



Daniel V. Kinsella

Shareholder

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Drawing on his more than 35 years in the legal arena of labor relations, employment law and commercial litigation, Daniel Kinsella has built a practice that encompasses nearly all aspects of this complex area of law, including complex corporate, commercial and employment litigation and public sector and private sector labor relations.

He manages a wealth of issues for large and midsize corporations and public entities, taking pride in the relationships he has nurtured and the lines of communication he maintains.

Areas of Practice

Civil Litigation, Labor & Employment

Daniel provides a variety of legal services to our clients including:

- Negotiation of collective bargaining agreements
- Drafting of restrictive covenants or employment manuals
- Litigation of discrimination and harassment cases
- Representation for businesses in labor and employment cases, such as real estate companies, trucking companies and landscaping companies
- Handling complex employment and employee fraud matters

Achievements

Daniel thrives on challenge, an example of which is a case the National Labor Relations Board assigned to him just 30 days before a seven-day trial. Despite no expert testimony or discovery, he secured a victory for his client. Other successes include his representation of:

- A manufacturing employer in a racial harassment case brought by class and private plaintiffs before the EEOC
- A mechanical contracting company in a trial involving an action brought by OSHA arising out of a fatal industrial accident
- A Catholic university in an NLRB representation proceeding brought by a union seeking to organize the faculty
- A South Carolina manufacturer in the settlement of an EEOC class action case in which the plaintiff alleged racial harassment
- A retail company pursuing a former manager for fraud

Thought Leadership

Publications

"Tortious Interference: A State-By-State Survey", *BNA/ABA*, Board of Editors, 1995 to present.

"Covenants Not to Compete, a 50-State Survey," *BNA/ABA*, Board of Directors, 1995 to present.

"Employee Duty of Loyalty", *BNA/ABA*, Board of Editors, 1995 to present.

"Trade Secrets", *BNA/ABA*, Board of Editors, 1995 to present.

"Annual Legal Update", *Society of Human Resource Professionals (SHRP)*, 1999 to present.

Lectures

"Keeping It Under Lock and Key: Restrictive Covenants, Trade Secrets and Employee Duty of Loyalty," the Plaza Club, 2006.

"Covenants Not to Compete in Physician Contracts," Inaugural Meeting of the DuPage County Bar Association Health Care Committee, Wheaton, Illinois, 2005.

"Conducting a Successful Internal Investigation," Lorman Education Services, 2004.

"Review of Labor Relations," Human Resources Professional Certification Class, Human Resources Certification Institute, 2004.

"The How and Why of Union Organizing: Positive Human Resources Mean Preventive Labor Relations," HRCI Review Class, Human Resources Certification Institute, 2004.

"Recent Legal Developments in HR Management, Immigration and Benefits," Society of Human Resource Professionals, 2004.

"Practical Tips for HR Management," Lorman Education Services, 2004.

"Time Off Under the Americans with Disabilities Act," presented at a seminar entitled Time Off in Illinois, sponsored by Lorman Education Services, 2004.

Society of Human Resource Professionals, 2004.

Blog

Contributing Editor for "[SRC Trade Secrets & Restrictive Covenants Blog](#)"

Education

J.D., University of Illinois College of Law, Champaign, Illinois, 1977.

Member, Recent Decisions Section, *Illinois Bar Journal*, 1977.

B.A., Oakland University, Rochester, Michigan, 1973.

Bar & Court Admissions

Illinois, 1977

U.S. District Court for the Northern District of Illinois, General Bar, 1977

U.S. District Court for the Central District of Illinois, 1982

U.S. District Court for the Northern District of Illinois, Trial Bar, 1985

U.S. Court of Appeals for the Seventh Circuit, 1989

U.S. Supreme Court, 1997

U.S. District Court for the Eastern District of Wisconsin, 2009

U.S. District Court for the Southern District of Indiana, 2010

U.S. District Court for the Northern District of Indiana, 2016

Experience

Schuyler, Roche & Crisham, P.C.

Chicago, Illinois

Shareholder

2004 to Present

Rooks Pitts

Chicago, Illinois

Partner

1998 to 2004

Burditt & Radzius, Chtd.

Chicago, Illinois

Shareholder

1993 to 1998

Gottlieb & Schwartz

Chicago, Illinois

Partner

1992 to 1993

Hough, Cook, Weatherhead & Kinsella*

Chicago, Illinois

Partner

1985 to 1992

Fox & Grove, Chtd.

Chicago, Illinois

Associate

1984 to 1985

Howington, Elworth, Osswald & Hough

Chicago, Illinois

Associate
1977 to 1984

**And predecessor.*

Peer Recognition

Illinois Super Lawyers, *Law & Politics*, since 2005.

Leading Lawyers Network, Law Bulletin Publishing Company, 2006.

Martindale-Hubbell, "peer review rated for ethical standards and legal ability," since 1991.

Professional Membership

American Bar Association (Labor and Employment Law Section, Employee Rights and Responsibilities Committee)

Civic Affiliations

Board of Directors and Treasurer, New Trier Swim Club.