Ins. Co. of America Sales Practices Litigation*, 314 F.3d 99 (3rd Cir. 2002); *Zurich Ins. Co. v. Amcor Sunclipse North America*, 241 F.3d 605, 57 U.S.P.Q.2d 2012 (7th Cir. 2001); *Roth v. Lutheran General Hosp.*, 57 F.3d 1446 (7th Cir. 1995); *Joyce v. Joyce*, 975 F.2d 379 (7th Cir. 1993); *Lim v. Central DuPage Hosp.*, 972 F.2d 758 (7th Cir. 1992); *National Organization for Women, Inc. v. Scheidler*, 968 F.2d 612 (7th Cir. 1992), rev’d., 510 U.S. 249 (1994); *Atlanta Int’l Ins. Co. v. Atchison, Topeka & Santa Fe Ry. Co.*, 938 F.2d 81 (7th Cir. 1991)

Appellate Court of Illinois: *Prospect Funding Holdings, LLC v. Saulter*, 2018 IL App (1st) 171277 (1st Dist. 2018); *Illinois School Dist. Agency v. St. Charles Community Unit Sch. Dist. 303*, 2012 IL App (1st) 100088, 971 N.E.2d 1099 (2012); *James McHugh Constr. Co. v. Zurich Am. Ins. Co.*, 401 Ill. App. 3d 127, 927 N.E.2d 247 (2010); *Golden v. Kishwaukee Cmty. Health Services Ctr., Inc.*, 269 Ill. App. 3d 37, 645 N.E.2d 319 (1994); *Molter Co. v. Amwest Surety Ins. Co.*, 267 Ill. App. 3d 718, 642 N.E.2d 919 (1994); *Pyskaty v. Oyama*, 266 Ill. App. 3d 801, 641 N.E.2d 552 (1994); *Bianchi v. Mikhail*, 266 Ill. App. 3d 767, 640 N.E.2d 1370 (1994); *Kramer v. Milner*, 265 Ill. App. 3d 875, 639 N.E.2d 157 (1994); *Dominguez v. St. John’s Hosp.*, 260 Ill. App. 3d 591, 632 N.E.2d 16 (1993); *Glassman v. St. Joseph Hosp.*, 259 Ill. App. 3d 730, 631 N.E.2d 1186 (1994); *Hulman v. Evanston Hosp. Corp.*, 259 Ill. App. 3d 133, 631 N.E.2d 322 (1994); *Wilson v. Evanston Hosp.*, 257 Ill. App. 3d 837, 629 N.E.2d 589 (1994); *Pratt v. Protective Ins. Co.*, 250 Ill. App. 3d 612, 621 N.E.2d 187 (1993); *Mank v. West American Ins. Co.*, 249 Ill. App. 3d 827, 620 N.E.2d 6 (1993); *Grossinger Motorcorp, Inc. v. American National Bank & Trust Co.*, 240 Ill. App. 3d 737, 607 N.E.2d 1337 (1992); *Lowney v. Arciom*, 232 Ill. App. 3d 715, 597 N.E.2d 817 (1992); *Waste Management, Inc. v. International Surplus Lines Ins. Co.*, 231 Ill. App. 3d 619, 596 N.E.2d 726 (1992); *Hyams v. Evanston Hosp.*, 225 Ill. App. 3d 253, 587 N.E.2d 1127 (1992); *Flynn v. Szwed*, 224 Ill. App. 3d 107, 586 N.E.2d 539 (1991); *Roser v. Anderson*, 222 Ill. App. 3d 1071, 584 N.E.2d 865 (1991); *Bolanowski v. McKinney*, 220 Ill. App. 3d 910, 581 N.E.2d 345 (1991); *Pekin Ins. Co. v. U.S. Credit Funding, Ltd.*, 213 Ill. App. 3d 673, 571 N.E.2d 769 (1991); *Northern Trust Co. v. Upjohn Co.*, 213 Ill. App. 3d 390, 572 N.E.2d 1030 (1991); *Pekin Ins. Co. v. American Country Ins. Co.*, 212 Ill. App. 3d 543, 572 N.E.2d 1112 (1991); *Federal Kemper Life Assur. Co. v. Old Republic Surety Co.*, 204 Ill. App. 3d 387, 561 N.E.2d 1208 (1990).

