ArentFox Schiff LLP
Attorneys

Frederick J. Sperling

PARTNER

Fred has more than four decades of experience with high profile, complex civil litigation, including successfully representing publishers, national entertainment and media companies, and major sports figures in jury and bench trials and appeals.



Industries

Media & Entertainment
Sports

Practices

Complex Litigation
Private Clients, Trusts & Estates
Real Estate

Education

University of Chicago Law School, JD, The University of Chicago Law Review, Associate Editor, 1979

Amherst College, BA, cum laude, 1975

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Chicago

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Fred has a broad litigation and counseling practice that includes the First Amendment; sports, media, and entertainment law; misappropriation of the right of publicity; defamation; business torts; breach of fiduciary duties; privately held companies; trusts; real estate; and commercial law.

Client Work

Cases that Fred has handled include:

- Challenging the constitutionality under the First Amendment of an Iowa law requiring the removal of books from school and classroom libraries on behalf of Penguin Random House, Hachette Book Group, HarperCollins, MacMillan, Simon & Schuster, Sourcebooks, four award-winning authors, the Authors Guild, the Iowa State Education Association, a teacher, a librarian, and a high school student.
- Challenging the constitutionality under the First Amendment of a Florida law requiring the removal of books from school and classroom libraries on behalf of Penguin Random House, Hachette Book Group, HarperCollins, MacMillan, Simon & Schuster, Sourcebooks, five award-winning authors, The Authors Guild, and high school students.
- Obtained a $95 million settlement after a four-week jury trial and on the morning of closing arguments for claims for wrongful removal as an owner and manager by the co-founder of a proprietary trading firm.
- Obtained a verdict after a two-week jury trial of $8.9 million in favor of Michael Jordan against Safeway and Dominick's for the unauthorized use of his identity in an ad published in a *Sports Illustrated* commemorative issue celebrating Michael Jordan's induction into the Basketball Hall of Fame.
- Successfully prosecuted claims and established appellate precedent on the scope of commercial speech for Michael Jordan against Supervalu and Jewel Food Stores for the unauthorized use of his identity in an ad published in a *Sports Illustrated* commemorative issue celebrating Michael Jordan's induction into the Basketball Hall of Fame.
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Successfully prosecuted claims against Samsung for the unauthorized use of Pele's identity in a look-alike ad published in *The New York Times* and other national publications.

- Successfully prosecuted claims against Fox Broadcasting Company for the unauthorized use of Muhammad Ali's identity in a promotional video broadcast during the Super Bowl pregame show.
- Successfully defended claims seeking $40 million for breach of contract, unjust enrichment, fraudulent inducement, tortious interference with business relationships, and violation of the Illinois Trade Secrets Act against Elton Brand.
- Successfully prosecuted Warner Bros.' claims for infringement of its copyrights and trademarks in *The Wizard of Oz*, *Gone with the Wind*, and the *Tom and Jerry* cartoons.
- Successfully defended Warner Bros. in an evidentiary hearing on a motion for a preliminary injunction to prevent the nationwide release of the movie *The Hangover Part II* based on a claim of copyright infringement by the tattooist who created Mike Tyson's facial tattoo.
- Successfully defended in a jury trial a $14 million claim against the developer of the River East real estate project for the purchase of CFC Investment's interest.
- Successfully defended claims in excess of $150 million for commercial disparagement by TII Industries against ANTEC and Keptel.
- Successfully defended claims in excess of $40 million for goodwill on the termination of a joint venture and conversion by Cincinnati Bell against Anixter.
- Successfully prosecuted claims and established appellate precedent on the standing of a discretionary beneficiary to assert claims against the beneficiary's lawyers and trustee for malpractice and breach of fiduciary duties.
- Successfully defended in a five-week jury trial a $28 million claim for breach of a contract to act in a movie by Heaven Corporation against Michael Jordan.
- Successfully prosecuted at trial claims by Michael Jordan to terminate license agreements for a restaurant and an associated retail store.
- Successfully defended an attempt to enjoin the construction and operation of a restaurant owned by Michael Jordan.
- Successfully defended a claim against Michael Jordan for breach of an alleged contract to pay Karla Knafel $5 million upon Jordan's retirement from professional basketball.
- Successfully prosecuted trademark infringement and misappropriation claims by Michael Jordan against Avon and M.Z. Berger.
- Successfully defended claims for trademark infringement and unfair competition by Chattanooga Manufacturing against Michael Jordan.
- Successfully prosecuted Michael Jordan's claims in the WorldCom bankruptcy for amounts owed under an endorsement agreement.
- Successfully established in the Illinois Supreme Court that the fair report privilege cannot be defeated by actual malice and that there is no judicial action limitation on the privilege in a case where claims for defamation were brought against a magazine publisher.
- Successfully defended claims for defamation and false light invasion of privacy against Fox Television Stations and its investigative reporter.
- Successfully defended multimillion-dollar claims for defamation against (a) CBS Broadcasting and its reporter and (b) Fox Television Stations, its general manager, and its reporter.
- Successfully defended multimillion-dollar claims for defamation and related torts against the Chicago-Crawford Currency Exchange and its president.
- Successfully defended multimillion-dollar defamation claims against the auditor of the Bank of Bellwood.
- Successfully defended claims for defamation and invasion of privacy against the Chicago Council of Lawyers and its president.
- Successfully prosecuted a claim for the recovery of retirement funds by the Eagle Industries Pension Plan and defense of an indemnification claim against Eagle Industries for those funds.
- Successfully prosecuted securities claims by a group of hedge funds against Salomon Brothers.

