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Novack and Macey Successfully Defeats Emergency Motion for TRO

JUNE 23RD, 2009

With just twenty four hours notice, Novack and Macey attorneys Monte Mann and Megan Rosenberg secured a critical victory on behalf of a new client, in an action brought against our client by a secured lender, seeking a temporary restraining order on the use of certain collateral pledged in a security agreement. The relief sought against the client likely would have forced our client to shut its doors and go out of business.

This case required that Mann and Rosenberg quickly, yet thoroughly, analyze and assimilate a series of multiparty, complex, commercial financing agreements, apply the facts specific to those agreements and relationships to Illinois law on emergency injunctive relief, draft and file numerous papers with the court, including a motion to dismiss and brief in opposition to the emergency motion for temporary restraining order, and conduct oral argument before the Chancery Division of the Circuit Court of Cook County, Illinois — all within twenty four hours of their first call with the client.

At the conclusion of oral argument, Cook County Circuit Court Judge Daniel Riley denied the motion for a temporary restraining order. The Court ruled, among other things, that our opponent had failed to prove that it had no adequate remedy at law or that the equities weighed in favor of granting the temporary restraining order. The attorneys for our opponent were from the law firm Latham & Watkins, one of the largest law firms in the world.

For further information, please contact Monte Mann or Megan Rosenberg at 312.419.6900.

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