ArentFox Schiff LLP
Attorneys

Paula M. Ketcham

PARTNER, DEPUTY GENERAL COUNSEL

Clients frequently turn to Paula for high-stakes, high-pressure, time-sensitive litigation.



Industries

Consumer Products

Practices

Complex Litigation
— Class Actions
Environmental, Social & Governance (ESG)
Labor, Employment & OSHA
— Labor, Employment & OSHA: Counseling
— Labor, Employment & OSHA: Litigation
— Workplace Investigations & Audits
Trade Secrets, Noncompetes & Employee Mobility
Insurance & Reinsurance

Education

University of Chicago Law School, JD, 1994
Northwestern University, BA, 1990

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Many of Paula's cases involve employers and their departing employees, but she frequently defends clients in state and federal class actions that cross practice-area and industry boundaries. Her class action experience runs the gamut from defending employers in employment discrimination suits, fiduciaries in ERISA actions, and insurers and other companies in consumer class actions. She regularly litigates these cases beyond her Chicago home office.

Paula also defends and prosecutes claims on behalf of individual and corporate clients in cases involving fraud and breach of fiduciary duty claims, professional liability, and commercial contract disputes. She is often called on to parachute into ongoing litigation to review strategies, develop theories, and draft briefs and pleadings that steer a case in new directions.

Paula spends nearly as much time advising and strategizing with her clients to solve their problems as she does litigating on their behalf. She understands that, virtually without exception, her clients want to avoid contentious disputes and focus on their core business, so her first priority is steering her clients clear of litigation. With an intense focus on her clients' practical concerns, she works with clients to develop and implement corporate policies and procedures; conducts or oversees internal investigations and analysis of financial and business transactions, as well as internal complaints; manages and coordinates their litigation; and advises them about compliance with federal and state laws and regulations.

The common thread across all of Paula's representations and client relationships is her exclusive focus on her clients' practical, business interests. Even more than achieving victories in litigation, Paula relishes the chance to solve problems for her clients.

Client Work

- Counsels and defends businesses facing Illinois Biometric Information Privacy Act litigation.
- Regularly oversees and coordinates employers' professional liability litigation and ancillary disputes across the country.
- Regularly protects and defends employers in contractual and other disputes with departing employees, including disputes regarding the theft of proprietary and trade secret information.
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Defends employers accused in both class actions and individual-plaintiff suits of discriminating against employees in violation of federal and state discrimination laws.

- Defended insurance companies in state and nationwide consumer class actions challenging claims-adjusting practices as well as in individual-policyholder coverage disputes under a variety of business and personal insurance lines.
- Successfully litigated claims on behalf of individuals who were defrauded in kickback schemes perpetrated by their accountants and financial advisers.
- Defended former trustees and directors of a state teachers' union trust accused of breaching their fiduciary duties by mismanaging and imprudently investing trust funds.
- Represents financial institutions in investigations and litigation of negligence and gross negligence claims against directors and officers.
- Successfully defended a Fortune 500 company in a class action filed by participants of an Employee Stock Ownership Plan (ESOP) challenging the application of the plan's change-in--control provision in connection with a merger.
- Successfully defended professional partnerships accused of antitrust and other conspiracies.

Professional Activities

Since she began practicing law, Paula has devoted hundreds of hours to pro bono advocacy. She has represented a class of plaintiffs asserting civil rights claims against state agencies, represented indigent clients in a variety of civil disputes, successfully vindicated the rights of disabled plaintiffs asserting fair housing claims, obtained orders of protection on behalf of victims of domestic violence, and successfully defended victims of sexual assault and stalking in defamation suits. And outside of her legal practice, for more than a decade, Paula has overseen and managed a weekly soup kitchen that provides thousands of meals each year to the homeless, poor, and chronically underemployed. Paula has also advocated in her community for neighborhood-based after-school programming.

Publications, Presentations & Recognitions

Publications

- "Illinois Supreme Court Holds That Every Unlawful Biometric Scan or Transmission is Separate BIPA Claim," *The National Law Review* (Feb. 21, 2023)

Recognitions

- Illinois Leading Lawyer, Law Bulletin's *Illinois Leading Lawyers Network* (2014-2021)

Bar Admissions

Illinois

Court Admissions

US Court of Appeals, 7th Circuit

US District Court, Northern District of Illinois (Trial Bar)

US District Court, Northern District of Indiana