

Ernesto Rafael Palomo

Partner

Chicago

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Ernesto has extensive experience representing large multinational companies in court and commercial arbitration proceedings around the country, as well as substantial experience counseling clients on issues of insurance and reinsurance coverage.

OVERVIEW

Ernesto represents plaintiffs and defendants in a wide variety of business disputes, including civil RICO, antitrust, fraud, copyright infringement, interference with contractual relations, unfair competition, and theft of trade secrets. He is also well-versed in securing emergency equitable remedies, such as temporary restraining orders and preliminary injunctions.

Ernesto's clients include insurers, reinsurers, and large corporations. He serves as a key strategic advisor for insurers and their national coordinating counsel regarding personal injury asbestos and environmental pollution litigation throughout the U.S. He handles disputes in the life reinsurance and property and casualty reinsurance and direct insurance market.

REPRESENTATIVE MATTERS

- Obtained a federal court ruling appointing a Rule 53 monitor against the Cook County Clerk's office after a bench trial. The ruling is part of the firm's ongoing enforcement of the Shakman consent decrees prohibiting state and local governments from discriminating against employees and job applicants on the basis of their political affiliation.
- Obtained a Seventh Circuit ruling affirming a summary judgment opinion holding that certain claims brought by the assignee of an insolvent cedent's reinsurance receivables were time-barred.
- Obtained an order from a federal district court judge holding that a South American reinsurer was immune from the security requirements of the Illinois Insurance Code under the Foreign Sovereign Immunities Act.
- Obtained an order from a federal district court judge holding that the purported assignee of several reinsurance contracts lacked standing to compel arbitration.
- Obtained a panel order granting summary disposition in favor of a life reinsurer on a retrocessionaire's misrepresentation and breach of "minimum cessions" provision claims.
- Obtained an order from a state court judge dismissing claims against an insurance company under the Illinois Trade Secrets Act.

- Represented a life reinsurance company in an arbitration hearing regarding YRT Treaty rate increases.
- Obtained a panel order granting reformation of a life reinsurance treaty and damages for breach of contract.

AWARDS

- Hispanic Lawyers of Illinois, Latino Lawyer of the Year (2024)
- *Crain's Chicago Business*, Notable Leader in Diversity, Equity and Inclusion (2021-2023)
- Independent Voters of Illinois-Independent Precinct Organization, Legal Eagle Award (2021)
- Insurance Business America, 5-Star Insurance Lawyer Award (2021)
- Hispanic National Bar Association, Latino Attorney of the Year (2019)
- *Crain's Chicago Business*, Notable Minorities in Law (2019)
- *Negocios Now*, Who's Who in Hispanic Chicago (2019)

TOP AREAS OF FOCUS

- Insurance + Reinsurance
- Intellectual Property
- Litigation + Trial
- Noncompete + Trade Secrets

ALL AREAS OF FOCUS

- Insurance + Reinsurance
- Intellectual Property
- International
- Litigation + Trial
- Noncompete + Trade Secrets

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, American Arbitration Association Roster of Arbitrators
- Board of directors, Latino Justice PRLDEF
- Board of directors, The Chicago Committee
- Board of directors, Just the Beginning—A Pipeline Organization
- Board of directors, Chicago Legal Clinic
- Fellow, Leadership Council on Legal Diversity (2014)
- Member, Chicago Bar Association
- Member, Hispanic National Bar Association
- Member, Hispanic Lawyers Association of Illinois
- Pro bono, National Immigrant Justice Center; Center for Disability and Elder Law; Chicago Volunteer Legal Services

PROFESSIONAL EXPERIENCE

- Sergeant, U.S. Marine Corps, 1991-1995

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Illinois College of Law, J.D., 2002, symposium editor, *University of Illinois Law Review*
- University of Illinois, B.A., *with high distinction*, 1989, Phi Beta Kappa

BAR ADMISSIONS

- Illinois

COURT ADMISSIONS

- Supreme Court of the United States
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Northern District of Indiana
- U.S. District Court, District of Nebraska
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Eighth Circuit

LANGUAGES

- Spanish

SPEAKING ENGAGEMENTS

- Speaker, “Reinsurance Coverage Issues for COVID-19 Claims,” Locke Lord, April 15, 2020.

PUBLICATIONS

- Author, “What Goes Around Comes Around,” Locke Lord QuickStudy, January 6, 2022.
- Author, “UK High Court Rules on Business Interruption Insurance Test Case,” Locke Lord QuickStudy, September 21, 2020.
- Author, “UK High Court Rules on Business Interruption Insurance Test Case,” Locke Lord, September 18, 2020.
- Author, “Reinsurance Coverage Issues for COVID-19 Claims,” *Mealey’s Litigation Report: Insurance*, April 15, 2020.
- Author, “Reinsurance Coverage Issues for COVID-19 Claims,” Locke Lord QuickStudy, April 3, 2020.
- Author, “Business Interruption Insurance Coverage Litigation Arising from COVID-19,” Locke Lord QuickStudy, April 1, 2020.
- Author, “First Business Interruption Coverage Case Filed In Louisiana,” Locke Lord, March 19, 2020.
- Author, “Insurers and Reinsurers Can Expect COVID-19 Claims as Varied as the Virus Vectors,” Locke Lord, March 17, 2020.

MEDIA COMMENTARY

- Quoted, “No minor interruption,” *Chicago Lawyer*, July 2020.
- Quoted, “What ‘Follow the Fortunes’ Means for COVID-19 Reinsurance Claims,” *Carrier Management*, June 29, 2020.