

Mark S. Bernstein

Partner

Mark concentrates his practice in helping clients resolve complex commercial disputes. He helps clients manage and resolve disputes in a wide variety of circumstances, ranging from pre-litigation counseling to taking cases to trial. He has substantial experience in the effective use of various forms of alternative dispute resolution, including arbitration, mediation and other forms of summary proceedings aimed at resolving disputes without formal court litigation. He is called upon regularly to counsel clients when establishing business relationships and negotiating contracts to spot issues that could result in future disputes.

Mark's clients include large public and private manufacturing companies, financial institutions, securities issuers and money managers. Mark has experience handling cases in substantive areas ranging from contract law to cases involving issues of state and federal statutory and constitutional law. He has substantial class action defense experience on behalf of large institutional clients, and has written about defending such cases for the Illinois Institute of Continuing Legal Education.

Representative Matters

- Representation of Fortune 500 companies in defense of class action litigation
- Representation of companies in indemnity and purchase price adjustment litigation arising out of corporate transactions
- Representation of money manager in litigation against investment banks and financing counter-parties
- Representation of financial institutions in consumer class action litigation
- Representation of money managers and issuing companies in securities fraud litigation

News

- Eighteen BFKN attorneys named 2012 Super Lawyers and Rising Stars (January 2012)



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Practices

- Financial Institutions
- Litigation

Education

- University of Michigan Law School, J.D., *cum laude*, 1988
- University of Illinois, B.S. in Accountancy, *high honors*, 1985
- Certified Public Accountant, Illinois, 1985

Bar & Court Admissions

- State of Illinois
- U.S. District Court - Northern District of Illinois
- U.S. District Court - Central District of Illinois
- U.S. District Court - Eastern District of Michigan
- U.S. District Court - Minnesota
- U.S. Court of Appeals - 5th Circuit
- U.S. Court of Appeals - 6th Circuit
- U.S. Court of Appeals - 7th Circuit
- United States Supreme Court

- Eighteen BFKN attorneys named Top 5% in Illinois by Leading Lawyers (April 2011)
- Seventeen BFKN attorneys named 2011 Super Lawyers and Rising Stars (January 2011)
- Fifteen BFKN attorneys named 2010 Super Lawyers and Rising Stars (January 2010)
- Firms urged to set plan for charity works (October 29, 2008)

Articles and Publications

- Law firm delivers warmth to West Side students (November 28, 2007)
- "Class Action Lawsuits," Chapter 18 of Advising Illinois Financial Institutions, IICLE, 2002 Edition and 2006 Supplement
- "Contract Disputes and Litigation," Chapter 17 of Contract Law, IICLE, 2008 Edition

Professional Activities and Honors

- Order of the Coif
- American Bar Association
- Illinois State Bar Association
- Instructor, University of Chicago Intensive Trial Practice Workshop, 2006, 2007, 2009 and 2010

Charitable and Community Involvement

- Board President, Spina Bifida Association of Illinois
- Board Member, YMCA Camp Independence