



## Matthew Carter

Partner

Chicago

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**Matthew's service as an Illinois Supreme Court law clerk, and his appointments as a Special Assistant Attorney General in Illinois and Deputy Special Prosecutor in Cook County, have provided him with invaluable experience in his complex trial and appellate litigation, white-collar criminal defense, and corporate internal investigation practice.**

Matthew represents clients in state and federal courts throughout the country in commercial and criminal trial and appellate litigation. He is known for handling complex, client-critical, high-stakes cases, particularly those involving appeals and critical motions. He has handled and argued several cases before the Supreme Court of Illinois and the U.S. Court of Appeals for the Seventh Circuit and obtained important, precedent-setting decisions in favor of his clients in both courts.

Matthew has extensive trial experience, including joining major matters just as they approach trial. In October 2022, in a case he joined after the completion of discovery, he helped secure a US\$104.65M jury verdict for Versata Software, Inc. in a breach of contract and trade secret misappropriation case against Ford Motor Co. in Detroit, Michigan. Matthew examined the primary breach of contract witnesses as well as the parties' damages experts. Ultimately, eight jurors unanimously sided with Versata on each of its three breach claims and three of its four trade secret claims. The jury also rejected Ford's breach of contract counterclaim. The win earned the team a first runner-

up spot in Am Law's "Litigator of the Week" column. Ford moved for judgment as a matter-of-law post-trial. The district court denied Ford's motion as to liability but overturned the jury's findings on damages. Versata will appeal.

Matthew also prosecutes and defends companies and individuals in significant defamation matters throughout the country. Sometimes these matters resolve short of active litigation, and sometimes they do not; Matthew has experience in both settings. For example, he was second chair in Fox News Network, LLC's dispute with Dominion Voting Systems in Delaware Superior Court, a highly-publicized matter that resolved in court minutes before opening statements.

Matthew's investigative experience includes conducting national and international corporate internal investigations on behalf of several private clients. He has handled investigations and litigation related to government and regulatory matters, including matters brought by the U.S. Department of Justice (DOJ), U.S. Attorneys General, the Securities and Exchange Commission (SEC), and the Federal Trade Commission (FTC). He has represented clients dealing with Foreign Corrupt Practices Act (FCPA) charges and compliance requiring investigative work throughout the world, including in Russia and India.

Currently, Matthew is serving, by appointment, a three-year term as a member of the Illinois Supreme Court Committee on Illinois Evidence. This 14-member committee is responsible for the monitor, review, and study of Illinois Supreme Court cases that impact evidence law generally and the Illinois Rules of Evidence specifically. Previously, he was appointed to the role of Special Assistant Attorney General to represent the Department of State Police of the State of Illinois. This representation resulted in a court order accomplishing the objective of the State Police—the maintenance of the confidentiality of its Firearm Owners Identification database. Matthew has also served as a Deputy Special Prosecutor in Cook County, Illinois for an investigation that generated significant media interest, which required the interview of 146 witnesses, a review of 300,000 documents, and resulted in the publication of a 162-page report.

## Key Matters

In 2015, Matthew helped convince the Illinois Supreme Court to reverse an appellate decision reinstating a US\$10B verdict, ending one of the largest and most talked about cases in Illinois history. In 2016, he argued and helped his client win a case ensuring that Illinois hospitals are free to make staffing decisions based on the improvement of patient care. In 2020 (in a case Matthew argued in 2019), he helped persuade the Illinois Supreme Court to affirm a new trial because his client's conviction for murder was based on improper and prejudicial expert testimony. Matthew was also part of a team that, in 2020, led the Illinois Supreme Court to make clear that plaintiffs with no injury have no claim. For these last two decisions, Matthew was selected as a runner-up for "Litigator of the Week" by *The American Lawyer*.

In his most significant Seventh Circuit matter, Matthew argued a case that resulted in a unanimous 2017 decision affirming the dismissal of a RICO complaint alleging over US\$400M in damages. For that victory, Law360 named Matthew and his co-counsel "Legal Lions."

At the trial level, Matthew was part of a team representing a global ingredients and ethanol producer in a three-week jury trial in New York state court which resulted in the denial of our opponent's claim for US\$180M in damages and an award to our client of rescission and the return of more than US\$20M in licensing payments. He was also part of a team representing a pharmaceutical company in a two-week jury trial in Illinois state court that obtained a verdict of more than US\$93M in a contract dispute.

## Recent Experience

Secured Settlement for Fox on Brink of Trial in High-Profile Defamation Litigation Brought by US Dominion Voting Systems

Secured Nearly US\$105M Trial Victory Against Ford Motor Co.

Supreme Court of Illinois Unanimously Affirmed Win for Atlantic Richfield

Winston Proves Hospitals Are Immune From Damages for Dismissal of Medical Staff When Motivated by the Improvement of Patient Care

Illinois Supreme Court Remands Case To Cook County Circuit Court

Supreme Court of Illinois Decision has Implications on Use of Expert Witness

Winston Obtains Dismissal of Déjà Vu Consumer Fraud Class Action

## Recognitions

Matthew was recognized in the 2020, 2023 and 2024 editions of *Benchmark Litigation US* as a “Future Star” for Appellate, General Commercial Litigation, and White Collar Crime. He was also listed from 2016–2020 on *Benchmark Litigation’s* “40 & Under Hot List,” an accolade that is “meant to honor the achievements of the nation’s most accomplished legal partners of the age of forty or younger.” In 2020, Matthew was selected twice as a runner-up for “Litigator of the Week” by Am Law as a result of two significant wins in the Illinois Supreme Court and he was recognized again as a first runner-up in 2022 for a major trial win in the United States District Court for the Eastern District of Michigan.

