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Novack and Macey Attorneys Win Dismissal of a Lawsuit Against a Prominent NASCAR Racing Team

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Stephen J. Siegel and John F. Shonkwiler recently obtained the dismissal of all claims alleged against their client, a prominent NASCAR racing team and the defendant in a lawsuit in the United States District Court for the Northern District of Illinois.

The defendant operates motor sports teams, including five NASCAR racing teams that compete in the Nextel Cup and Busch Series. The suit alleged claims against the defendant and a co-defendant relating to the alleged use of certain racing equipment leased from the plaintiff's company. The defendant moved to dismiss the complaint on the grounds that the Court lacked personal jurisdiction over it. By an Order entered October 26, 2004, Federal District Judge Samuel Der-Yeghiayan granted the motion and dismissed the case against the defendant in its entirety.

Judge Der-Yeghiayan found that notwithstanding the defendant's participation in several auto races in Illinois over the past few years, the racing team was not "doing business" in Illinois or otherwise subject to personal jurisdiction there. The Court concluded that the plaintiff failed to show the defendant "attempted to conduct sales in Illinois or maintain offices in Illinois or engage in the type of permanent and continuous activity" that would establish jurisdiction over the defendant. The plaintiff's allegations that he was injured in Illinois and signed an equipment lease with the codefendant here, without more, were held insufficient to confer jurisdiction.

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