



Sean G. Wieber

Partner
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Sean focuses his practice on a variety of complex commercial and class action litigation matters. As co-chair of Winston's Global Privacy & Data Security and Regulated Personal Information (RPI) practices, Sean has vast experience advising clients on privacy, data breach, and consumer matters (brought as class actions or as individuals) under various federal and state laws that are primarily enforced through private right of action, such as the Telephone Consumer Protection Act (TCPA), the Illinois Biometric Information Privacy Act (BIPA), the Illinois Genetic Information Privacy Act (GIPA), the California Consumer Privacy Act (CCPA), the California Invasion of Privacy Act (CIPA), the Florida Telephone Solicitation Act (FTSA), the Florida Security of Communications Act (FSCA), and the Video Privacy Protection Act (VPPA). He is also the Chair of the firm's TCPA, BIPA, and GIPA litigation practices.

Sean also regularly conducts highly sensitive internal investigations for publicly traded and privately held companies, municipalities, and volunteer and nonprofit organizations into issues involving employee misconduct,

accounting irregularities, whistleblower complaints, the Computer Fraud and Abuse Act (CFAA), potential violations of the Foreign Corrupt Practices Act (FCPA), and other anti-bribery laws.

Sean represents high-profile individuals and corporations seeking pragmatic, creative, and politically sensitive solutions to their issues. Sean has successfully argued dispositive motions and appeals in both state and federal court on behalf of his clients. He is also deeply committed to the delivery of pro bono services and has been successful in achieving favorable results for pro bono clients in both civil and criminal matters.

Sean has been recognized as a legal “trailblazer”—in that after observing the ever-increasing onslaught of class actions initiated under privacy and consumer protection laws, he knew there had to be a better way of separating the “wheat from the chaff”—that is, assessing very early in a case’s life cycle which matters were truly “bet-the-company” and should be litigated as such, versus those that were ripe for dismissal almost immediately; or alternatively, were better suited for a negotiated resolution. As such, Sean has developed a methodical and tenacious approach when assessing his clients’ matters—operating collaboratively and with transparency with stakeholders on both sides of the “v”—ultimately fostering the proper disposition of disputed issues in an efficient and effective manner.

Sean’s conceptual change in approaching a case has drastically reduced the time, expense, and uncertainty that normally accompanies complex litigation in the ever-changing privacy and consumer protection class action landscape. The feedback on Sean’s methodology (from clients and judges) has been overwhelmingly positive when compared to the default approach in the field, which is viewed as merely “working the file” toward some unknown conclusion. The pragmatic tact Sean has developed fosters deeper relationships with those he represents. He is viewed as a trusted business advisor who also knows how to zealously advocate.

Sean’s approach toward litigation has chipped away at the all-too-commonplace “trench warfare” notion that has frustrated clients and judges for decades. As a welcomed byproduct, his style has helped his clients’ business units focus on their day jobs, leading to tangible efficiencies and more certainty when facing the myriad of complex legal issues presented in their respective fields.

Key Matters

REPRESENTATIVE MATTERS

Sean has successfully represented clients in high-stakes litigation, including on appeal. He has resolved cases with motions to dismiss, motions for summary judgment, favorable trial verdicts, and no-cash settlements, and he has won appeals on behalf of his clients, including in the Supreme Court of Illinois.

He holds the rare distinction of having represented three sitting or former governors of Illinois. Most recently, he represented former Governor James R. Thompson in a federal civil rights retaliatory discharge case stemming from Mr. Thompson’s time as Chairman of the Illinois Sports Facility Authority, in which all claims were dismissed with prejudice. Before that, Illinois Attorney General Lisa Madigan appointed Sean to serve as a Special Assistant Attorney General to defend Governor Rod Blagojevich in a federal civil rights conspiracy lawsuit related to Mr. Blagojevich’s exercise of his gubernatorial line-item veto power (the defense demonstrated legislative immunity and was granted summary judgment). Earlier in his career, Sean assisted Governor George H. Ryan’s trial and appellate defense teams tasked with fighting a federal indictment alleging multiple crimes, including charges of racketeering, conspiracy, and fraud related to Mr. Ryan’s tenure as Illinois Secretary of State and Governor.

Sean also holds the very unique distinction of having been appointed twice as a Deputy Special Prosecutor by the Circuit Court of Cook County to assist Winston’s Co-Executive Chairman Dan Webb in two extremely high-profile cases: (1) *Matter of the Death of David Koschman*, and (2) *People of the State of Illinois v. Jussie Smollett*. At the conclusion of the *Koschman* matter, former Chicago Mayor Richard M. Daley’s nephew, Richard Vanecko, pled guilty to involuntary manslaughter. In *Koschman*, Sean was instrumental in overseeing the Special Grand Jury, obtaining the indictment and drafting a public report detailing deficiencies by police and prosecutors in their previous

