

Daniel R. Thies

Shareholder

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Areas of Practice

Commercial Litigation; ERISA; Insurance Litigation; Class Action Defense; Business Representation; Estate Planning & Probate; Appellate Litigation.

Professional Experience

Mr. Thies has litigated complex commercial disputes and defended class actions throughout the state of Illinois, and in federal courts across the country, including the First, Second, Seventh, and Tenth Circuits. He has represented clients in numerous trials and arbitrations, including serving as part of a trial team winning a \$64 million judgment after a jury verdict in the Northern District of New York.

Prior to joining Webber & Thies, Mr. Thies was an associate at Sidley Austin LLP (2013-2018) and clerked for Chief Judge James F. Holderman of the United States District Court for the Northern District of Illinois (2011-2013) and for Judge Jerry Smith of the United States Court of Appeals for the Fifth Circuit (2010-2011).

Education

- J.D., *magna cum laude*, Harvard Law School, 2010
- B.A., *magna cum laude*, Yale University, 2007
- Light Fellow, for study of Mandarin Chinese at Beijing Normal University, 2005

Bar Admissions

- Illinois, 2010
- U.S. Court of Appeals, Fifth Circuit, 2011
- U.S. District Court, Northern District of Illinois, 2011 (General Bar) & 2018 (Trial Bar)
- U.S. District Court, District of Colorado, 2014
- U.S. Court of Appeals, Ninth Circuit, 2015
- U.S. Court of Appeals, Second Circuit, 2016
- U.S. Court of Appeals, First Circuit, 2016
- U.S. Court of Appeals, Tenth Circuit, 2016
- U.S. Court of Appeals, Seventh Circuit, 2017
- U.S. Court of Appeals, Eleventh Circuit, 2018
- U.S. District Court, Central District of Illinois, 2018

Professional Activities/Publications

Mr. Thies is a member of the Council of the American Bar Association Section of Legal Education & Admissions to the Bar, the nationally recognized accrediting body for American law schools. He has served as an adjunct professor at the John Marshall Law School, teaching intellectual property trial advocacy.

Mr. Thies is a member of the ISBA's Federal Civil Practice Section Council and the Young Lawyers Division Council, and has served as the chair of the ISBA Standing Committee on Legal Education, Admission, & Competence.

Mr. Thies served as the Reporter for the 2009-2010 ABA Presidential Commission on the Impact of the Economic Crisis on the Profession and Legal Needs, and as the Reporter for the 2012-2013 ISBA Special Committee on the Impact of Law School Debt on the Delivery of Legal Service. He has also represented Illinois as a delegate in the ABA Young Lawyers Division Assembly.

Mr. Thies has frequently written on topics of interest to the profession (and public):

Which Default Rule Applies When an Arbitration Agreement Does Not Address Class Arbitration?, 46 PREVIEW U.S. SUP. CT. CAS. 7 (Nov. 2018).

Who Decides Arbitrability When the Demand for Arbitration is Wholly Groundless? 46 PREVIEW U.S. SUP. CT. CAS. 4 (Nov. 2018).

"Why ESI is Not Like Fine Wine: Recent Changes to the Ancient Documents Exception to the Hearsay Rule," *Ill. St. Bar Ass'n Fed. Civ. Prac. Newsl.* (2018).

"Recent developments in the Seventh Circuit's class action jurisprudence: Not as pro-plaintiff as they first appear," *Ill. St. Bar Ass'n Fed. Civ. Prac. Newsl.* (2016).

"Is the Supreme Court 'Pro-Arbitration'? The Answer is More Complicated Than You Think," *Sidley Austin LLP Ins. & Reins. Law Report* (2016).

"Deposition objections: Are you saying too much? Or too little?," *Ill. St. Bar Ass'n Fed. Civ. Prac. Newsl.* (2015).

Does Equity Allow an ERISA Plan to Seek Reimbursement from a Participant's General Assets?, 43 Preview U.S. Sup. Ct. Cas. 56 (2015).

"Bar examination scores decline, presenting a challenge for law schools-and for the profession," *Ill. St. Bar Ass'n YLD Newsl.* (2015).

"Recent Developments in Pre-Judgment Challenges to Arbitrator Bias," *Sidley Austin LLP, Ins. & Reins. Law Report* (2014).

"Comcast's Lasting Impact: Crystallization and Affirmation of the Rule 23(b)(3) Predominance Requirement," 15 *BNA Class Action Litigation Report* 574 (2014) (co-authored with Joel Feldman).

Are Appropriations That Have Already Been Spent "Available" to Pay a Government Contract?, 39 PREVIEW U.S. SUP. CT. CAS. 251 (2012).

Rethinking Legal Education in Hard Times: The Recession, Legal Education, and the New Job Market, 59 J. LEGAL EDUC. 597 (2010).

Comment, The Decline of the Ct. of Federal Claims in Neb. Pub. Power Dist. v. U.S., 590 F.3d 1357 (Fed. Cir. 2010), 33 HARV. J.L. & PUB. POL'Y 1203 (2010).

May an Indian Tribe Simultaneously Sue the United States in Two Forums for One Breach of Trust?, 38 PREVIEW
U.S. SUP. CT. CAS. 60 (2010).

Personal

Mr. Thies and his wife Page reside in Champaign with their three sons.