



J. Scott Humphrey

Partner

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Biography

Practices & Sectors

Commercial
Litigation

Insurance

Securities, Financial
and Directors &
Officers Litigation

Trade Secrets,
Computer Fraud &
Non-Competes

Product Liability

Specialty Teams

Pharmaceuticals
and Life Sciences

Mr. Humphrey has litigation, arbitration, and counseling experience involving a wide range of complex commercial contract disputes and business torts, including matters arising from trade secret appropriation, breach of restrictive covenants, contract disputes, manufacturing and distribution issues, fraud, insurance disputes, and various UCC issues. Mr. Humphrey currently serves as lead litigation counsel for a broad range of clients, including financial services companies; commercial and consumer product manufacturers; consulting firms; pharmaceutical, surgical, and medical companies; processing companies; commercial product distributors; health care organizations; media firms; commercial transport companies; food and beverage companies; and insurance companies. His clients range from small business owners and start-ups, to Fortune 100 companies.

Mr. Humphrey is a member of the Trade Secrets, Computer Fraud & Non-Competes Practice Group, and he currently serves on the group's National Steering Committee. As a member of the Trade Secrets Group, he has spoken to numerous companies, associations, individuals, and organizations about the protection of trade secrets and enforcement of restrictive covenants. He is a contributing author to "Trading Secrets," a legal industry blog that monitors and discusses trade secrets, restrictive covenants, and computer fraud issues, and he regularly speaks on these topics through client presentations, industry seminars, and national presentations. Mr. Humphrey also worked with a coalition of trade secret attorneys and Illinois legislators regarding potential changes to the Illinois Trade Secrets Act, and he recently counseled companies and governmental entities about the potential impact of the National Defend Trade Secrets Act.

In courtrooms and before Arbitration panels throughout the United States, Mr. Humphrey has successfully obtained and defeated temporary restraining orders, preliminary injunctions, and permanent injunctions for clients involved in technology, securities and financial services, pharmaceuticals, transportation, medical and surgical sales, electronics, health care, media talent, data processing, business consulting, food and beverage manufacture and distribution, insurance, and consumer products. In addition to his trade secrets and restrictive covenant work, Mr. Humphrey's practice also focuses on commercial and business-related litigation involving complex commercial contract disputes and other business torts.

Mr. Humphrey is a certified Six Sigma Green Belt. Using [Lean Six Sigma](#) and project management methodologies, our SeyfarthLean approach delivers increased value to our clients at a time of increased market pressures and competitive demands. Seyfarth's commitment to delivering legal services in a new way—with an emphasis on value and continuous improvement—has been praised by the Association of Corporate Counsel as being "five years ahead of every other AmLaw 200 firm."

Education

- M.B.A., Northwestern University (2002)
Kellogg Graduate School of Management
- J.D., John Marshall Law School (1997)

Dean's List

- B.A., Wittenberg University (1993)
Order of Omega Honorary

Admissions

- Illinois

Courts

- Illinois Supreme Court
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Northern District of Illinois (Trial Bar)
- U.S. District Court for the Southern District of Illinois

Affiliations

- Chicago Bar Association (Business and Trial Techniques Committees)
- Chicago Bar Association (College of Trial Lawyers – Fellow)
- Defense Research Institute

Representative Engagements

Trade Secrets and Restrictive Covenants

- Represented Fortune 100 electronics manufacturer in enforcing non-competition agreement signed by its former Chief Financial Officer.
- Obtained temporary restraining order and preliminary injunction against insurance agent for violating restrictive covenants. Case subsequently went to trial and Mr. Humphrey obtained a favorable monetary settlement before the case was submitted to the jury.
- Defeated Temporary Restraining Order and Complaint brought by National Beverage Manufacturer against its former Chief Marketing Officer and primary competitor.
- Represented commercial insurance carrier in defeating temporary restraining order brought against carrier by a competitor alleging employee raiding and misappropriation of trade secrets.
- Secured preliminary injunction against multiple agents and a competitor for illegally accessing computer systems and misappropriating trade secrets.
- Defeated temporary restraining order brought by a former employer (commercial products manufacturer) against two employees who left to form a competing business.
- Procured preliminary and permanent injunctions that enforced restrictive covenant and confidentiality obligations against multiple insurance agents.
- Worked with client and Federal authorities to obtain search warrant for, and obtain client information from, competitor who illegally hacked client's computer systems.
- Defeated temporary restraining order and preliminary injunction motion brought by former

President of financial services company.

