

Daniel A. Kaufman

Partner

Overview

Clients turn to Dan because he is an outstanding litigator and a trusted advisor on employment and other issues. His deep knowledge of employment law, exceptional judgment, and strategic advice enable clients to achieve their goals.

Businesses, colleges and universities, municipalities, and other clients rely on Dan's proven litigation experience and proactive counsel on a broad range of issues, including:

- Discrimination and harassment suits
- Non-compete, non-solicitation, and confidentiality agreements
- Hiring, disciplining and terminating employees
- Retaliation and whistleblower claims
- Medical leaves and disability
- Wage and hour matters
- Litigation avoidance

Dan's work is regularly honored by regional and national ranking organizations. He holds an AV[®] (preeminent/highest) rating from Martindale-Hubbell[®]. He received an award for excellence in pro bono service from the Judges of the United States District Court for the Northern District of Illinois and the Chicago Chapter of the Federal Bar Association in 2010. Dan has held various leadership roles at Michael Best, including serving as the immediate past chair of the Labor & Employment Relations Group, previously serving as a member of the Management Committee and serving twice as the Managing Partner of the Chicago Office. Dan served as Law Clerk to the Honorable Charles L. Levin, Michigan Supreme Court, from Fall 1986 to Fall 1987.

Experience

Highlights of Dan's experience as a litigator include:

- Led trial team when jury found no liability against our client, one of the largest municipalities in Illinois, in a federal case alleging disability discrimination. This case



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Industries

Higher Education

Practices

Class Action, Collective Action &
Multidistrict Litigation
Employment Litigation
Labor & Employment Relations
Unfair Competition & Trade Secrets

helped to define and limit the scope of an employer's obligation to provide employees with a reasonable accommodation under the Americans with Disabilities Act.

- Led trial team when jury found no liability against our client in a federal case alleging retaliation and other claims
- Bench trial victory on behalf of a large healthcare entity in a groundbreaking case claiming discrimination on the basis of sexual orientation
- Obtained summary judgment (affirmed by the Seventh Circuit) on behalf of a large healthcare entity in a national origin discrimination case. This case is frequently cited for the compelling argument we made that a court is not to act as a "super personnel department" substituting its judgment for the decision-making process of an employer.
- Attained dismissals and successful resolutions of disability discrimination, harassment, retaliation, defamation, and other claims against leading universities
- Attained numerous dismissals, summary judgement and successful resolutions of discrimination, harassment, retaliation, wage and hour and other claims against businesses, municipalities and other clients.

Class action and multi-plaintiff cases

- Defeated plaintiffs' motion for class certification and obtained summary judgment (affirmed by the Seventh Circuit) in a 10-plaintiff case against a large employer. The plaintiffs alleged race and national origin harassment and discrimination and retaliation.
- Successfully represented a construction company in a multi-plaintiff case that alleged federal and state wage and hour claims. The claims alleged misclassification and denial of overtime pay.

Non-compete and trade secret disputes

- Defended and successfully resolved a non-competition lawsuit filed against a bank, mortgage company, and senior executives after the mortgage company had hired a group of senior executives and other employees from another mortgage company
- Prevailed in and successfully resolved numerous other disputes involving non-competition, non-solicitation, non-disclosure, and trade secret claims. Cases include successful hearings on motions for temporary restraining orders and preliminary injunctions, on behalf of banks and other financial services institutions, professional services companies, hedge funds, and other clients.

Honors & Recognitions

- *The Best Lawyers in America*®, Employment Law - Management, 2012-present
- Martindale-Hubbell® AV Preeminent Rated
- "Illinois Super Lawyers" list, *Super Lawyers* magazine, 2006-present
- 40 Illinois Attorneys Under 40 Years Old to Watch, Law Bulletin Publishing, 2000
- Chicago's Top Rated Lawyers, *The Chicago Tribune* and *The Wall Street Journal*

- Award for Excellence in Pro Bono Service, United States District Court for the Northern District of Illinois and the Chicago Chapter of the Federal Bar Association, 2010

Professional Activities

- Member, National Association of College and University Attorneys (NACUA)
 - Annual Program Committee, 2018-2019 (Co-Chair, Compliance Working Group), 2017-2018, 2016-2017 (Co-Chair, Business and Real Property Working Group), 2015-2016, 2008-2009, 2007-2008
 - CLE Committee, 2010 and 2013
- Member, University of Chicago Law School Visiting Committee, 2006-2009
- Member, American Bar Association, Employment and Litigation Committees
- Member, Illinois State Bar Association
- Member, Chicago Bar Association

