



## James R. Branit

### PARTNER

Chicago

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### RELATED SERVICES

- Commercial Litigation
- Appellate
- Banking & Finance
- Business Transactions

### OFFICES

- Chicago

### OVERVIEW

James Branit concentrates his practice in civil and commercial trial litigation, class actions, and appeals. He has more than 37 years of experience as a successful trial and appellate attorney, prevailing in the vast majority of more than 250 appeals in various state and federal courts.

Jim defends financial institutions against a broad range of lawsuits and currently serves as lead defense counsel in hundreds of class actions against credit unions across the country. His medical litigation practice includes representing hospitals, physicians, chiropractors and nurses. Jim also defends businesses and individuals against serious and complex litigation including medical and non-medical professional liability, bodily injury and property damage, intellectual property, toxic tort, and multi-million-dollar claims.

Jim provides coverage opinions and litigates declaratory judgment actions on complex issues of policy interpretation. This includes the coverage areas of environmental, construction defect, general liability,

professional liability, personal/advertising injury and bad faith, as well as excess and umbrella, additional insured, first-party property, business risk and cargo liability. In fact, he has been advising an international restaurant corporation regarding contract and insurance matters for more than 15 years.

For substantial cases with likely appeals, Jim's considerable appellate experience provides a significant advantage in trial preparation and trial to make sure all issues and objections are preserved for appeal. Accordingly, he has prepared numerous post-judgment motions and appellate briefs in high-risk cases, winning the vast majority of such motions and appeals.

## REPRESENTATIVE EXPERIENCE

- Prevailed on appeal for oil company after an underground gasoline storage tank was leaking and the fuel fumes caused an explosion at a condo complex where Plaintiff resided, resulting in Plaintiff sustaining second-degree burns and other injuries; the Supreme Court upheld the Trial Court and Appellate Court ruling that Plaintiff had a sufficient remedy in law for their injuries, and the Illinois EPA and LUST Program provide governmental enforcement for violations, and ruled in favor of our client.
- H. v. Pla-Fit Franchise, LLC, 2017 IL App (3d) 16037 – Franchisor not liable for emotional injuries allegedly sustained by members who were secretly videotaped in tanning rooms
- South Shore Baseball, LLC v. DeJesus, 11 N.E.3d 903 (Ind. 2014) – Baseball stadium operator not liable for injuries sustained when spectator was struck by a foul ball
- Conrad v. AM Community Credit Union, 750 F.3d 634 (7th Cir. 2014) – Credit unions and trade association not liable; entertainer's performance of singing telegram in banana costume, as "Banana Lady", was not copyrightable
- Mockbee v. Humphrey Manlift Co., Inc., 2012 IL App (1st) 093189, (1st Dist. 2012) – Contractors retained by employer to perform safety inspection entitled to immunity from employee's negligence claim
- Lazenby v. Mark's Construction, Inc., 236 Ill.2d 83 (2010) – General contractor not liable to firefighter who fell through unprotected floor opening
- Grey Direct, Inc. v. Erie Ins. Exchange, 460 F.3d 895 (7th Cir. 2006) – Insured's printing error as a "known loss" that was not covered by printer's errors and omissions insurance policy
- AAA Disposal Systems, Inc. v. Aetna Cas. & Sur. Co., 355 Ill.App.3d 275 (2005) – Insured required to exhaust all primary coverage before excess insurance was triggered; clean-up costs had to be allocated pro rata over entire coverage period
- Barnard v. Saturn Corp., 790 N.E.2d 1023 (Ind.Ct.App. 2003) – Car owner's fault precluded recovery against car and jack manufacturers

## CREDENTIALS

### Admissions

- Illinois
- U.S. District Court, Northern and Central Districts of Illinois
- U.S. District Court, Northern and Southern Districts of Indiana
- U.S. District Court, Eastern District of Wisconsin
- U.S. Courts of Appeals, Seventh, Eighth, and Eleventh Circuits
- U.S. Supreme Court

### Education

- J.D., *high honors*, Chicago-Kent College of Law, 1985
- B.A., *high honors*, Illinois Institute of Technology, 1983

### Honors

- Martindale-Hubbell AV Preeminent® Peer Review Rated™ attorney
- Illinois Leading Lawyer distinction in Civil Appellate Law; Insurance, Insurance Coverage & Reinsurance Law; and, Professional Malpractice Defense Law, including Legal/Technical/Financial, 2014-2025
- “Top Appellate Lawyers in Illinois”, *Chicago Lawyer*