



Philip R. Kujawa

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For more than 30 years, Philip Kujawa has represented his clients—which include Fortune 100 companies along with national and regionally based alarm and security service companies—in commercial and tort litigation. Phil dedicates a significant portion of his practice to defending clients facing catastrophic claims and advising them on contract matters.

Armed with his extensive industry knowledge, Phil created and serves as the leader of Hinshaw's Alarm and Security Services practice, providing a full array of legal services—including M&A due diligence—to the alarm and security services industry.

Professional Affiliations

- Defense Research Institute
- Illinois Association of Defense Trial Counsel
- Illinois State Bar Association
 - Judicial Evaluation Committee
- Practising Law Institute
- Trial Lawyers Club of Chicago

Honors & Awards

- Holds the AV® Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability
- Recognized by his peers as a "Leading Lawyer" in the areas of Commercial Litigation and Products Liability Defense Law

Representative Matters

- Defended an alarm company in a catastrophic industrial fire loss with claimed property damages in excess of \$290 million (the second largest property loss in 2001 following only the damages to the World Trade Center in New York City). The settlement obtained for the alarm company was 10% of the applicable insurance coverage limit. The case resulted in a \$39.5 million jury verdict against a non-settling defendant, the largest jury verdict in Iowa's history.

Practices

Commercial Litigation
Complex Tort & General Casualty
Municipal and Licensing

Industries

Alarm & Security

Education

J.D., Chicago-Kent College of Law at Illinois Institute of Technology, 1991

B.A., Loyola University of Chicago, 1986

Admissions

Illinois

U.S. Court of Appeals for the Seventh Circuit

U.S. District Court for the Central and Northern Districts of Illinois



- Defended an alarm company in a theft suit seeking in excess of \$7.5 million and punitive damages. After a complete victory at the trial court level, the appellate court remanded the case for further proceedings on a narrow issue. The case settled for 10% of the applicable insurance coverage limit.
- Successful representation of alarm companies in numerous cases involving exposure beyond the applicable insurance coverage limits without formal litigation by pressing enforceability of contract terms and through the utilization of leading national experts in the alarm industry.
- Represented a governmental land owner seeking recovery of costs voluntarily expended in the remediation of environmental contamination. After successful rulings from the U.S. District Court for the Northern District of Illinois, U.S. Court of Appeals for the Seventh Circuit, and the United States Supreme Court, a significant settlement was obtained from the parent corporation of a former tenant.
- Successful representation of an alarm monitoring company in litigation arising out of a residential fire resulting in the deaths of two residents and two responding firefighters. Although the alarm monitoring company reported the fire on a non-emergency line, it was determined through extensive discovery and utilization of leading national experts that the company that sold and installed the alarm system was contractually responsible. The vast majority of the extensive damages arose from various wrongful death claims.
- Lead trial counsel for a Fortune 10 corporation targeted as the main defendant in a multiparty suit brought by a union electrician who suffered catastrophic injuries in an electrocution accident. The initial settlement demand was \$16,000,000, and the case was resolved on the eve of the jury trial for a settlement paid by subcontractors' insurers. The case was aggressively litigated for nearly five years with nationally renowned liability and damage experts without incurring any cost to the client for either defense or indemnity.

Presentations

- "So You Think Your Alarm Contract Is Bulletproof?" IESA Dinner Meeting, Addison, Illinois, May 19, 2021
- Co-Presenter, "The HITECH Act Unencrypted: An Overview of the HITECH Act and its Impact on the Receipt, Transmission, Creation, and Maintenance of Protected Health Information," Illinois Paralegal Association's Fall Education Conference, Virtual Event, November 5, 2020
- "Litigation Counsel's Interaction with In-House Corporate Legal Team," Illinois Paralegal Association, In-House Paralegal Section, March 2019
- "The Drafting and Enforcement of Non-Compete and Non-Solicit Agreements in the Alarm Industry," Honeywell CONNECT 2017, Scottsdale, Arizona, November 2017
- "Liability and Litigation Issues in the Personal Emergency Response System (PERS) Industry," PERS Summit, Park City, Utah, September 2017
- "Is Your Company Prepared For A Catastrophic Loss," Honeywell CONNECT 2015, Scottsdale, Arizona, November 2015
- "The Anatomy of The Alarm Contract and Case Illustrations: When The Alarm Contract Works and When It Doesn't," The Hartford Insurance Company Alarm Specialty Program, Hartford, Connecticut, November 2015
- "Issues Involving Property Management Company Contracts," NetOne Program, Des Moines, Iowa, September 2015
- "Contractual Liability and Risk Management," Honeywell CONNECT 2014, Orlando, Florida, November 2014
- "Key Contract Issues in the Alarm Industry," Notifier by Honeywell's 25th Annual Leadership Conference, Boca Raton, Florida, October 2014
- "Alarm Contract Issues," Per Mar Security Services Kick Off Meeting, Moline, Illinois, February 2014

Publications

- Co-Author, Chapters 1, 2, 3, 5, and 7, *Wrongful-Death and Survival Actions*, Illinois Institute for Continuing Legal Education, 2023 Edition
- Co-Author, Chapters 1, 2, 5, and 7, *Wrongful Death and Survival Actions*, Illinois Institute for Continuing Legal Education, 2019 Edition



- "Limiting Lawsuit Liability," *Security Dealer & Integrator*, August 12, 2015
- "Case Law: When PERS Does More Than Intended," *Security Dealer & Integrator*, October, 2014
- "Residential Security: War on Early Termination Fees," *SecurityInfoWatch.com*, February 6, 2014

Personal

Phil was born, raised, and continues to reside and raise his family in Chicago (not in a suburb), and he is an avid fan of most of his hometown sports teams.

Community/Civic Activities

Phil is actively involved in his community. He has been involved in a number of charitable organizations and civic activities including:

- Park Lawn Association, Board of Directors
- Chicago Volunteer Legal Services, Volunteer
- Wills for Heroes, Volunteer
- Chicago Public School System's "Principal for a Day" Program, Volunteer
- Beverly Improvement Association, Past President; Board of Directors, Former Member