

Sonnenschein Nath & Rosenthal LLP

7800 Sears Tower
Chicago, IL 60606
312.876.3175

2008 **40**
under
forty



Blaine Kimrey

Age: 38

**Law School: University of Texas at Austin
School of Law**

**Practice Areas: Media, Intellectual Property,
and Commercial Litigation**

Blaine Kimrey did not waste any time building his reputation as a tenacious litigator. In his first case out of law school, the young attorney wrote the successful motion that dismissed a major defamation lawsuit against a large newspaper.

More importantly, the case was the first in the country to apply the single publication rule to the Web, a fundamental principle of First Amendment law.

Since then, Kimrey, an attorney with Sonnenschein Nath & Rosenthal, has become well known for winning several difficult media defense cases at the motion stage. This is key because media defendants often encounter difficulty before juries. During his career, Kimrey has written motions for summary judgments that have resulted in early dismissals for defendants including HBO, Meredith Broadcasting and Knight Ridder Newspapers. Kimrey's experience, however, is not limited to media work. He has served a first-chair role in numerous commercial litigation cases, has tried as first-chair counsel commercial litigation cases to successful verdict, has participated in internal investigations of Fortune 500 companies, and was part of the Sonnenschein team that defended a major insurance carrier against lawsuits arising out of Hurricane Katrina.

Kimrey's performance has earned him praise from his peers.

"Not only is Blaine the consummate litigator, but he demonstrates a unique understanding of the business objectives that underscore high-stakes litigation," said Scott Swift with Kansas City, Mo.-based Media/Professional Insurance.

"Most important, however, is Blaine's humble attitude in his service to his clients. He seeks to serve out of a desire to see his client benefit, not his own exaltation. I believe the humbleness displayed by Blaine is a rare quality."

Since his initial success, Kimrey has notched several other important victories for his clients. For instance, he represented an Internet protocol fax broadcaster, as well as its executives, against charges that they were sending out junk faxes. Kimrey handled numerous class actions, some with more than 500,000 claimants, in at least eight different states, and obtained dismissals or settled the lawsuits for insignificant amounts. That

"Blaine has always proven himself to be a skilled and excellent advocate for his clients."

work has led to defense of a putative class action against MySpace related to alleged text messaging spam and Kimrey's defeat of a motion to remand the case to state court.

Results such as these have earned Kimrey the reputation as a fierce litigator, one who will do whatever is necessary to provide his clients with the best opportunity to win their cases. For instance, he once doggedly insisted on giving a PowerPoint presentation over objections from plaintiff's counsel. The judge, meanwhile, told Kimrey that the courtroom was not equipped with a screen. This did not stop Kimrey, who told the judge that he had brought his own screen, but that the police officers

at the front door would not let him bring it in. Kimrey persuaded the judge to issue a special order to allow Kimrey to bring the screen through the court's metal detectors. Kimrey's presentation immediately led to a very favorable settlement for his clients in a case that represented billions of dollars in potential exposure.

"Blaine has consistently performed at a level well beyond his years in virtually every circumstance in which I have dealt with him," said James Holmes with Los Angeles-based Sedgwick, Detert, Moran & Arnold LLP. "Blaine has always proven himself to be a skilled and excellent advocate for his clients. His list of reported decisions is exceptional for an attorney of his age."

Kimrey is also an active volunteer for his profession. He is vice-chairman of the ABA TIPS Media, Privacy and Defamation Law Committee and is the chair-elect designee. In his role as vice-chairman, he serves as the editor of the committee's newsletter. In addition, he is the vice-chairman of the Kansas City Metropolitan Bar Association Media Law Committee and has served on the Chicago Bar Foundation Nominating and Governance Committee. Kimrey also is dedicated to pro bono work, having represented several indigent criminal defendants in civil rights litigation and having won a commitment to pro bono service award from his previous firm. *

Reprinted with permission from Law Bulletin Publishing Company. 40 Illinois Attorneys Under Forty to Watch, 2008 Issue.