

John B. Stanis
Principal

Schaumburg Office
Tel: 847.734.8811
Fax: 847.734.1089
jstanis@masudafunai.com

Language: Japanese



John Stanis is a skilled litigator and has appeared in courts throughout the U.S. He often handles commercial, employment, real estate and transportation litigation. He has represented companies in various industries, including manufacturing machine tools, printing press and automotive parts, in pursuing and defending cases involving creditors' rights, breach of contract claims, product warranty disputes, misappropriation of trade secrets and violation of non-compete and confidentiality agreements. In addition, he has executed claims for fraud, statutory violations and wrongful termination of distributors and sales representatives.

Mr. Stanis has extensive experience in employment related litigation and counseling and has served as lead counsel in bench and jury trials. He represents employers and individuals in claims regarding all types of discrimination, harassment, tort and contract disputes. Mr. Stanis advises clients on employment issues, such as the drafting of policy manuals; reductions in force; employee discipline and termination problems; employment agreements; compensation issues; and compliance with state and federal statutes. Mr. Stanis is a frequent speaker and conducts seminars, also in Japanese, on various employment issues, such as how to handle harassment complaints and approaches to hiring, discipline and personnel management.

In support of the firm's real estate practice, Mr. Stanis has handled numerous lawsuits involving real estate claims, including trying cases regarding construction disputes, title insurance coverage, mechanics liens and purchase and sale disputes. He has represented title insurers and agents in defending against claims against them and their insured. In addition, Mr. Stanis has represented the State of Illinois' Department of Transportation as a Special Assistant Attorney General for roadway expansion eminent domain cases.

As a member of the Distribution & Sales Group, Mr. Stanis assists clients by drafting, reviewing and negotiating sales representative and distribution agreements, purchase and sale contracts, and terms and conditions for standard forms. He frequently advises clients on structuring and securing sales under the Uniform Commercial Code (UCC), as well as for cross-border sales to Mexico and other countries. His transportation law experience includes assisting clients with regulatory and commercial matters, such as obtaining freight forwarder and customs broker licenses and permits, drafting terms and conditions for bills of lading, and preparation of logistics and warehousing agreements.

Mr. Stanis is a frequent author on employment and litigation topics. He recently published the introduction to the Illinois Institute for Continuing Legal Education's (IICLE) 2004 award-winning employment handbook, *Conducting the Employment Practices Audit*. Mr. Stanis is also the author of "The Rising Use of Alternative Dispute Resolution in the United States," which was published in Japanese in the February 2003 issue of *International Legal Strategy*.

Mr. Stanis is admitted to practice in Illinois and the U.S. District Courts for the Northern District of Illinois (trial bar), the Eastern District of Michigan and the Eastern District of Wisconsin. He received his J.D. from the University of Illinois and his B.S. in philosophy from Illinois State University. During his undergraduate studies, he spent a year at Nanzan University in Nagoya, Japan.

REPRESENTATIVE MATTERS

LITIGATION:

- Acted as first chair or supervising principal for the following bench and jury trials:
 - Represented individual homeowner in suing contractor for delivery of defective products and defending against contractor's mechanics lien and breach of contract claims.
 - Represented Illinois Department of Transportation in eminent domain takings of real property and establishing the amount owed to the property owner.
 - Defended title insurance company against coverage claim by insured for dispute with neighboring seller over location of property line.
 - Defended hotel franchisee against breach of franchise contract claims by franchisor.
- Obtained immediate temporary restraining order freezing the bank account of an employee who had embezzled in excess of \$1.5 million, helping the employer to recover more than half of the total amount stolen.
- Served as second chair in representing an individual in a race discrimination trial against a union local, resulting in a favorable jury verdict and full payment to the client.
- Defended national hardware retail chain against age discrimination in hiring and sex discrimination charges filed with state human rights agency. After factual investigation, Mr. Stanis convinced the agency to dismiss all charges.
- Sued three insurance companies on behalf of an employer, recovering \$100,000 in reimbursement for medical expenses that the company had spent caring for an employee's daughter.

EMPLOYMENT:

- Drafted personnel policy manuals, performance review forms and disciplinary documents for numerous employers, including freight forwarders, machine tool distributors and manufacturing companies.
- Successfully defended manufacturing company against lawsuit claiming sexual harassment, gender and marital status discrimination, and workers compensation retaliation. After discovery, all but one of the claims was dismissed on summary judgment, and the case settled for less than the plaintiff's out-of-pocket expenses.
- Assisted machine tool distributor in several rounds of reductions in force, including documenting the economic need for the reductions and the standards for employee selection decisions, as well as advising the client on Worker Adjustment and Retraining Notification (WARN) Act requirements and the proper use of releases and waivers in RIF situations.

DISTRIBUTION:

- Drafted standard and customized contracts, including sales representative, distributorship, terms and conditions of sale agreements for a variety of industries, such as printing presses, electronic components, automotive parts and machine tools.

- Prepared and negotiated secured financing agreements for the sale of industrial equipment in the United States and Mexico.
- Created bill of lading terms for freight forwarder that were later cited by appellate court in limiting the client's liability on a \$250,000 claim to only \$50.
- Drafted freight forwarding, warehouse and logistics agreements for the transportation industry.