



Jason R. Fathallah

PARTNER

MILWAUKEE, WI

PHONE: 414.978.5502

EMAIL: JASON.FATHALLAH@HUSCHBLACKWELL.COM

OVERVIEW

A relentless client advocate, Jason manages major cases and leads client teams to victory.

Jason handles major commercial litigation events across the country, with clients trusting him with their most significant cases and business disputes. He routinely serves as national litigation counsel for major companies in a variety of industries, with a particular focus in the insurance world. Jason has amassed big wins as lead counsel at trial and through dispositive motion practice in both federal and state court, and he successfully preserves those wins on appeal. He is skilled in matters as varied as commercial and business disputes, insurance coverage disputes,

“I highly recommend Jason to anyone in search of first rate legal representation. Jason approaches his work with a level of professionalism that I personally have not seen in another litigator during my career. He immerses himself so deeply into his cases and clients that he ultimately understands them both better than the client themselves. A tenacious litigator, he pairs that advocacy with pragmatism and sound judgment, making him a trusted advisor with respect to settlement and cost-effective case management.”

— Ryan Olson, Deputy General Counsel | Head of Home Markets Legal Team, QBE

Industry

Financial Services & Capital Markets

Services

Class Action Defense

Commercial Litigation

Financial Institutions M&A and Regulatory Compliance

Financial Services Litigation

Insurance

Litigation & Alternative Dispute Resolution

Product Liability

Securities & Corporate Governance

Trust, Estate, & Fiduciary Litigation

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fiduciary litigation, product liability and recalls, class actions, shareholder disputes, and IT matters.

Recently, Jason has litigated major class action cases involving COVID-19 business interruption lawsuits, obtained a significant defense verdict in a software development case under New York law, and achieved judgments valued in the tens of millions of dollars in insurance coverage cases. Jason also managed the trial team and served as a trial attorney for one of the largest minority shareholder oppression lawsuits in Wisconsin history. He currently serves as lead commercial litigation counsel for all automotive-related disputes for a multinational manufacturer and as lead class actions counsel for a major insurance company.

Jason is deeply passionate about legal strategy: he enjoys leading attorney teams and overseeing major cases because it's second nature to him to step back and look at the big picture for a client. He immerses himself fully in a case and is highly motivated to develop a winning strategy. He's known for this enthusiasm, but also for his gift for distilling complex problems into simple solutions: Jason takes clients' thorniest issues, untangles them and finds a winning path that will minimize cost and business disruption.

Experience

- Reversed a \$68 million judgment in a breach of contract dispute with instructions to have judgment entered on behalf of clients with costs.
- Obtained dismissal of multiple breach of insurance contract and bad faith actions filed in Indiana state and federal courts; Jason argued before the U.S. Court of Appeals for the Seventh Circuit where he prevailed in a unanimous decision.
- Obtained complete defense verdict under New York law in dispute related to software development.
- After conducting investigation and filing suit, leveraged a highly favorable settlement related to theft of software code, including liquidated damages.
- Won summary judgment in breach of contract dispute in the U.S. District Court for the Northern District of Illinois that included significant damages, attorney fees and costs.
- Won summary judgment in multi-million dollar dispute between primary and excess insurance carriers in the U.S. District Court for the Northern District of Georgia.

Experience

- Represented a member of joint venture in multiple disputes against another member and ultimately leveraged a highly favorable buyout.
- Achieved victory in four class action COVID-19 business interruption lawsuits, with a further victory in one at the 7th Circuit Court of Appeals.
- Serves as lead class actions council and national coordinating council for major national insurance company.
- Serves as lead commercial litigation counsel in all automotive matters for multinational, publicly traded manufacturer.
- Managed trial team in one of the largest minority shareholder oppression lawsuits in Wisconsin state history.
- Secured complete victory on behalf of insurance company in Michigan federal court after bus crash resulted in dozens of separate claims and lawsuits. Insurer client obtained a ruling that it justifiably rescinded the insurance policy based on misrepresentation, and obtained an additional ruling that the rescission applied to dozens of third parties that brought claims against the insurer.

Recognition

- *The Best Lawyers in America*®, Commercial Litigation, Litigation - Insurance, 2024
- Thomson Reuters Stand-out Lawyer, 2024
- *The American Lawyers*, Midwest Trailblazer, 2022
- *Benchmark Litigation*, Local Litigation Star, 2022-2024
- *Wisconsin Super Lawyers*, Rising Star, 2011, 2013-2016

Education

- J.D., University of Wisconsin Law School
- B.A., University of Michigan
 - with distinction

Admissions

- Wisconsin
- Michigan
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Western District of Michigan
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Southern District of Illinois
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Eighth Circuit

Community Leadership

Jason is involved in the greater Milwaukee community and currently serves on the Milwaukee Zoological Society's Associate Board, where he has chaired one of the zoo's largest annual charity events. He is also an active member of the Milwaukee Club, the oldest business and social club west of the Appalachians, as well as the board of governors for the Seventh Circuit Bar Association.

Jason actively litigates pro bono matters in federal court on behalf of pro se litigants.



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