

Litigator of the Week

Runners-Up and Shout-Outs

By Ross Todd

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► **Gary Feinerman** of **Latham & Watkins** took the lead for defendants at oral argument at the Seventh Circuit in three consolidated interlocutory appeals considering whether 2024 amendments to the Illinois Biometric Information Privacy Act limiting plaintiffs to "at most, one recovery" per person for repeated collections of the same data applied retroactively to pending cases. A unanimous Seventh Circuit panel held last week that the amendment was a "remedial change" that was "procedural" rather than "substantive" under Illinois law, and therefore the changes apply retroactively. The Latham team representing Union Pacific in the matter included partners **Johanna Spellman**, **Sean Berkowitz** and **Michael Rubin** and associates **Kathryn Running**, **Ben Harris** and **Sandra Scott**. Defendants in the other consolidated appeals included litigators from Ogletree Deakins and Jackson Lewis.