



# henderson**PARKS**

## **BUSINESS TRIAL LAWYERS**

Commercial & Product Litigation  
White Collar & Investigations  
Appeals



## COMMERCIAL LITIGATION

Companies rely on the experience of Henderson Parks for advice and advocacy on issues including:

### Antitrust

### Breach of Contract

### Breach of Fiduciary Duty

### Class actions

### Consumer Fraud

### Closely Held Companies

Shareholder disputes

Buyout and earn-out disputes

### Financial Services Litigation

Loan enforcement and lender liability

Deceptive and Unfair Practices

### Fraud

### Intellectual Property

Trademark infringement

Copyright infringement

### Partnership disputes and dissolution

Access to records

### Products Liability

Warranties

Recalls

### Professional Malpractice

Defending attorneys

Defending accountants

### Restrictive Covenants

Non-competes

Non-solicitations

### Real Estate Litigation

Breach of Lease

Broker commission disputes

Purchase/Sale disputes

The lawyers at Henderson Parks have a record of achieving results for clients in federal and state courts in cases ranging from contract disputes to securities violations: See *Northwestern Mem. Hosp. v. Virtual Imaging, Inc.*, 2013 U.S. Dist. LEXIS 171470 (N.D. Ill. 2013); *Gateway Sys. v. Chesapeake Sys. Solutions*, 836 F. Supp. 2d 625, 2010 U.S. Dist. LEXIS 95470, 2010 U.S. Dist. LEXIS 106876 (N.D. Ill. 2010-2012); *Crum & Crum Enters. v. NDC of Cal., L.P.*, 2010 U.S. Dist. LEXIS 116818, 2011 U.S. Dist. LEXIS 24690 (D. Del. 2010-2011); *In re Spiegel, Inc. Secs. Litig.*, 2005 U.S. Dist. LEXIS 15776 (N.D. Ill. 2005); *Am. Top English v. Lexicon Mktg. (USA), Inc. & v. Golden Gate Capital, L.P.*, 2004 U.S. Dist. LEXIS 23640 (N.D. Ill. 2004); *FTC v. Harry*, 2004 U.S. Dist. LEXIS 15588 (N.D. Ill. 2004); *MS Produce, Inc. v. Burger King Corp.*, 2003 U.S. Dist. LEXIS 8075 (N.D. Ill. 2003).



## WHITE COLLAR AND INVESTIGATIONS

As seasoned trial advocates, Henderson Parks has represented clients in proceedings involving:

Government investigations

Grand Jury investigations

Public Corruption

Campaign Money Laundering

Misappropriate of Public Funds

Bribery

Computer and Internet Fraud

Conspiracy

Counterfeiting

Bank Fraud

Credit Card Fraud

Embezzlement

Extortion

Forgery

Mail Fraud

Wire Fraud

Tax Fraud

Money Laundering

Smuggling

Criminal investigations begin with police officers and law enforcement agents going out into the community to follow up on reports of criminal or suspicious conduct. In many instances an individual or business will receive an inquiry from a police officer, federal law enforcement agent or other government official. The inquiry may be in the form of a telephone call from a police officer or federal law enforcement agent seeking information. It may also occur with a law enforcement official showing up at the door seeking to speak with a designated person. The inquiry may also be in the form of a subpoena seeking testimony, documents, or both. The lawyers at Henderson Parks know how to respond quickly and effectively when the government is at the door.



## APPEALS

Henderson Parks has experienced appellate advocates familiar with the unique procedures and processes in the appellate courts.

Appeals and appellate arguments are markedly different from proceedings in the trial courts and clients benefit from seasoned appellate advocates who can bring a fresh perspective.

The experienced appellate lawyers at Henderson Parks have developed a guide of what to expect in federal appellate arguments that can be accessed here: [Oral Arguments](#)

Reported appeals handled by Henderson Parks lawyers include:



### CIVIL CASES

*Sullivan v. Flora, Inc.*, 936 F.3d 562 (7th Cir. 2019)

*Forest Preserve District of Cook County v. Royalty Properties, LLC, et al.*, 2018 IL App (1st) 181323

*Squires-Cannon v. Forest Preserve District of Cook County*, 897 F.3d 797 (7th Cir. 2018)

*City of Chicago v. Elm State Properties, LLC*, 2016 IL App (1st) 152552 (amicus curiae)

*Hernandez v. Bridgestone Americas Tire Operations, LLC*, 831 F.3d 940 (8th Cir. 2016)