Substantive/Significant United States District Court Decisions: *Black & Veatch Corp. v. Aspen Insurance (UK) Ltd.*, 2019 WL 4958211 (D. Kan., Oct. 7, 2019), 378 F. Supp. 3d 975 (D. Kan. 2019), 2018 WL 2020543 (D. Kan., May 1, 2018), 2016 WL 6804894 (D. Kan., Nov. 17, 2016), 2015 WL 4478435 (D. Kan., July 22, 2015); 2015 WL 13047860 (D. Kan., Mar. 31, 2015); 2014 WL 12595196 (D. Kan., Sept. 8, 2014); 2014 WL 1328381 (D. Kan., Apr. 2, 2014); 2014 WL 806122 (D. Kan., Feb. 28, 2014); 297 F.R.D. 611 (2014); 2014 WL 806071 (D. Kan., Feb. 28, 2014); *James McHugh Construction Co. v. International Fidelity Ins. Co.*, 2018 WL 264195 (N.D. Ill. 2018); *Bumphus v. UniQue Personnel Consultants*, 2018 WL 1565609 (S.D. Ill., Mar. 30, 2018); *Kvaerner North American Construction Inc. v. Certain Underwriters at Lloyds London*, 2017 WL 2821691 (N. D. W.Va. 2017); *Central Contracting, Inc. v. Kenny Const. Co.*, 2015 WL 832267 (N.D. Ill. 2015); *Westfield Ins. Co. v. National Decorating Service, Inc.*, 147 F. Supp.3d 708 (N.D. Ill. 2015); *Certain Underwriters at Lloyd's v. Vandivier Mgmt, Inc.*, 2012 WL 4358747 (S.D. Ind., Sept. 30, 2012); *Philadelphia Indem. Ins. Co. v. 1801 W. Irving Park, LLC*, 2012 WL 3482260 (N.D. Ill., Aug. 13, 2012); *Redmond v. Sirius Int'l. Corp.*, 2012 U.S. Dist. LEXIS 110596 (E.D. Wis., Aug. 7, 2012); *Kingsway Financial Services, Inc. v. PricewaterhouseCoopers, LLC*, 2009 U.S. Dist. LEXIS 12471 (S.D.N.Y., Feb. 18, 2009), 2009 U.S. Dist. LEXIS 1404 (S.D.N.Y., Jan. 9, 2009), 2009 U.S. Dist. LEXIS 205 (S.D.N.Y., Jan. 5, 2009), 2009 U.S. Dist. LEXIS 12471 (S.D.N.Y., Feb. 18, 2009), 2008 U.S. Dist. LEXIS 105222 (S.D.N.Y., Dec. 31, 2008), 2008 U.S. Dist. LEXIS 103287 (S.D.N.Y., Dec. 22, 2009), 2008 U.S. Dist. LEXIS 77018 (S.D.N.Y., Oct. 2, 2008), 2008 U.S. Dist. LEXIS 69117 (S.D.N.Y., Sept. 12, 2008), 2007 U.S. Dist. LEXIS 46660 (S.D.N.Y., June 22, 2007), 2007 U.S. Dist. LEXIS 11349 (S.D.N.Y., Feb. 8, 2007), 2006 U.S. Dist. LEXIS 35615 (S.D.N.Y., May 26, 2006), 2006 U.S. Dist. LEXIS 28645 (S.D.N.Y., May 8, 2006), 420 F. Supp. 2d 228 (S.D.N.Y. 2005); *Great American Ins. Co. v. Handler, Thayer & Duggan, L.L.C.*, 2008 WL 11403238 (N.D. Ill., Oct. 2, 2008); *In re Conseco Inc. Securities Litigation*, No. 00-CV-585, 2004 WL 2904406 (S.D. Ind. Sept. 30, 2004); *Lansing Board of Water & Light v. Deerfield Ins. Co.*, 2003 U.S. Dist. LEXIS 650 (W.D. Mich., Jan. 10, 2003), 183 F. Supp. 2d 979 (W.D. Mich. 2002), 2001 U.S. Dist. LEXIS 3907 (W.D. Mich., Mar. 22, 2001); *Rush Presbyterian St. Luke's Medical Center v. Safeco Ins. Co.*, 712 F. Supp. 1344 (N.D. Ill. 1989); *Barr Co. v. Safeco Ins. Co.*, 706 F. Supp. 616 (N.D. Ill. 1989).

Other Jurisdictions: *In re Bay Networks Shareholders*, No. 16449, 2000 WL 33173169 (Del. Ch., Feb. 28, 2000); *Philadelphia Indem. Ins. Co. v. Maryland Yacht Club, Inc.*, 129 Md. App. 455, 742 A.2d 79 (1999);

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