



Michael B. Roche

Shareholder

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Michael Roche heads our Business Litigation practice group. Nationally known for his work in securities and commodities litigation, Mike built his practice through referrals not only from clients, but also from adversaries. He counsels a broad spectrum, from individuals to Fortune 500 corporations.

Mike has defended securities broker-dealers, investment advisors and business corporations in numerous class and individual actions, including alleged market manipulation of over-the-counter stocks and proxy solicitations in connection with "going private" mergers.

Areas of Practice

Civil Litigation, Financial Services, Labor & Employment

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

- Securities and Commodities Litigation
- Commercial and Employment Litigation
- Labor Arbitration and Litigation
- Intellectual Property Litigation
- Trade Secrets and Restrictive Covenant Litigation

Achievements

Mike's achievements include:

- Succeeded in an action brought by a client against Waterstone Financial and Michael Cahill, alleging breach of fiduciary duty, breach of contract, conversion of property, unfair competition and violation of the Illinois Trade Secrets Act.
- Won an award exceeding \$300,000 for a disabled claimant who had asserted breaches of fiduciary duty.
- Obtained preliminary and permanent injunctive relief and damages against various enterprises that produced and sold bootleg merchandise bearing the names and likenesses of artists including the Rolling Stones and Bruce Springsteen.
- Secured a seven-figure payment from an accounting firm on behalf of a brokerage firm that relied upon a negligent financial statement.
- Defended a nationally-based consumer lender in a class action seeking hundreds of millions of dollars based on alleged misrepresentations in connection with the lender's sale of credit life insurance.

- Obtained a judgment for the full amount sought by several New York—based brokerage firms in an action brought against a Chicago money-center bank.
- Successfully defended CBOE market makers and traders charged with improper conduct by the NASD and SEC.
- Prosecuted a claim by two CBOE members against one of the CBOE's largest clearing firms and its parent for breach of a joint venture agreement and breach of fiduciary duty. The arbitration yielded a sizeable award for Mike's client.
- Achieved a highly favorable settlement for a New York-based national securities firm against a major Wall Street brokerage firm.
- Won a dismissal of an age discrimination claim.
- Obtained an award denying age and sex discrimination claims against Mike's client and other members of upper management.
- Attained a pre-hearing decision by an arbitration panel dismissing claims under RICO, the Illinois Consumer Fraud and Deceptive Business Practices Act.
- Obtained the dismissal of an investment banking client in a multi-million dollar federal class action alleging fraud.
- Successfully defended a New York-based financial institution from an action brought by the estate of a deceased doctor.
- Lead counsel for multiple defendants in a complicated, month long trial involving multiple claims under ERISA in federal court wherein plaintiffs sought over \$200 million. After the trial was completed, judgment was entered in favor of all defendants on all claims. (decision reported at 854 F. Supp. 2d 770 (E.D. Cal. 2012)

Thought Leadership

Publications

Securities Arbitration Commentator, Member of Board of Editors, 2002 to present.
Coauthor: "Securities Law: Seventh Circuit Review of Remedies, Definitions, Standing and Sanctions" (*Chicago-Kent Law Review*, 1979).

"The Plight of the Sexual Psychopath: A Legislative Blunder and Judicial Acquiescence" (41 *Notre Dame Lawyer* 527, 1966).

"Ethical Problems Raised by the Neighborhood Law Office" (41 *Notre Dame Lawyer* 961, 1966).

Lectures

"Defending Alleged Broker Misconduct in Suitability, Misrepresentation and Unauthorized Trading Claims," Third Annual Broker/Dealer Forum on Resolving Customer Claims, faculty and panel member, American Conference Institute, New York City, 2006.

"Litigating Raiding Cases: Hypothetical Panel Discussion," Fourth Annual Raiding on Wall Street Conference, Institute for International Research, New York City, 2001.

Education

J.D., Honors (full tuition scholarship, graduated in top ten of class), University of Notre Dame du Lac, South Bend, Indiana, 1966.

Staff Member, *Notre Dame Lawyer*, 1965 to 1966.

A.B., Honors (Dean's List, nominated for Woodrow Wilson Fellowship), University of Notre Dame du Lac, South Bend, Indiana, 1963.

Bar & Court Admissions

Illinois, 1966

United States District Court for the Northern District of Illinois, General Bar, 1967

United States Court of Appeals for the Seventh Circuit, 1974

United States Supreme Court, 1979

United States District Court for the Northern District of Illinois, Trial Bar, 1982

United States District Court for the Northern District of Indiana, 1984

United States Court of Appeals for the Federal Circuit, 1989

United States District Court for the Eastern District of Wisconsin, 1994

Experience

Schuyler, Roche & Crisham, P.C.

Chicago, Illinois

Shareholder

1972 to Present

Member

Board of Directors

1980 to Present

Partner

1972

Associate

1966 to 1971

National Institute of Trial Advocacy (NITA)

South Bend, Indiana

Faculty

Peer Recognition

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

Leading Lawyers Network, Law Bulletin Publishing Company, since 2005.

Martindale-Hubbell, AV[®] Preeminent[™] (4.5 - 5.0)"peer review rated for ethical standards and legal ability," at the highest level of professional excellence since 1976.

Professional Membership

Chicago Bar Association

Illinois State Bar Association

American Bar Association

Securities Industry Association (Compliance and Legal Division)

Civic Affiliations

St. Mary of the Lake Seminary, Mundelein, Illinois, Fundraising Committee, Member, 1992 to present.

Notre Dame Alumni Board, Director, Region 16, 1995 to 1998.

Notre Dame High School for Boys, Niles, Illinois, Board of Directors, Member, 1989 to 1995.

Notre Dame Club of Chicago, President, 1986 to 1987.

Jesuit Retreat League, Bellarmine Hall, Barrington, Illinois, Board of Directors, member, 1978 to 1985.

Commissions of Lawyer Softball League of Chicago, 1985 to 1995.