*Floss v. Chicago Association of Realtors*, 2015 IL App (1st) 143218-U

*Baker v. Forest Preserve District of Cook County, et al.*, 2015 IL App (1st) 141157

*Contractors Lien Service v. The Kedzie Project, LLC et al.*, 2015 IL App (1st) 130617-U

*Shadid v. Sims*, 2015 IL App (1st) 141973 (amicus curiae)

*Northwestern Memorial Hospital v. Sharif*, 2014 IL App (1st) 133008

*Shermer Aviation, LLC v. Dassault Falcon Jet Corp.*, 2014 IL App (1st) 131400-U

*ADT v. Lisle Woodridge Fire Protection District et al.*, 672 F.3d 492 (7th Cir. 2012)

*Monica Gonzalez-Servin, et al v. Ford Motor Company, et al.*, 662 F.3d 931 (7th Cir. 2011)

*Gambino v. Boulevard Mortgage Corp.*, 922 N.E.2d 380 (Ill. 1st Dist. 2009)

*Burnett v. Stroger*, 905 N.E.2d 939 (Ill. 1st Dist. 2009)

*Gregory v. Georgia-Pacific*, 892 N.E.2d 563 (Ill. 1st Dist. 2008)

*Sanchez & Daniels v. Koresko*, 503 F.3d 610 (7th Cir. 2007)

*Daniels v. Bursey*, 430 F.3d 424 (7th Cir. 2005)



## VICTOR P. HENDERSON

Mr. Henderson's practice focuses on three areas: Commercial Litigation; Criminal Defense – White Collar; and Investigations. Mr. Henderson is an experienced trial lawyer, having tried more than two dozen civil and criminal cases in state and federal court on issues including: accounting malpractice, mortgage fraud, breach of contract and felony narcotics.

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Mr. Henderson is recognized for serving as trial counsel on high profile cases. Some of these cases include his representation of: Cook County Commissioner William Beavers, charged with federal tax fraud; Illinois State Representative Derrick Smith, who was charged with accepting a bribe; Public Defender Ed Burnette against Cook County Board President Todd Stroger; Blue Cross Blue Shield of Illinois, regarding the medical coverage for tens of thousands of patients; City Colleges of Chicago when it terminated three tenured professors; and the E-2 case, which involved the deaths of 21 night club patrons. The events surrounding these cases as well as Mr. Henderson's role as the lead attorney was written about and featured in local newspaper articles and publications, including Crain's Chicago Business, the Chicago Sun-Times, the Chicago Daily Law Bulletin and the Chicago Tribune.

Mr. Henderson has been regularly identified by his peers as an Illinois Super Lawyer.

Mr. Henderson started his professional career as a certified public accountant. Upon graduation from the Wharton School at the University of

Pennsylvania, he spent two years in Philadelphia practicing as an auditor at what is now PriceWaterhouseCoopers.

Mr. Henderson began his legal career in Chicago as a lawyer for Phelan Pope & John, then one of the leading trial law firms. While there, he practiced complex commercial litigation, products liability and pro bono criminal litigation. Years later, Mr. Henderson joined Florida-based Holland & Knight and ultimately served as the Executive Partner. He was the first black person in Chicago to lead an office with more than 100 lawyers.

## VICTOR P. HENDERSON

### Licenses

State of Illinois  
Northern District of Illinois, Trial Bar  
U. S. Court of Appeals for the Seventh  
Circuit  
Central District of Illinois  
Western District of Michigan

### Education

Georgetown University Law Center, J.D.  
Wharton School, University of  
Pennsylvania, B.S.E.

### Honors and Awards

Mr. Henderson has received many honors and awards, including: the Willert Pioneer Diversity Award from the Defense Research Institute; the Vanguard Award presented by Chicago Bar Association; the Justice Award from Kennedy-King Community College; the Ida B. Platt Award presented by the Cook County Bar Association; the C.F. Stratford Award by former Cook County State's Attorney Dick Devine; and the Heman Sweatt Award presented by the National Bar Association.

### Community Service

Mr. Henderson is an active member in the bar and sat on the John Marshall Law School Board of Trustees. He has served as a past president or chairman of the Illinois Equal Justice Foundation, the Chicago Committee On Minorities In Large Law Firms and the 22,000-member Chicago Bar Association.

Mr. Henderson's current and past appointments include: the Bi-Partisan Federal Judicial Commission as appointed by U. S. Senator Mark Kirk, the Illinois Community College Board as appointed by Governor Pat Quinn and the Justice Advisory Council as appointed by Cook County Board President Toni Preckwinkle.