handling of the case. The *Chicago Sun-Times* described the conviction as a “stunning” and “remarkable” achievement accomplished by a Winston Special Prosecutorial team with “ferocious talent and tenacity.” As to the *Smollett* matter, Sean led an all-encompassing independent Special Grand Jury investigation to determine whether Mr. Smollett should be further prosecuted for the false reports he made to police, and also whether any person or office involved in the celebrity’s original criminal case engaged in any wrongdoing. Relatedly, at the multi-week trial of Mr. Smollett, Sean co-led the State’s case—which played out in the public eye, garnering national media coverage. Ultimately, the jury found Mr. Smollett guilty of multiple felonies for lying to police about an alleged hate crime of which he claimed to be the victim, but instead it was all an elaborate hoax planned by Mr. Smollett himself. The results of the Winston Special Prosecutorial team in *Smollett* were lauded throughout the legal community as not only demonstrating Winston’s strength as trial lawyers, but also showcasing the Firm’s superior commitment to maintaining the integrity of the justice system.

In a follow-on suit civil suit stemming from the *Koschman* matter, Sean represented Winston & Strawn and Dan Webb in a Freedom of Information Act (FOIA) dispute over records related to the firm’s work as special prosecutor in the case. Sean argued the case before the Supreme Court of Illinois and Appellate Court and prevailed at all levels.

For a number of years, Sean has also represented Morgan Stanley, Chicago Parking Meters, LLC, and Chicago Loop Parking, LLC, in a variety of successful negotiations, arbitrations, and litigation matters derived from two long-term public-private partnership concession agreements that these entities entered into with the City of Chicago.

He represented Ernst & Young in one of the largest auditor liability cases that ever went to trial. Following public disclosure of a multibillion-dollar financial statement fraud, HealthSouth Corporation sued its former auditor for breach of contract and negligence. After five years of discovery and an arbitration trial that lasted nearly two years, the panel ruled in Ernst & Young’s favor on all claims.

Sean also served as the lead negotiator for his client, a California law corporation, which was ensnared in high-profile litigation commenced by the Illinois Attorney General. He successfully procured a resolution of the matter by negotiating a first-of-its-kind consent decree entered into by all parties that resulted in a full release of any and all claims, as well as no admission as to fault, liability, or wrongdoing on behalf of his client.

Notably, Sean also has vast experience defending class action claims stemming from the Telephone Consumer Protection Act (TCPA), the Illinois Biometric Information Privacy Act (BIPA), and the California Consumer Privacy Act (CCPA), including negotiating several favorable settlements for his clients in light of these statutes’ draconian damages provisions.

Recent Experience

TZP Group Acquires a Majority Stake in Kindred Bravely

Recognitions

Sean was recognized in Illinois Super Lawyers 2024 as a “Super Lawyer” for “Civil Litigation: Defense” and was named a “Litigation Star” in the 2023–2024 editions of *Benchmark Litigation US*. He was also recognized in the Cyber Law category in the 2022–2023 editions of *The Legal 500 US*, which recognizes top-tier talent in the legal industry.

Sean was named to *The American Lawyer’s* inaugural list of “2021 Midwest Trailblazers.” This list recognizes professionals in the Midwest who have moved the needle in the legal industry and are agents of change. Sean was specifically highlighted for his methodical and tenacious approach towards class actions initiated under privacy and consumer protection laws.

In 2018, Sean was recognized as a “Rising Star” in the area of Consumer Protection by Law360, which recognizes the top legal talent under 40 in their respective practice areas. He is also part of the Winston team recognized by Law360 as a 2018 Consumer Protection Group of the Year.

Sean received a shout out in the *The Am Law Litigation Daily’s* [Litigator of the Week](#) column on December 8, 2023 for his work as Deputy Special Prosecutor in the trial and appeal in the case of *People of the State of Illinois v. Jussie Smollett*, the actor convicted of staging a fake hate-crime assault in Chicago in January 2019 and subsequently lying to investigators. Sean also argued the appeal in the Appellate Court of Illinois First District, which resulted in the upholding of Sean and his partners as special prosecutors as well as Smollett’s convictions and sentence.

The Illinois State Bar Association named Sean as “Young Lawyer of the Year” for 2008–2009. He was the first associate with less than two years of experience to receive the award, which is intended to encourage young lawyers to participate in their profession and in community affairs.

The Chicago-Kent Alumni Board of Directors selected Sean as its “2009 Chicago-Kent College of Law Young Alumni of the Year” award recipient. The award was presented to him for his outstanding contribution to the practice of law and public service.

In 2016-2019, *Super Lawyers* recognized Sean as a “Rising Star” for his litigation practice. In 2015, Winston was named the “Chicago Litigation Department of the Year” for general litigation by *The National Law Journal* and in 2014, was recognized for the same award under white-collar defense. In 2014, Sean received Winston’s “Pro Bono Commitment to Service Award” for his outstanding dedication to the delivery of pro bono services.

Activities

MEMBERSHIP

Sean is a member of the International Association of Privacy Professionals (IAPP), as well as a member of the Board of Directors of the Thatcher James Swanson Memorial Foundation (the Foundation focuses on creating a lasting impact to better the community for children in Chicago, including through grants for diversity and inclusion initiatives).

