

FRANCZEK



MICHAEL WARNER

Partner

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Michael Warner serves as co-chair of the firm's Labor & Employment Practice Group and serves as co-chair of the firm's diversity committee. Mike represents both private and public sector clients in all aspects of labor and employment law, with a particular emphasis on litigation, arbitration, and other forms of dispute resolution. Mike also uses his substantial trial experience to provide day-to-day counseling to employers on how to best achieve their business objectives while limiting the risks of litigation.

Mike has wide-ranging experience representing employers before state and federal courts in multiple jurisdictions, the EEOC, and numerous state and federal agencies in single-plaintiff and class action employment discrimination, harassment, wrongful discharge, wage and hour, defamation, and breach of contract cases. He also represents employers in labor arbitrations and in employment-related arbitrations before the Financial Industry Regulatory Authority (FINRA). In addition, he routinely represents and counsels clients in trade secret and non-compete agreement disputes in which he has successfully brought and defended claims for emergency injunctive relief. Mike represents companies in the telecommunications, energy, technology, retail, manufacturing, insurance, financial services, and transportation industries, and also represents municipalities.

Before starting a private practice, Mike served as a law clerk to the Honorable Judge Robert L. Miller, Jr. of the U.S. District Court for the Northern District of Indiana (1991–1993).

Mike serves as the Firm's liaison to the Chicago Bar Foundation's Investing for Justice annual fundraising campaign which raises funds for legal services organization throughout the Chicago area.

Mike also is a member of the Veterans Working Group, an initiative of the Civic Committee of the Commercial Club of Chicago that seeks to bring various Chicago area employers together to discuss and implement best practices in a military veteran, hiring recruitment and retention.

Mike is a founder of the ENABLE Scholarship Fund, which awards private high school scholarships to low-income adolescents. He is a board member of the Old Town School of Folk Music.

Mike, an active member of the Logan Square community on Chicago's Northwest side, has served as president of the Palmer Square Homeowner's Association and is a member of Logan Square Preservation. In his spare time, Mike participates in triathlons, is an avid skier, and is a still-learning winemaker and collector.

Education

- J.D., Northwestern University School of Law, 1991; Editor, Northwestern Journal of International Law and Business
- B.A., *cum laude*, Duke University, 1988

Bar & Court Admissions

- Illinois
- U.S. Courts of Appeal for the Sixth and Seventh Circuits
- U.S. District Courts for the Central, Northern, Southern Districts of Illinois
- U.S. District Court for the Northern District of Illinois - Trial Bar
- U.S. District Court for the Northern District of Indiana
- U.S. Supreme Court

Representative Experience

- Obtained temporary and permanent injunctive relief on behalf of a distributor of 3D printers in an action alleging that its former sales manager stole trade secrets and violated a non-compete and confidentiality agreement when he went to work for a direct competitor.
- Developed and implemented a process to review all non-compete agreements for candidates hired by a leading IT and management consulting firm to minimize litigation risks and ensure legal compliance. The project involves the use of an extranet database developed by Franczek P.C. to streamline the review and analysis of more than 800 candidate agreements per year.
- Successfully represented Chicago Public Schools in four lawsuits challenging the Board of Education's decision to close 49 schools and seeking to halt the closings. The Board prevailed on all four lawsuits, which raised state and federal issues related to school closure, employment, special education, and the rights of minority students and community members.
- Represented a leading telecommunications provider since 2005 in more than 50 labor

arbitration matters against the International Brotherhood of Electrical Workers (IBEW) and Communications Workers of America (CWA) and 15 employment litigation matters in state and federal courts throughout the Midwest.

- Obtained a significantly favorable judgment for a major national retailer in a race discrimination, whistleblower retaliation and FMLA retaliation case brought by a former human resources director. A federal district court in New Jersey not only dismissed the employee's claims in their entirety, but also awarded attorneys' fees in favor of the retailer on a counterclaim asserting that the employee breached a binding confidentiality agreement by taking confidential company documents that she claimed supported her lawsuit.
- Defended a multinational conglomerate in the electrical distribution and factory automation industry in a lawsuit brought by a former in-house patent attorney alleging claims of defamation and tortious interference arising out of the attorney's termination for misconduct. Successfully obtained injunctive relief preventing the former lawyer from disclosing or using confidential, privileged and proprietary information in support of his claims.
- Obtained injunctive relief and a substantial monetary settlement for a major financial institution alleging that former employees hired by a major competitor had breached a non-compete agreement and misappropriated trade secrets. Representation included injunction proceedings in Florida state court and arbitration proceedings before the FINRA.
- Defeated a motion for a temporary restraining order and obtained a favorable settlement in an action alleging that a medical device and pharmaceutical company stole trade secrets of a competitor and induced the breach of a non-compete agreement through the hiring of a competitor's top executive.

Recognition

Mike was recognized as an Illinois Super Lawyer in 2020 by *Super Lawyers Magazine*. He has also been recognized by Best Lawyers in America and Leading Lawyers in the area of labor and employment law.