Mr. Henderson is also the former television host of Inside Justice, which aired on cable station WYCC and Unspoken, which aired on WCBS in Chicago. Both shows covered public affairs.



## CHRISTOPHER W. CARMICHAEL

### **Commercial Litigation & Dispute Resolution**

Mr. Carmichael's commercial dispute resolution practice covers written contracts, antitrust, false and deceptive marketing, fraud, consumer fraud, trademarks and copyrights, and mass and class actions. Early resolution and ADR are used wherever appropriate to resolve matters quickly and efficiently for clients. Where a negotiated solution is not possible, Mr. Carmichael uses his extensive trial and arbitration experience to deliver results for clients.

### **Appellate Advocacy**

Mr. Carmichael is an experienced appellate advocate, having briefed and argued more than fifty civil and criminal appeals in state and federal appellate courts, including the Eighth Circuit, Seventh Circuit, Illinois Appellate Court, Tennessee Supreme Court, Illinois Supreme Court, and United States Supreme Court. Appellate advocacy requires a unique skill set that Mr. Carmichael has honed over years of practice, after starting as an appellate clerk with the United States Court of Appeals for the Seventh Circuit.

### **Counseling & Advising on Contracts**

Mr. Carmichael provides general counseling and advice to business in structuring agreements and handling disagreements that arise in business relationships. He has negotiated and documented joint ventures, partnerships, non-disclosure agreements, licenses, leases, warranties, indemnities, and vendor agreements. He also advises clients on interpreting and enforcing agreements, such as non-competes/non-solicitations, indemnity provisions, and limitations of liability and exclusions.

### **Prior Experience**

Mr. Carmichael began his career as a law clerk to Judge William J. Bauer of the United States Court of Appeals for the Seventh Circuit, taught law students as an Adjunct Professor of Law at DePaul University, and was a partner at the international law firm of Holland & Knight, LLP.

Mr. Carmichael's practice focuses on:  
Commercial Litigation & Dispute Resolution;  
Appeals; and Counseling & Advising on  
Contracts.

Mr. Carmichael's clients include businesses  
in retailing, manufacturing, technology, and  
services industries, and the clients range  
from closely-held entrepreneurial business  
to publicly traded companies.

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## CHRISTOPHER W. CARMICHAEL

### Licenses

State of Illinois  
Commonwealth of Massachusetts  
U.S. Court of Appeals for the Seventh Circuit  
U.S. Court of Appeals for the Eighth Circuit  
U.S. District Court for the Northern District of Illinois, and Trial Bar  
U.S. District Court for the Central District of Illinois  
U.S. District Court for the Southern District of Illinois

### Education

Chicago-Kent College of Law, Certificate in Financial Markets Compliance  
DePaul University College of Law, J.D., with honors and Order of the Coif  
Loyola University Chicago, B.A., History, with distinction

### Honors and Awards

Illinois Super Lawyers magazine, Business Litigation, 2016, 2017, 2019, 2020, 2021  
Rising Star, Illinois Super Lawyers magazine, 2014

### Community Service

Federal Bar Association, Chicago Chapter, Board of Directors, 2012-Present; Treasurer 2019-2020; Secretary 2020-2021  
DePaul Center for Public Interest Law, Advisory Board, 2008-2015  
CARPLS, Associate Board, 2013-2015  
Appellate Lawyer's Association, Rules Committee, 2013  
Chicago Bar Association, Chair, Young Lawyers Section (YLS) Client

Development and Firm Economics Committee, 2008-2009

Chicago Bar Association, Investigator, Judicial Evaluation Committee, 2007-2008

### Publications

Illinois Chapter, Business Torts: A Fifty-State Guide, 2010-2017 Editions  
Chicago-Area Hospitals Abandon Fight to Save Merger from FTC Challenge, Lexology, March 22, 2017  
Appeals Court Decisions Strengthen FTC's Hand in Hospital Merger Challenges, Law360, November 17, 2016  
How to Defeat the Repeat Consumer Class Action Plaintiff, Lexology, May 23, 2016  
How to Defeat the Warranty Class Action, Lexology, May 11, 2016  
Warranties Go Digital with Enactment of the E-Warranty Act, October 8, 2015  
Article 2 of the UCC Trumps Unwritten Intent, Lexology, March 16, 2015  
Changes for 2015 - What Constitutes Consideration for Restrictive Covenants in Illinois?, ACC Newsstand, February 19, 2015  
Trouble with the Judge, The Circuit Rider, April 2013  
Controlling Discovery Helps Resolve Issues, Chicago Daily Law Bulletin, August 21, 2012  
The Misunderstood 'Protective Order', The Circuit Rider, Vol. 5, June 2008

### Speaking Engagements

The Year of the Recall – Who Pays for Fixing Defective Products Under UCC Article 2 on Warranties, April 7, 2015





## DEVLIN J. SCHOOP

Devlin J. Schoop's practice focuses on Commercial Litigation, Labor and Employment disputes and advising, and Investigations.

