



Shannon Knight

Partner

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I am a litigator focusing primarily in the areas of complex commercial, intellectual property, and technology-related litigation. I also counsel business and individual clients on contract negotiations, intellectual property management, and compliance and risk management strategies.

During my ten years of practice, I have led and assisted colleagues in cases of varying sizes and complexity in state and federal courts throughout the United States, as well as before various alternative dispute resolution forums. Included among those are several matters I have handled in the Delaware Court of Chancery.

I have significant and meaningful experience in representing clients through all phases of litigation, including from pre-litigation strategy and counseling through trial and appeal. I have drafted and argued dispositive motions, taken and defended depositions of fact and expert witnesses, and examined witnesses at trial and arbitration hearings. I have substantial experience in all areas of fact discovery, including issues related to electronic discovery. I also have meaningful appellate experience, having handled multiple appeals before the Illinois appellate court and having participated in an appeal to the Delaware Supreme Court.

Education

- J.D., *cum laude*, Chicago-Kent College of Law (Moot Court Honor Society)
- B.A., Government & International Studies, Centre College

IP Litigation

- I second chaired an arbitration in which our client, a software licensee, sought an injunction forcing the software developer to comply with its obligations under a software development agreement to escrow developed source code. The Arbitrator ordered the software developer to execute a software escrow agreement and to deposit the source code into escrow. Our client was also awarded partial attorneys' fees as a discovery sanction.
- I defended a Fortune 100 company in the Northern District of Illinois against copyright infringement counterclaims brought by a foreign manufacturer. The case was resolved through a confidential settlement prior to the completion of fact discovery.
- I represented a national company in bringing suit against a competitor for breach of restrictive covenants and misappropriation of trade secrets. We won a temporary restraining order for the client and, without taking any discovery, obtained a confidential favorable settlement for the client.
- I represented a national company in a series of patent infringement lawsuits filed in the Eastern District of Texas against the client's customers. Without taking any depositions, we reached a global settlement that resolved all claims against any of the client's customers.

Court of Chancery Practice

- I defended a software as a service ("SAAS") company from a multi-million dollar appraisal claim in the Delaware Court of Chancery arising out of a "going private" merger transaction. As part of that litigation, I oversaw a large-scale document review project from the initial stages of

custodian and search term negotiations through production. I defended several fact and expert witness depositions and worked closely with our financial and legal experts through trial preparation. I led our trial team in preparing pre-trial materials, including a legally and factually complex pre-trial brief. That case settled for a confidential amount on the eve of trial.

- I represented a private, family foundation in the Delaware Court of Chancery in an action for intellectual property misappropriation, breach of fiduciary duty, and aiding and abetting. During the course of litigation, I successfully briefed and argued several dispositive and discovery-related motions. At trial, I presented expert testimony on issues relating to the creation of derivative software. Our trial team secured judicial findings of breach of fiduciary duty, aiding and abetting, fraudulent misappropriation of intellectual property, and conspiracy to defraud and fraudulent accounting of funds. The Vice Chancellor ordered the imposition of a constructive trust over the stolen assets and an unwinding of the fraudulent transfer. I oversaw the post-judgment proceedings, working to ensure that all misappropriated assets were accounted for and returned.
- I defended a former CEO and CFO against fraudulent misrepresentation claims and claims under the Delaware Securities Act arising out of the sale of a privately-held Delaware corporation. I worked closely with counsel representing other former executives and stockholders in moving to dismiss those claims before the Court of Chancery and securing an affirmance on appeal before the Delaware Supreme Court. Following that successful ruling before the Delaware Supreme Court, the matter was resolved through a confidential settlement.

Client Counseling and Transactional Matters

- I represented a national company during contract negotiations with one of its foreign sales representatives and drafted the parties' non-exclusive sales agreement.
- I represented a sales representative whose employment was terminated in negotiations concerning post-employment benefits and modifications to pre-existing restrictive covenants.

Other

- I defended a prominent web services provider in the Circuit Court of Cook County against claims arising from a data security breach. I obtained a dismissal of all claims from Illinois state court in favor of the chosen forum contained in a user agreement.
- I represented a national company against a title insurer in the Northern District of Illinois in a dispute over an insurance company's breach of its duty to defend and indemnify in an underlying suit. Following a settlement conference, we obtained a confidential favorable settlement on the client's behalf.
- I represented a Chicago professional against a prominent television network in a defamation lawsuit. Our litigation team defeated a hotly-contested motion for summary judgment following multiple rounds of briefing and a two-day hearing where I presented oral argument. That lawsuit was resolved by agreement of the parties on the eve of trial.
- Represented a Chicago-based commercial realty company in bringing suit against a former tenant for unpaid rent. Successfully briefed and argued motion for summary judgment, obtaining full relief for the client. Also briefed and argued successful motion to strike defendant's counterclaim as a sanction for discovery violations.
- Represented a national company before the American Arbitration Association in suit for breach of contract and fraud. Without taking any depositions or filing any motions, obtained a favorable settlement on behalf of our client.
- I represented the property owner in a dispute concerning liability for a demolition worksite accident. Following substantial briefing, we won an appeal in which the Illinois First District Appellate Court affirmed the trial court's grant of summary judgment for the property owner.

Professional Activities

- Member of the Chicago Bar Association
- Member of the Illinois Appellate Lawyers Association (prior ALA moot court competition member)
- Alumni mentor for the Society of Women in Law at Chicago-Kent College of Law
- Alumni volunteer for Chicago-Kent College of Law Moot Court Honor Society
- Judicial Extern, Honorable Samuel Der-Yeghiayan, Northern District of Illinois (2009)

Awards/Honors

- 2018 Young Centre Associate of the Year, Centre College

Community Involvement

- Centre College Alumni Association Board of Directors (2017-2018)
- Joffrey Ballet Auxiliary Board (2012-2013)