

BARACK FERRAZZANO

Barack Ferrazzano Kirschbaum & Nagelberg LLP

Roger H. Stetson

Partner

Roger is a partner that focuses his practice on general complex commercial litigation for a wide variety of domestic and international corporations, in disputes that include: banking regulatory and enforcement matters; professional liability claims; directors and officers liability insurance matters; employment and restrictive covenant matters, general contract disputes, defamation, trademark and telecommunications cases.

Roger also focuses his practice on representing automobile manufacturers, frequently counseling them with respect to their development of franchising standards, policies, and procedures. He also represents franchisors on a nationwide basis in a variety of litigation disputes with franchisees, including disputes relating to franchisee establishments, relocations and terminations, warranty reimbursement policies, product allocation systems, facility regulations, advertising requirements, franchise transfers and site control restrictions.

In addition to the litigation aspect of his automotive practice, Roger has advised manufacturers with respect to all facets of the manufacturer-dealer relationship including assisting clients in drafting sales and distribution agreements, creating brand standards, developing margin programs, negotiating relocation or renovation of facilities, navigating through the sale of a dealership and the manufacturer's right of first refusal, advising manufacturers on dealer financing issues and negotiating on the manufacturer's behalf with dealer floor plan lenders, and negotiating and implementing the termination of dealerships and the manufacturer's resulting repurchase obligations.

In addition to his commercial litigation practice, Roger dedicates time to the pro bono representation of asylum refugee applicants. Roger has been lead counsel in two separate successful representations of Colombian refugee applicants seeking protection in the United States from a faction of the Revolutionary Armed Forces of Colombia (FARC), a State Department designated terrorist organization in Colombia.



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Practices

- Automotive Group
- Financial Institutions
- Litigation

Education

- University of Michigan School of Law, J.D., 2003
- University of Southern California, B.A., *magna cum laude*, 2000

Bar & Court Admissions

- State of Illinois
- U.S. District Court - Northern District of Illinois
- U.S. District Court - Southern District of Illinois

Representative Matters

- Porterfield v. Orecchio

Represented receiver in claim brought in the U.S. District Court for the Northern District of Illinois against the directors and officers of AA Capital Partners, Inc., an SEC-registered investment advisor, in a \$60 million claim for violations of ERISA, breach of fiduciary duty, fraud, and conversion arising out of alleged misappropriation and misuse of investor funds.

- West American Insurance Company v. Yorkville National Bank

In an opinion issued by the Illinois Supreme Court on September 23, 2010, Roger won a multi-million dollar judgment in favor of a bank against an insurance company.

- Jay E. Hayden Foundation v. First Neighbor Bank

In a decision rendered by the United States Court of Appeals for the Seventh Circuit on June 22, 2010, Roger obtained dismissal of a federal RICO suit against a bank client.

- Colson v. Maghami

In a decision rendered by United States District Court of Arizona on July 9, 2010, Roger obtained summary judgment in defense of a multi-million dollar aiding and abetting claim against an auto client.

News

- Seventeen BFKN attorneys named 2011 Super Lawyers and Rising Stars (January 2011)

Events and Speaking Engagements

- Guest lecturer on Uniform Commercial Code and contract drafting at the University of Iowa College of Law, 2005