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### Licenses

State of Illinois  
Northern District  
of Illinois

### Education

Mr. Schoop obtained his law degree from the University of Illinois College of Law.

### Community Service

Mr. Schoop is actively involved in community organizations in Chicago.

Mr. Schoop is a seasoned trial lawyer and former Illinois circuit court judge who has tried more than two dozen cases in state and federal courts, and before administrative tribunals. The nature of Mr. Schoop's practice has involved representing management in a wide variety of complex labor and employment litigation in both the federal and state trial and appellate courts nationwide. Mr. Schoop's practice has included defense of collective actions brought under the Fair Labor Standards Act; multiple plaintiff employment discrimination lawsuits on the basis of race, gender, national origin, religion and sex; sexual harassment/hostile work environment claims; class actions brought under the Illinois Minimum Wage Law and the Day and Temporary Labor Services Act; retaliatory discharge/whistleblower actions; disparate impact litigation involving the use of statistical evidence to prove a pattern or practice of discrimination within employment/bargaining units; breach of fiduciary duty claims; traditional labor arbitrations involving

allegations of unfair labor practices in violation of collective bargaining agreements (public and private sector); actions for equitable remedies, including TRO's and preliminary and permanent injunctions in connection with the misappropriation and/or dissemination of trade secrets. Mr. Schoop's practice also included conducting confidential internal investigations of employees, supervisors and key personnel suspected of misconduct, either in violation of company policy, statute or both.

Mr. Schoop has appeared in over 800 civil lawsuits in federal and state courts nationwide, including action in Arkansas, Arizona, California, Kentucky, Illinois, Indiana, Minnesota, North Carolina, Texas and Wisconsin. Mr. Schoop has hands-on experience handling disputes during all stages of the litigation process, including pre-filing settlement discussions, pleadings, preliminary/emergency injunctive relief, discovery, mediation/settlement conferences, dispositive motions (summary judgment), trial and appeal.

Upon graduation from the University of Illinois College of Law, Mr. Schoop started his career as a law clerk to the Hon. Blanche M. Manning of the United States District Court for the Northern District of Illinois. Mr. Schoop then entered private practice as a litigation associate with the former Chicago-based law firm Wildman Harrold, LLP. Years later, Mr. Schoop became a partner at Laner Muchin, Ltd. In 2015, the Illinois Supreme Court appointed Mr. Schoop to serve as Circuit Judge in the Circuit Court of Cook County.

## KIMBERLY N. TARVER

Drawing on her broad range of experiences, Ms. Tarver represents individuals and corporations in judicial and administrative litigation and negotiations, providing corporate clients with across-the-board general counsel, risk-management assessment and proactive response, compliance plans, audits and corrective action plans, policy development, internal investigations, and meeting other client needs as they arise.

As a former Assistant United States Attorney for the District of Columbia (Civil Division), Ms. Tarver represented the United States of America, federal agencies and officers in cases involving claims of executive, federal agency and law enforcement privilege, constitutional rights, agency rulemaking challenges, due process claims, employment discrimination cases, federal procurement challenges and other injunctive actions. While most of her AUSA career was spent defending federal agencies and officers, in her final years at

the United States Attorney's Office (where she served under former U.S. Attorney General Eric Holder, then United States Attorney for the District of Columbia), Ms. Tarver expanded her practice to include prosecution of health care fraud and qui tam claims on behalf of the United States. Ms. Tarver received the Attorney General's Award for Special Achievement for her work on a health care fraud investigation that yielded a \$21,000,000 recovery for the United States.

Upon leaving the US Attorney's Office, Ms. Tarver became a partner in the Baltimore, Maryland law firm formerly known as Ober, Kaler, Grimes & Shriver (now merged into Baker|Donelson), where she specialized in civil and criminal health care matters, representing clients in Federal and State investigations and cases around the country. Through her work on health care matters, Ms. Tarver developed expertise in conducting internal investigations and guiding clients through development of corrective actions plans which were critical to reducing both corporate and senior officer liability and criminal exposure. During her tenure Ms. Tarver authored a white paper providing clients with guidance on conducting internal investigations and structuring compliance plans as an essential strategy in responding to or preempting government investigations.