Matthew was recommended in Corporate Investigations and White-Collar Criminal Defense by *The Legal 500 US* in 2018–2019 and was listed as a “Key Lawyer” in Appellate: Courts of Appeal/Appellate: Supreme Courts in 2021–2022. He was recognized in the 2023–2024 editions of *The Best Lawyers in America*® for Commercial Litigation. He was named to the Chicago Daily Law Bulletin’s 2017 Forty Under 40 list of “Up-and-Comers of Law in Illinois,” chosen annually from over a thousand nominations. Additionally, Matthew was selected to the *Super Lawyers* “Illinois Rising Stars” list from 2014–2020.

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## Activities

Matthew previously served as one of two non-judge members of the Board of Directors of the Illinois Judges Foundation (IJF), an organization established by the Illinois Judges Association to advance public confidence in the integrity and impartiality of the judiciary, foster awareness, respect, and knowledge of the law, the legal system, and the administration of justice, and facilitate diversity and inclusiveness in the judiciary and legal profession. Matthew also serves on the IJF’s Lawyers’ Auxiliary Committee. He has served on Law360’s Illinois Editorial Advisory Board since 2023.

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## Credentials

### EDUCATION

Matthew received a J.D., *magna cum laude*, in 2006 from the University of Illinois College of Law, where he was an associate editor of the *University of Illinois Law Review*. He received a B.A. in history and economics from Northwestern University in 2003.

Prior to joining the firm in 2008, Matthew spent two years as a law clerk to Illinois Supreme Court Justice Rita B. Garman (retired).

### ADMISSIONS

- Illinois

## CLERKSHIPS

- Illinois Supreme Court for the Honorable Justice Rita B. Garman

## Related Insights & News

- “Jurisdiction Should be Addressed at the Threshold of Appeals,” *CBA Record*, Nov./Dec. 2020
- “White Collar Crime,” Guest Lecturer at Kellogg School of Management at Northwestern University, March and August 2019
- “Arbitration Clauses in the Context of Third-Party Beneficiary Claims: An Issue Ripe for Corporate Consideration and Illinois Supreme Court Review,” *Trial Briefs Newsletter* (May 2016, Vol. 61, No. 8)
- “Crafting Helpful *Amicus* Filings in the Supreme Court of Illinois Pursuant to Illinois Supreme Court Rule 345,” *Trial Briefs Newsletter* (January 2014, Vol. 59, No. 7)
- “The Supervisory Authority of the Supreme Court of Illinois: A Powerful Tool for the Court and Practitioner Alike,” *Trial Briefs Newsletter* (April 2012, Vol. 57, No. 9)
- “Illinois Supreme Court Rule 315(c)(3): An Appellate Trap for the Unwary,” *Trial Briefs Newsletter* (October 2008, Vol. 54, No. 3)

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## RECOGNITIONS

Law360 Names Winston Attorneys to 2024 Editorial Advisory Boards

MARCH 21, 2024

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## IN THE MEDIA

Winston & Strawn Files Lawsuit Against Northwestern on Behalf of Pat Fitzgerald

OCTOBER 10, 2023

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## RECOGNITIONS

Winston & Strawn Recognized in 2024 *Benchmark Litigation*

OCTOBER 6, 2023

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## PRESS RELEASE

Winston & Strawn Files Lawsuit on Behalf of Former Northwestern University Football Coach Pat Fitzgerald Against Northwestern and University President Michael Schill

OCTOBER 5, 2023

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## RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2024

AUGUST 17, 2023

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## CLIENT SUCCESS

Winston Acts as Lead Trial Counsel for Fox News and Fox Corp. in US Dominion Voting Systems Defamation Cases, Settling Matter on Brink of Trial  
APRIL 18, 2023

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**RECOGNITIONS**  
Law360 Names Winston Attorneys to 2023 Editorial Advisory Boards  
APRIL 10, 2023

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**NEWS**  
Matthew Carter Appointed to Illinois Supreme Court Committee on Illinois Evidence  
JANUARY 26, 2023

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**CLIENT SUCCESS**  
Winston Secures Tremendous Victory in Jury Trial of High-Stakes Contract and Trade Secrets Dispute  
OCTOBER 28, 2022

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**RECOGNITIONS**  
Winston Team Led by Dan Webb and Matthew Carter Featured in Litigator of the Week Column  
OCTOBER 28, 2022

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**RECOGNITIONS**  
Winston & Strawn Recognized in *The National Law Journal* Legal Awards 2022  
AUGUST 29, 2022

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**RECOGNITIONS**  
Winston & Strawn Attorneys Recognized in *The Best Lawyers in America*® 2023  
AUGUST 18, 2022

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## Capabilities

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Litigation/Trials

Commercial Litigation & Disputes

Government Investigations, Enforcement & Compliance

Appellate & Critical Motions

Antitrust/Competition