- Represented commercial products manufacturer in defeating temporary restraining order and preliminary injunction brought by competitor alleging misappropriation of trade secrets and employee raiding. Successfully prosecuted preliminary injunction on behalf of health care company and against former employee who violated his non-competition agreement.
- Obtained preliminary injunction against life insurance agent (and agent's staff) who violated restrictive covenants and stole confidential information.
- Worked with High Frequency Trading firm to enforce restrictive covenant obligations against former traders and senior executives.
- Represented Fortune 500 logistics company in litigation against former owners of an acquired company for corporate espionage, improper acquisition of computer software, and breach of non-competition agreements.
- Represented financial institution before the National Association of Securities Dealers (now FINRA) in order to enforce non-solicitation and competition agreements signed by former employees.
- Represented financial institution before FINRA arbitration panel regarding theft of confidential information by former employees.
- Prosecuted preliminary injunction on behalf of pharmaceutical company and against former employees who violated non-competition agreements.
- Defended manufacturing company against injunction brought by a competitor as a result of hiring competitor's former business leader.
- Prosecuted restrictive covenant violations before American Arbitration Association on behalf of credit card processing firm and against former salesperson.
- Defended senior business leader in American Arbitration Association dispute over violation of employee non-solicitation clause.
- Defended media organization against breach of restrictive covenant and employee raiding allegations.
- Negotiated turnover of confidential information and subsequent restrictive covenant restrictions on behalf of food services client and against former employees who left company to begin competing business.
- Defeated temporary restraining order litigation against dairy services client accused of raiding competitor's sales force.
- Obtained preliminary and then permanent injunction against insurance agents to enforce restrictive covenant and confidentiality obligations.
- Defended medical sales representatives against allegations of restrictive covenant violations.
- Counseled senior executives and high net worth individuals regarding non-competition, non-solicitation and other restrictive covenant provisions contained in various separation agreements.
- Procured enforcement of restrictive covenant against former salesperson of processing company.
- Worked with insurance company to implement procedures and protocols for spotting restrictive covenant violations and enforcing restrictive covenants in state and Federal courts.

- Developed process for financial services company to protect confidential information.
- Drafted restrictive covenant agreements for companies in the electronics, health care, financial services, insurance, pharmaceuticals, medical sales, and manufacturing industries.

Commercial Litigation

- First chaired three jury trials, two of which resulted in not guilty verdicts for his clients. The third jury trial resulted in the court dismissing the claims made against Mr. Humphrey's client at the conclusion of the other side's case.
- Successfully tried and defeated American Arbitration Association claim brought by former employee and owner for breach of shareholder and employment agreement.
- Successfully tried and defeated FINRA arbitration claim involving wrongful termination allegations brought by former agent.
- Successfully tried (and obtained six figure monetary judgment) breach of contract claim against former employee before American Arbitration Association.
- Obtained multi-million summary judgment ruling against real estate developer and company for breach of promissory note and contract.
- Represented clients at arbitrations involving various contract, construction, transportation, financial and corporate insurance disputes.
- Prosecuted a Directors and Officers Declaratory Judgment action on behalf of commercial insurance carrier.
- Defeated preliminary injunction request by former agent to prevent closing of insurance agency.
- Briefed and argued an insurance coverage dispute before Illinois Appellate Court.
- Successfully defeated breach of contract action brought against injection mold manufacturer.
- Conducted discovery and evidence depositions in complex commercial contract and financial services disputes, insurance matters and other business litigation.
- Defended consumer products supplier in RICO, consumer-fraud and alter-ego litigation.
- Obtained summary judgment ruling for breach of contract claim brought by former agent and successfully argued affirmation of ruling before Ohio Appellate court.
- Represented and advised national electronic and consumer product manufacturers and distributors in contract negotiations with other manufacturers, suppliers, distributors and sophisticated, high-end consumers.
- Conducted discovery and pre-trial preparation, as well as briefed and argued summary judgment and discovery motions, for complex commercial contract matters, business disputes, and insurance claims.
- Represented two Fortune 500 companies in shareholder derivative and securities fraud class actions.
- Successfully prosecuted consumer product supplier's breach of a manufacturing agreement before the American Arbitration Association.
- Handled breach of consignment and supply agreements on behalf of an industrial manufacturing client.

