



Contact

Todd J. Ohlms

Partner

Chicago

+1.312.962.3537

tohlms@proskauer.com

Todd J. Ohlms is as a partner in the Litigation department and a member of the Asset Management Litigation Group. Todd has represented clients in business-critical litigation matters for over 25 years, and has tried several cases to verdict before juries and the bench. He has also participated in numerous arbitration proceedings, including counseling clients regarding disputes subject to international arbitration agreements.

Todd is often retained by private equity firms to counsel them and their portfolio companies on a wide range of matters and is frequently chosen to serve as outside general counsel to their portfolio companies. He also represents family offices in disputes related to their operating companies where sensitive and complex relationships often play as large a role in determining the result as the actual legal theories at issue.

Todd has substantial experience in actions involving temporary restraining orders, preliminary injunctions, and in the critical areas of securities and shareholder litigation, corporate governance, intellectual property, fiduciary litigation, antitrust and trade regulation and complex/multi-jurisdictional disputes. He also has extensive experience in creating and implementing electronic discovery strategies and protocol for clients.

Representative Matters

- Represented 2,500-acre vineyard and winery in Paso Robles, California in breach of fiduciary duty, unjust enrichment, and unfair competition lawsuit against its former president in a two-week jury trial. Defended a manufacturer of high performance automobile parts in an antitrust action where a magistrate judge had already recommended a summary judgment ruling on liability against the manufacturer. Successfully objected and reversed the recommendation and then resolved the remainder of the dispute.*
- Represented a private equity firm's claims relating to the sale of a portfolio company to a public company. Recovered one hundred percent of damages claimed.*
- Defended a portfolio company in a product liability jury trial where the verdict represented only two percent of the plaintiff's demand in closing argument.*
- Obtained dismissal with prejudice, with no settlement dollars paid, for directors and officers of high-tech start-up company in action brought by bankruptcy trustee based on phantom capital structure.*
- Represented a family office operating company in its claims related to an earn-out agreement against a large public utility. Case settled at one hundred percent of the damage model to be presented at trial.*
- Successfully represented judgment creditor in fraudulent transfer suit prosecuted through derivative standing on behalf of a bankruptcy trustee. Case involved interface with DOJ/FBI given undisclosed criminal enterprise operated by the judgment debtor.*
- Successfully obtained dismissal with prejudice, with no settlement dollars paid, for client in multi-million dollar securities action brought by family members related to family office operating company.
- Successfully defended private equity portfolio company in product liability action involving U.S. Coast Guard recall of component part of gasoline

engines. Case involved third party claims against offshore manufacturer of component part.*

- Defended former CFO of a publicly-traded company in complex securities fraud action resulting in favorable settlement.*
- Represented the plaintiff in a legal malpractice action, against a now defunct large Chicago-based law firm, in a case involving the alleged mishandling of an arbitration and the drafting and implementation of the terms of employment and shareholder agreements resulting in substantial eight-figure settlement.*
- Obtained preliminary injunction on behalf of manufacturer whose specialized tooling was converted in China.*
- Successfully defended seller of business in injunction proceedings brought to enjoin sale based on purported antitrust concerns.*
- Served as a Special Assistant Attorney General for the State of Illinois with respect to its suit against members of the Tobacco Industry. Pursuant to the settlement of that action, the State of Illinois received more than \$9 billion as well as the benefit of numerous restrictions on the Tobacco Industry's conduct.*

* at prior firm

Practices

Litigation, Asset Management Litigation, International Arbitration, Intellectual Property, Antitrust, Securities Litigation

Education

Washington University in St. Louis, School of Law, J.D.

University of Missouri, Rolla, B.S.

Aerospace Engineering

Admissions & Qualifications

Illinois

Court Admissions

U.S. Court of Appeals, Sixth Circuit
U.S. Court of Appeals, Seventh Circuit
U.S. District Court, Illinois, Northern District
U.S. District Court, Michigan, Eastern District
U.S. District Court, Michigan, Western District
U.S. District Court, Missouri, Eastern District

Memberships

American Bar Association
Chicago Bar Association
Federal Bar Association
American Institute of Aeronautics Astronautics
Bunker Labs Board of Directors
United States Air Force Academy Sabre Society

Awards & Recognition

Crain's Chicago Business GenX Leaders in Law, 2019
Chicago Daily Law Bulletin and Chicago Lawyer – 40 Under Forty Illinois Attorneys to Watch, 2002
Leading Lawyers, Commercial Litigation
Illinois Leading Lawyers, 2020 (cited in multiple years)