Previous Work

- Hon. James Hunter, U.S. Court of Appeals, Third Circuit, Clerk (1979-1980)

Publications, Presentations & Recognitions

Publications

- *A Primer on Illinois Defamation Law*
- "Famous Athlete Cases Offer Right Of Publicity Lessons," (co-author) *Law360* (Jan. 4, 2020)

Presentations

- "Family Mediations and Settlements," Chicago Estate Planning Council, Webinar (May 20, 2021)
- "Protecting the Rights of Publicity of Michael Jordan, Pele, and Muhammad Ali," Kernochan Center for Law, Media and the Arts at Columbia Law School Annual Symposium, New York, N.Y. (Oct. 19, 2018)

Recognitions

- The Best Lawyers in America, *Best Lawyers* (2011-2027)
- Top 250 Business Lawyers, Law Bulletin's *Illinois Leading Lawyers Network* (2026)
- Illinois Leading Lawyer, Law Bulletin's *Illinois Leading Lawyers Network* (2006-2026)
- *Illinois Super Lawyers*, Thomson Reuters (2005-2025)
- Lawdragon 500 Leading Global Entertainment, Sports & Media Lawyers (2025)
- "Lawyer of the Year" Litigation – Real Estate – Chicago, *Best Lawyers* (2013, 2021, 2024)
- Top 10 Civil Appellate Lawyers, Law Bulletin's *Illinois Leading Lawyers Network* (2015)

Professional Activities

- National Institute for Trial Advocacy, Faculty

Fred has been involved in numerous pro bono cases, including:

- Ballot access and other election law cases
- A series of bias violence cases, including the first civil case tried under the Illinois Hate Crime Act
- A First Amendment case in the Illinois Supreme Court for the publisher of a small magazine

Boards, Memberships & Certifications

Memberships

- American Bar Association, Past Member of the House of Delegates
- Chicago Bar Association
- Chicago Lawyers' Committee for Civil Rights Under Law, Past President
- Chicago Council of Lawyers, Past President
- Governor's Task Force on Judicial Merit Selection, Past Member
- Illinois State Bar Association
- Illinois Supreme Court Special Commission on the Administration of Justice, Past Member

Bar Admissions

Illinois

Court Admissions

US Supreme Court
US Court of Appeals, 1st Circuit
US Court of Appeals, 2nd Circuit
US Court of Appeals, 4th Circuit
US Court of Appeals, 6th Circuit
US Court of Appeals, 7th Circuit
US Court of Appeals, 8th Circuit
US Court of Appeals, 10th Circuit
US Court of Appeals, 11th Circuit
US District Court, Central District of Illinois
US District Court, Northern District of Illinois (Trial Bar)