Education

- University of Chicago Law School, Juris Doctor (J.D.), 1986
- Amherst College, Bachelor of Arts (B.A.), with honors, 1983; Phi Beta Kappa

Admissions

- Illinois
- United States Supreme Court
- United States Court of Appeals, Seventh Circuit
- United States District Court, Northern District of Illinois
- United States District Court, Northern District of Indiana

Community Involvement

- Councilman, City Council of the City of Highland Park, Illinois, 2011-present
- Illinois State Housing Appeals Board, 2012-present
- Member, City Year Chicago, 2004-2011
- Member, Economic Club of Chicago, 2008-2017; Chair, Attorney Sub-Committee, Membership Committee, 2016-2017; Chair, Reception Committee, 2012-2013
- Member, Community Partners for Affordable Housing, 2010-2012
- Appointed to Illinois State Representative Karen May's Blue Ribbon Panel on Affordable Housing, 2005
- Chairman, Housing Commission of the City of Highland Park, Illinois, 2000-2003; Member, 2000-2006
- Chairman, Housing Trust Fund Advisory Committee of Highland Park, Illinois, 2002-2005; Member, 2002-2006

- President, Jewish Council for Youth Services, 1996-1997; Board of Directors, 1989-1998
- Commissioner, Human Relations Commission of the City of Highland Park, Illinois, 1992-1999

Related News

PUBLICATION

September 17, 2020

Department of Labor Issues Revised Temporary Families First Coronavirus Response Act Rule

PUBLICATION

August 25, 2020

Frequently Asked Questions: Privacy and Cybersecurity Issues Arising from the Virtual Learning Environment

EVENT

August 20, 2020

Back To School Raises Questions About FFCRA's School & Childcare Provisions – Practical Tips For Employers

NEWS

August 20, 2020

Ninety-Two Michael Best Attorneys Earn Top Honors in The Best Lawyers in America 2021 List

PUBLICATION

May 21, 2020

Institutions of Higher Education Face an Onslaught of Pandemic-Related Class Action Lawsuits

PUBLICATION

May 11, 2020

Your Stay-at-Home Order is Lifted: Now What? Returning to Work during the COVID-19 Pandemic

PUBLICATION

May 7, 2020

They're Here – The Department of Education Issues New Title IX Regulations

NEWS

April 22, 2020

The Chronicle of Higher Education

Kaufman quoted in The Chronicle of Higher Education article, Here Are the Covid-19 Legal Risks You Need to Know About Now

PUBLICATION

April 14, 2020

Key Provisions in the CARES Act for Higher Education Institutions

PUBLICATION

April 9, 2020
COVID-19: Providing Disaster Assistance to Students

PUBLICATION

April 6, 2020
Protecting Student Privacy during a Pandemic

EVENT

March 23, 2020
The Families First Coronavirus Response Act: What Employers Need To Know

PUBLICATION

March 23, 2020
Illinois Stay-at-Home Executive Order

PUBLICATION

March 19, 2020
Employee Leave Under the Families First Coronavirus Response Act: What Employers Need to Know

PUBLICATION

March 19, 2020
Tax Credits under the Families First Coronavirus Response Act

EVENT

March 11, 2020
Practical & Legal Considerations for Employers Combatting The Coronavirus

PUBLICATION

March 5, 2020
Higher Education Institutions Prepare for Coronavirus

PUBLICATION

March 3, 2020
Top Issues in 2020: Higher Education

PUBLICATION

March 2, 2020
Considerations for Responding to the Coronavirus

NEWS

January 22, 2020
Law360
Three Michael Best attorneys coauthored Law360's article A Noncompete Consideration Split In Ill. State, Federal Courts



PUBLICATION

September 10, 2019

FTC Holds For-Profit Higher Education Provider Accountable for Vendors' Lead Generation, Privacy, and TSR Violations

NEWS

August 15, 2019

Michael Best Attorneys Named The Best Lawyers in America© 2020

PUBLICATION

July 22, 2019

Department of Education's Financial Responsibility Standards and Reporting Requirements Apply to both Public and Private Institutions

EVENT

May 21, 2019

31st Annual Labor & Employment Relations Law Seminar

EVENT

December 4, 2018

#MeToo Roundtable: One Year Later

PUBLICATION

November 19, 2018

The Department of Education Proposes New Regulations under Title IX