

Thomas W. Mulcahy

PARTNER

Tom Mulcahy is a lawyer's lawyer, an advocate and counselor committed to providing his clients with competent, thorough, and effective representation. "Identifying strengths and weaknesses early on is vital for a litigator," says Tom, "not just those of your opponent, but also those of your client." It is that knack for accurate early evaluation and comprehensive legal analysis that enables him to develop and implement the appropriate strategy to successfully handle complex litigation and business disputes. Litigation truly is Tom's calling.

Tom has a deep respect for the judicial process and the lawyers and judges who strive to make that process fair and accessible to everyone. It is that respect, together with his legal acumen and personal skills, that has contributed to Tom's success in advocating his clients' interests in and out of the courtroom. Tom is quick to note, however, that success is not measured simply by the outcome of a case, but rather has to be measured from the client's perspective and with the client's goals in mind.



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PRACTICE AREAS

Appellate Practice

Complex Commercial Litigation

Construction Law

Personal Injury Defense

Professional Liability Defense

AREAS OF CONCENTRATION

Complex Commercial Disputes

Design / Construction Defects

Personal Injury Defense

Today, Tom Mulcahy is a highly respected civil litigator whose experience spans the trial and appellate levels. He was recently named as one of Illinois' Rising Stars for 2009. Tom's areas of practice include complex commercial litigation, professional liability defense for a variety of different professions (e.g., architects, engineers, surveyors, interior designers, contractors, attorneys, and insurance producers), municipal law, product liability and personal injury defense, maritime law, and insurance defense.

A member of the Law Review and Moot Court at The John Marshall Law School, from which he graduated cum laude, Tom's track record of success for his clients began early in his legal career. Among his recent notable outcomes: *ECS-Illinois, LLC v. Wells Street Co.* (Cir. Ct. Cook County, 2010) – obtained summary judgment in declaratory judgment action seeking to enforce a limitation of liability provision contained in engineer's contract. *A. Epstein & Sons, International, Inc. v. Eppstein Uhen Architects, Inc.* (Cir. Ct. Cook County, 2009) - successfully defended action seeking emergency injunctive relief to stay pending arbitration; *LLDG Operating Company, Inc. v. Allen Turner, Inc.*, Order, No. 1-08-0094 (Ill. App. Ct., 1st Dist., Jan. 20, 2009) - obtained dismissal of appeal from judgment entered in favor of client (auto dealership) in lawsuit involving dispute over commercial lease agreement; *Anheuser-Busch, Inc., et al. v. 3701 North Kenmore, LLC*, (Ill. App. Ct., 1st Dist., Sept. 2008) - successfully defended interlocutory appeal from temporary restraining order that he obtained at the trial court which allowed client to continue to display its "Budweiser" signage on rooftop across from Wrigley Field; *First Bank & Trust v. 3Com Corp., et al.* (Ill. App. Ct., 1st Dist., June 2007) - affirmed summary judgment obtained in defending client (architect) in lawsuit involving sale of a multi-million dollar commercial property; and *In the Matter of Garvey Marine, Inc.*, (N.D. Ill. 2006) - maritime law: obtained summary judgment in favor of client (municipal engineer) in wrongful death lawsuit involving a barge collision with a bridge inspector on the Calumet-Sag Channel.

When Tom isn't litigating, he's often writing, having published articles in a wide range of professional journals including *the Illinois Bar Journal*, *ALA Licensed Architect*, *DRI Publications*, *For the Defense*, *The Critical Path*, *IADC Defense Counsel Journal*, and *IADC Construction Law and Litigation Newsletter*.

EXPERIENCE

Schuyler, Roche & Crisham, P.C.
Chicago, IL

Partner
2009 to Present

Crisham & Kubes, Ltd.
Chicago, IL

Partner
2001-2009

Quinlan & Crisham, Ltd.
Chicago, IL

Associate
2000-2001

EDUCATION AND DISTINCTIONS

Illinois Rising Star (2009, 2010) by Illinois Super Lawyers

J.D., The John Marshall Law School, Chicago, IL 2000

Cum Laude, Member - Law Review, Member - Moot Court (1999 National Pace University Environmental Moot Court Competition)

B.A. in English, Indiana University, Bloomington, IN 1997

LECTURES

Illinois Professional Land Surveying Practice Seminar, June 2007

PUBLICATIONS

Co-author: "Illinois Design Professionals Beware – If You Include Duty To Defend Provisions In Your Contracts, You May End Up "Paying" For More Than You Bargained. *Euclid Insurance Web Article*. www.euclidinsuranc.com/ae (July 2010)

Author: "LOL Provisions in Design Professional Contracts" *For the Defense* (Construction Law Issue, June 2010)

Author: "Bulletin to All Architects / Construction Managers Working for Public Bodies - Do You Know if Your Client is Complying with the Prevailing Wage Act? You Better Know" *Licensed Architect*, Vol. 10, No. 2 (2nd Qtr 2006)

Case Note: "Options Center for Independent Living v. G&V Development Co." *The Critical Path*, Vol. 1, Issue 1 (June 2006)

Author: "Bilt-Rite or Wrong - The Illinois Approach is the Right Approach to Negligent Misrepresentation Claims Against Design Professionals" *The Critical Path* (Winter 2005)

Co-Author: "Perils of Third-Party Practice in Construction Litigation, Avoiding Substantive and Procedural Pitfalls to Preserve and Assert Your Rights" *72 Def. Couns. J.* 170 (April 2005)

Case Note: "Expanding Theories of Recovery and Liability Against Design Professionals for Alleged Violations of Accessibility Statutes" *IADC Construction Law and Litigation Newsletter* (October 2005)

Case Note: "Protecting Confidential Communications from Disclosure in the Context of a Joint Defense Agreement" *IADC Construction Law and Litigation Newsletter* (Nov. 2004)

Co-Author: "Conflicts of Interest in Document Authentication by Attorney-Notaries in Illinois" *87 Ill. B.J.* 320 (June 1999)

BAR AND COURT ADMISSIONS

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Illinois, 2000

U.S. District Court for the Northern District of Illinois, 2001

U.S. District Court for the Northern District of Indiana, 2007

United States Court of Appeals for the Seventh Circuit, 2010

PROFESSIONAL MEMBERSHIP

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Illinois State Bar Association

Chicago Bar Association

DuPage County Bar Association

American Bar Association

Defense Research Institute

Member, DRI Construction Law Committee