- Handled quality and distribution dispute between parts assembly manufacturer and supplier.
- Defeated litigation brought by former business owner who alleged that insurance client improperly blocked and interfered with sale of business to third party.
- Advised consumer product manufacturer in implementation of strategic plan to reduce mold liability.
- Defended consumer product broker at trial against claims made by government and other corporate entities regarding spoliation of food products.
- Argued enforceability of Arbitration provisions before Ohio Appellate Court.
- Successfully prosecuted financial clearing firm before the National Futures Association.
- Briefed and argued enforceability of attorneys' fees provision before 6th Circuit Appellate Court.
- Deposed and presented medical, educational, metallurgical, vocational, scientific, psychological, financial, insurance and economic experts in various commercial contract, business torts, and insurance disputes.

Presentations

- Co-Presenter, "Protecting Confidential Information and Client Relationships in the Financial Services Industry," Webinar, Seyfarth Shaw LLP (March 20, 2019)
- "Protecting Confidential Information and Client Relationships in the Financial Services Industry," Webinar, presented by Seyfarth Shaw LLP (March 27, 2018) and MyLawCLE (July 25, 2018)
- "Protecting Your Most Valuable Assets — Trade Secrets, IP and Your Employees," Webinar, presented by Seyfarth Shaw LLP (November 3, 2016)
- "Should you be Rethinking Restrictive Covenants? Browning-Ferris and Beyond," Seminar, presented by Seyfarth Shaw LLP (May 9, 2016)
- "Protecting Confidential Information and Client Relationships in the Financial Services Industry," Webinar, presented by Seyfarth Shaw LLP (April 29, 2016)
- "Anatomy of a Trade Secret/Non-Compete Case," Seminar, presented by Seyfarth Shaw LLP (July 27, 2015)
- "Executive Agreements, The Attorneys' View," Webinar, presented by BPI Group (March 19, 2015)
- "Protecting Confidential Information and Client Relationships in the Financial Services Industry," Webinar, presented by Seyfarth Shaw LLP (March 10, 2015)
- "Protecting Confidential Information and Client Relationships in the Financial Services Industry," Webinar, presented by Seyfarth Shaw LLP (August 26, 2014)
- "Protecting Your Most Valuable Assets — Trade Secrets, IP and Your Employees," Breakfast Briefing, presented by Seyfarth Shaw LLP (May 15, 2014)
- "Executive Agreements, The Attorneys' View," Webinar, presented by BPI Group (January 20, 2014)
- "My Company's Confidential Information is Posted on the Internet! What Can I Do?," Webinar, presented by Seyfarth Shaw LLP (November 21, 2013)

- “Protecting Confidential Information and Client Relationships in the Financial Services Industry,” Webinar, presented by Seyfarth Shaw LLP (May 23, 2013)
- “Executive Agreements, The Attorneys’ View,” Webinar, presented by BPI Group (April 17, 2013)
- “Protecting Your Most Valuable Assets: Trade Secrets, IP and Your Employees,” Breakfast Briefing, presented by Seyfarth Shaw LLP (February 13, 2013)
- “Executive Agreements, The Attorneys’ View,” Webinar, presented by BPI Group (July 17, 2012)

Publications

- Co-Author, "2014 Trade Secrets Webinar Series Year in Review," *Management Alert*, Seyfarth Shaw LLP (December 17, 2014)