



Patrick O'Meara

COUNSEL

Chicago

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OVERVIEW

Patrick O'Meara serves as Counsel in the Litigation Department at McDonald Hopkins. He has extensive experience representing clients in a wide variety of disputes in federal and state courts nationwide, but his practice focuses specifically on complex commercial litigation, including the defense of consumer class actions, clients in the insurance industry, and complex contractual disputes.

Patrick has significant experience at all stages of litigation, including the motion to dismiss, discovery, trial, and appeal stages. In discovery, he has supervised numerous large-volume document productions and taken several depositions. Patrick's trial experience includes successfully representing clients in bench and jury trials in federal and state courts, and involves direct and cross-examination of both lay and expert witnesses. On appeal, he has drafted or contributed to numerous appellate briefs, including several that led to the affirmance of his clients' victories in the trial court.

Patrick's class action work includes an emphasis on claims brought under federal and state privacy laws that involve statutory private rights of action, including the Illinois Biometric Information Privacy Act (BIPA) and California Consumer Protection Act (CCPA). Patrick's representation of insurance industry clients typically involves professional negligence and contractual claims brought against brokers and consultants. In contractual disputes, he has significant litigation experience and regularly advises clients industries across a variety of sectors regarding how to minimize risk or avoid liability while contracting.

Patrick earned his J.D., cum laude, from Northwestern University School of Law, where he was Senior Articles Editor for the Northwestern Journal of Law and Social Policy. While in law school, Patrick was also on the executive board of the Julius H. Miner Moot Court Competition, worked as a Civil Procedure teaching assistant, and served as an extern on the Circuit Court of Cook County. He earned his B.A. from the University of Missouri.

Practice Focus

Class action defense | Data privacy and cybersecurity | Government compliance, investigations, and white collar defense | Litigation

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Representative Cases & Matters

Class Action Defense

- Argued successful motion to dismiss in putative consumer class action against Chicago-area hospital system relating to its billing practices
- Represented social media website in class action brought under Illinois BIPA and Illinois Right of Privacy Act
- Represented healthcare provider in dispute related to alleged data breach involving patient records that includes a claim under the California Consumer Privacy Act
- Represented multiple clients in disputes brought under the Illinois BIPA related to use of time clocks that employ hand geometry
- Helped negotiate voluntary dismissal of case falsely accusing national chain of home improvement stores of using facial recognition technology as a loss prevention tool
- Obtained dismissal of putative class action complaint against third-party claims administrator based on its settlement practices
- Represented automobile insurance company in putative consumer class action based on its claim valuation practices
- Represented global food-processing company in putative consumer class action case alleging it sold contaminated horse feed

Insurance

- Obtained dismissal of all claims against major insurance broker in adversary proceeding brought by Trustee overseeing estate of former client
- Represented a leading employee benefits consultant in case brought by public-sector client related to advice on setting self-funded health insurance premium rates
- Represented global insurance broker in dispute with client alleging professional negligence related to its coverage portfolio following an uncovered loss
- Represented former executive of insolvent automobile insurance company in dispute involving negligence and breach of fiduciary claims by liquidator and bankruptcy trustee
- Represented third-party claims administrator in dispute with public-sector client alleging inadequate investigation and improper payment of significant claims

Breach of Contract

- Represented trucking company in dispute regarding termination of customer contracts related to discontinuation of technology provided
- Represented manufacturer of hand sanitizer in complex dispute with licensee of its patents
- Represented mobile advertising company asserting claims against telecommunications provider for failure to perform obligations under complex Master Services Agreement
- Represented life sciences company that terminated supply agreement with third-party manufacturer based on failure to perform obligations

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- Represented manufacturer of dental technology asserting claims based on another dental company's failure to cooperate in joint marketing and promotion activities
- Represented life sciences company in milestone dispute with former shareholders of acquired company
- Represented life sciences company in dispute involving letter of intent for commercial real estate lease
- Represented renewable energy company in dispute over easement for wind farm

Appeals

- Lead drafter of successful brief leading to affirmance of dismissal of putative consumer class action against Chicago-area hospital system
- Drafted successful brief in Illinois Supreme Court case, *In re Appointment of Special Prosecutor*, 2019 IL 122949, as well as the brief in the Appellate Court
- Drafted section of appellee brief that led to affirmance of dismissal of putative class action complaint against automobile insurance company alleging deceptive debt collection practices
- Drafted section of appellee brief on behalf of generic pharmaceutical company in case that ended in favorable settlement before oral argument
- Drafted multiple petitions for leave to appeal to the Illinois Supreme Court on behalf of clients

Honors & Recognition

Selected for inclusion in Best Lawyers: Ones to Watch for Insurance Law (2023-2024)

Selected for inclusion in Best Lawyers: Ones to Watch for Commercial Litigation (2024)

Selected for inclusion in Best Lawyers: Ones to Watch for Mass Tort Litigation/ Class Actions- Defendants (2024)

Recognized as a 2022 Rising Star by the National Immigrant Justice Center

Credentials

EDUCATION

Northwestern University School of Law

University of Missouri

ADMISSIONS – COURT

U.S. District Court for the Central District of Illinois

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the Northern District of Illinois

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ADMISSIONS – STATE

Illinois

Professional & Civic

PROFESSIONAL ACTIVITIES

International Association of Privacy Professionals

News & Insights

NEWS | AUGUST 17, 2023

55 McDonald Hopkins attorneys recognized in the 2024 editions of *The Best Lawyers in America* and *Best Lawyers: Ones to Watch in America*

NEWS | JUNE 20, 2023

McDonald Hopkins welcomes two experienced business litigation attorneys to its Chicago Office

EXTERNAL NEWS & PUBLICATIONS

Co-author of *What is the Appropriate Statute of Limitations for a BIPA Claim?* *Cybersecurity Law and Strategy* (November 2019)

Beary Landscaping, Inc. v. Costigan: The Case for Repealing the Illinois Prevailing Wage Act, 9 Nw. J. L. & Soc. Pol'y. 390 (2014)