ArentFox Schiff LLP
Attorneys

Matthew B. Mock

PARTNER

Matt works closely with clients to solve a broad scope of business problems – often through litigation, sometimes through alternative dispute resolution – but always creatively, cost-effectively, and in alignment with clients' needs and goals.

Industries

Beverage & Food
Consumer Products
Energy & Cleantech
Nonprofits & Associations
— Higher Education
Private Companies
Sports

Practices

Complex Litigation
— Enforcement of Arbitral Awards & Judgments
—

Education

University of Michigan Law School, JD, cum laude; Michigan Journal of Law Reform, Notes Editor, 2000

Binghamton University, BA, 1994

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He focuses his practice on:

- Energy and environmental litigation
- Complex commercial litigation and business torts
- Class action defense
- Antitrust litigation and counseling

Matt has tried numerous cases to verdict around the country involving alleged environmental regulatory violations, business torts, criminal fraud and conspiracy, price fixing, breach of contract, and other complex matters.

His victories include a $17 million jury verdict on behalf of a business unit of Newell Rubbermaid, which sued its former supplier for trade dress infringement, breach of contract, and Lanham Act false advertising. After Matt's closing argument, the jury returned a verdict in Newell's favor on all counts. The case was a double win: Matt also argued the successful motion for summary judgment that disposed of the supplier's $22 million counterclaim.

Matt is lead trial counsel for a public utility in a Clean Air Act enforcement matter brought by the U.S. Department of Justice, with over $3 billion at stake. He successfully defended a similar CAA citizen enforcement action seeking over $2 billion in relief, achieving a settlement for nuisance value.

He also represented former Hollinger International General Counsel Mark Kipnis in the highly publicized *Conrad Black* criminal fraud case. The ArentFox Schiff trial team won an acquittal on nine of 11 counts. The United States Supreme Court reversed on the remaining two counts, a complete victory for Mr. Kipnis.

In addition, Matt has extensive experience spanning varied subject matters such as fraud, contract, fiduciary duty litigation, patent infringement, government contract bidding disputes, commodity price manipulation, civil rights, employment discrimination, and more.

Client Work

- Lead counsel for large public university plaintiff, bringing California False Claims Act, fraud claims against Fortune 100 pharmaceutical company. Case resolved successfully after client's claim survived summary judgment.
- Lead counsel for public university hospital system defending putative class action claims for allegedly improper medical billing. Claims dismissed after discovery.
- Co-lead counsel for Fortune 10 consumer products manufacturer in nine-figure indemnification dispute. Successfully resolved, significant recovery for client.
- Lead counsel for large public university defending claim for writ of mandate seeking novel interpretation of statutory reporting obligation. Victory for client.
- Lead counsel for multiple listing service defendant in antitrust monopolization and conspiracy claims. Case resolved successfully after written discovery.
- Lead trial counsel for public utility in a Clean Air Act civil enforcement action brought by the U.S. Department of Justice. Won dismissal of $500 million in civil penalties, reversal of $650 million in mitigation relief.
- Lead trial counsel for public utility in a $2 billion Clean Air Act citizen enforcement suit. Settled for nuisance value after expert discovery.
- Lead trial counsel for global consumer goods manufacturer in supplier dispute involving breach of contract, trade dress infringement, and Lanham Act false advertising claims. Jury trial victory and $17 million verdict for client. Matt also won dismissal of the defendant's putative $22 million fraud counterclaim.
- Lead counsel for collegiate athletic department as plaintiff in breach of contract action regarding multi-media rights agreement. Case successfully resolved before discovery.
- Lead counsel enforcing substantial foreign arbitral award under the New York Convention.
- Lead counsel for national fast-casual restaurant retailer in patent infringement dispute. Successfully resolved after discovery.
- Lead counsel defending large public university in a First Amendment matter involving student speech. Successfully resolved before trial.
- Lead counsel for global packaging manufacturer as claimant in breach of supply contract claim involving force majeure issues. Significant recovery for client.
- Co-lead counsel for federal government agency plaintiff in eight-figure breach of contract dispute involving financing for distressed real estate. Successfully resolved after discovery.
- Trial counsel for generic pharmaceutical manufacturer defendant in suit over dry eye treatment. Finding for client.
- Co-lead counsel for worldwide leader in food service equipment sued for alleged Lanham Act false advertising. Obtained voluntary dismissal before discovery was complete.
- Trial counsel for a nationwide grocery retailer defendant in a nine-figure antitrust price-fixing class action. Ruling for defense at close of plaintiff's trial evidence.
- Trial counsel for private equity firm claimant in post-closing fraud dispute regarding consumer products business. Judgment for the claimant at arbitration.
- Counsel for commodities trader charged criminally with market manipulation. Rare motion to dismiss granted.
- Lead counsel for leading consumer battery manufacturer in dispute over wind-down of joint venture.
- Trial counsel for CEO of logistics supplier federally charged with fraud and environmental crimes.
- Co-lead counsel for global bank in various consumer fraud claims.
- Counsel for packaged goods manufacturer in business interruption claim involving force majeure issues. Successfully resolved before trial.
- Counsel for nationwide auto insurer defending against putative class action regarding liens placed on settlement checks; won summary judgment dismissal.

Professional Activities

- For half a dozen years, Matt successfully represented a developmentally-disabled elderly gentleman who was repeatedly threatened with eviction from the federally-subsidized property in Chicago where he lived for decades. Client was allowed to stay in his apartment.
- Matt was appointed pro bono counsel in a Section 1983 excessive force case involving a prison inmate whose finger was nearly amputated by a corrections officer, and who was then denied treatment by medical personnel. Case successfully resolved after discovery.
- Matt was appointed pro bono counsel for a plaintiff in a reverse employment discrimination action. He and the ArentFox Schiff team defeated the defendant's motion for summary judgment and achieved a favorable resolution.
- Matt headed up a successful pro bono criminal appeal to the Seventh Circuit, resulting in the defendant's sentence being commuted.

Publications, Presentations & Recognitions

Publications

- "Recent New York Federal Court Decisions Hold that the ADA Does Not Cover Websites," (co-author) *ArentFox Schiff Product Liability & Mass Torts Blog* (Dec. 28, 2021)
- "ADA Website Litigation: Eleventh Circuit Holds Website is Not Subject to Title III," (co-author) *ArentFox Schiff Product Liability & Mass Torts Blog* (Jul. 27, 2021)
- "ADA Website Litigation Continues to Proliferate in 2021," (co-author) *ArentFox Schiff Insight* (Jun. 2, 2021)
- "California Supreme Court Holds that Cellular Eavesdropping Statute Applies to Businesses," (co-author) *ArentFox Schiff Insight* (Apr. 14, 2021)

Recognitions

- *Illinois Super Lawyers*, Thomson Reuters (2014-2019)

Bar Admissions

California
Illinois

Court Admissions

US Court of Appeals, 4th Circuit
US Court of Appeals, 7th Circuit
US Court of Appeals, 8th Circuit
US Court of Appeals, 9th Circuit
US District Court, Central District of California
US District Court, Northern District of California
US District Court, Southern District of California
US District Court, District of Colorado
US District Court, Central District of Illinois
US District Court, Northern District of Illinois (Trial Bar)
US District Court, Eastern District of Wisconsin