At Henderson Parks, LLC, Kimberly N. Tarver practices in the areas of commercial litigation, risk management, and investigations.

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## KIMBERLY N. TARVER

### Licenses

State of Illinois  
State of Maryland

### Education

J.D., Georgetown University Law Center  
M.A., University of North Carolina at Chapel Hill  
B.A. (cum laude), Barnard College, Columbia University

### Honors and Awards

Illinois Super Lawyers magazine, Business Litigation, 2016, 2017, 2019, 2020, 2021  
Rising Star, Illinois Super Lawyers magazine, 2014

### Prior Experience


Law Office of Kimberly N. Tarver, P.C., Maryland  
Partner, Ober, Kaler, Grimes & Shriver (now BakerIDonelson), Baltimore, Maryland  
Assistant United States Attorney, District of Columbia  
Associate, Wilmer, Cutler & Pickering (now WilmerHale), Washington, D.C.  
Associate, Nixon, Hargrave, Devons & Doyle (now NixonIPeabody), Washington, D.C.  
Special Assistant Corporation Counsel for the District of Columbia

### Community Service

Mentoring of Young Lawyers  
Moot Court Judge and Coach for Law School Mock Trial Teams  
Street Law Classes and Mock Trials for High School and Middle School Students  
Legal Workshops at Faith-Based Organizations  
Pro bono representations including Ms. Tarver's representation of a military service member facing life without parole in connection with a 20-count indictment. Ms. Tarver joined with military defense counsel to make a compelling case of significant service-related emotional strain. The former service member was paroled (with Ms. Tarver's support through the parole process) and is now a highly productive member of his community.



## COLIN QUINN COMMITO



Colin Q. Commito practices in the areas of commercial litigation, white collar and investigations.

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Mr. Commito has tried numerous cases to favorable verdict and handled hundreds of civil and criminal matters. His legal career started at Luther Franklin Spence and Associates on Chicago's West Side, where he represented clients in a wide variety of proceedings. Mr. Commito's advocacy for his clients often extended beyond the trial court and notable cases argued by Mr. Commito include *People v. Cordelrow Brown*, 2015 IL App (1st) 134049, a double jeopardy case of first impression where the Illinois Appellate Court, First District, vacated six criminal convictions and ordered the trial court to conduct a new sentencing hearing. This case served to clarify the law of double jeopardy for criminal defendants throughout the state of Illinois.

In addition, Mr. Commito took the lead on several civil matters and frequently appeared before judges in the Law, Chancery, and other Divisions of the Circuit Court of Cook County. Mr. Commito has represented

business clients in breach of contract actions, successfully defended a successor-trustee in a breach of fiduciary duty lawsuit, and obtained a judgment for fraudulent concealment action against a real estate seller.

Mr. Commito clerked for two appellate court justices: Justice John B. Simon (ret.) and Justice John C. Griffin (ret.) of the Illinois Appellate Court, First District. Mr. Commito advised Justices Simon and Griffin, and drafted more than 100 opinions and orders in civil and criminal cases.

Mr. Commito is a classical pianist with Bachelor of Arts degrees in music and government, in addition to his Juris Doctorate and Master of Laws degrees from the UIC John Marshall Law School.

### Education

JD, UIC John Marshall Law School  
LLM in International Business and Trade, UIC John Marshall Law School, with Honors  
Certificate of Concentration in Trade Law  
Certificate of Concentration in Corporate and Finance Law  
BA, Government, University of Redlands  
BA, Music, University of Redlands

### Licenses

State of Illinois

### Publication

"A Letter from Jail,"  
Chicago Bar Association  
(CBA) Record, 2017

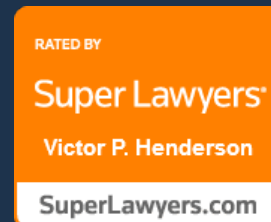
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**NAMWOLF**  
LAW FIRM MEMBER

Member of NAMWOLF



Our lawyers, including Victor P. Henderson and Christopher Carmichael, have been named to the Super Lawyers list for multiple years. The Super Lawyers list recognizes no more than 5 percent of attorneys in each state



Certified Minority Business Enterprise (MBE) by the  
Chicago Minority Supplier Development Council  
[www.chicagomsdc.org](http://www.chicagomsdc.org)