LEGISLATION

While in law school, Sean served as a citizen drafter of Illinois House Bill 1279, also known as the “R.A.W. Initiative.” The bill was created to honor his fallen Northwestern University football teammate, Rashidi Ayodele Wheeler, and mandates that Automated External Defibrillators (AEDs) be placed at all outdoor physical fitness facilities in Illinois. HB1279 received near-unanimous support from both houses of the Illinois Legislature in the spring of 2007, and Governor Rod Blagojevich signed HB1279 in December 2007. The R.A.W. Initiative was finalized in the spring of 2008, and was designated as Public Law # 95-0712.

TEACHING

Sean was a guest lecturer at Chicago-Kent College of Law and taught on the topic of “Lawyer as Investigator” in 2014 and 2024.

VOLUNTEER

Sean volunteers for the American Youth Soccer Organization (AYSO), and has also been recognized by The Rotary Foundation as a Paul Harris Fellow.

Credentials

EDUCATION

Sean received a J.D., with high honors, from the Chicago-Kent College of Law in 2007, where he was elected to the Order of the Coif.

Sean received his undergraduate degree in political science with a minor in history at Northwestern University in 2002. While at Northwestern, he played four years for the university’s varsity football team. He was the starting safety on the 2000 Big Ten championship team, participated in the 2000 Sylvania Alamo Bowl, and was an Academic All-Big Ten scholar athlete.

ADMISSIONS

- Illinois

Related Insights & News

- [“BNSF Deal Suggests More Privacy Cases Going to Trial in Illinois,”](#) Bloomberg Law, Quoted, March 19, 2024
- [“Court Issues Clearer Guidance for Standing in ‘Session Replay’ Litigation,”](#) Winston & Strawn’s Class Action Insider Blog, Contributor, Jan. 23, 2024

- ["Appeals Court Rules Courts Must Address Class Action Waivers Before Certifying Class,"](#) Winston & Strawn's Class Action Insider Blog, Contributor, Sept. 20, 2023
- ["Illinois Supreme Court Decision in White Castle Leaves Plaintiffs' Bar With All-You-Can-Eat Biometric Buffet,"](#) Winston & Strawn's Class Action Insider Blog, Contributor, Feb. 24, 2023
- ["Big-Dollar Biometric Settlements Emboldening Plaintiffs Attorneys to Bring More Cases,"](#) Law.com Corporate Counsel, Quoted, Feb. 23, 2023
- ["When You Hear Hoofbeats, Think Privacy. Illinois Case Expands Potential Liability in BIPA Cases,"](#) Winston & Strawn's Class Action Insider Blog, Contributor, Feb. 10, 2023
- ["Employers Beware: CCPA Amendments Increase Employment Data Obligations and Private Liability Exposure,"](#) Winston & Strawn's Class Action Insider Blog, Contributor, Dec. 9, 2022
- ["Illinois Powerhouse: Winston & Strawn,"](#) Law360, Featured, Aug. 12, 2022
- ["Texas AG: Don't Mess with Texans' Biometric Info,"](#) Winston & Strawn's Class Action Insider Blog, Contributor, Apr. 1, 2022
- ["Jussie Smollett Sentenced to 150 Days in Cook County Jail Beginning Immediately, Shouts as He is Led from Court,"](#) *Chicago Tribune*, Mentioned, Mar. 20, 2022
- ["Jussie Smollett Fined, Sentenced to 150 Days in Jail for Staging Racist, Homophobic Attack and Lying to Police,"](#) *USA TODAY*, Mentioned, Mar. 10, 2022
- ["Jussie Smollett Sentencing Underway in Chicago,"](#) *New York Post*, Mentioned, Mar. 10, 2022
- ["Ill. High Court BIPA Ruling: Next, How Big Can Damages Get?"](#) Law360, Quoted, Feb. 4, 2022
- ["A New Tool for Defendants to Combat Serial Class Action Plaintiffs,"](#) Winston & Strawn's Class Action Insider Blog, Contributor, Nov. 11, 2021
- ["Illinois Legislature Considers Employer-Friendly Change to BIPA Liability,"](#) Winston & Strawn Insights, Contributor, Mar. 12, 2021
- ["Big Questions for BIPA Case Law in 2021,"](#) Cybersecurity Law Report, Quoted, Feb. 17, 2021
- ["Year in Review: Top 10 Privacy Impacts of 2020,"](#) Winston & Strawn Guide, Contributor, Feb. 9, 2021
- ["Top 10 Privacy Impacts of 2020 & What to Watch for in 2021,"](#) Winston & Strawn Webinar, Speaker, Jan. 28, 2021
- ["5 BIPA Cases That Moved The Needle In 2020,"](#) Law360, Quoted, Dec. 17, 2020
- ["The Rapid Expansion of Biometric Class Action Litigation: Illinois and Beyond,"](#) Winston & Strawn Webinar, Speaker, Oct. 29, 2020
- ["Expanding Biometric Class Actions Beyond Illinois,"](#) Winston & Strawn Insights, Contributor, Oct. 12, 2020
- ["3 Takeaways From Ill. Ruling On BIPA And Workers' Comp,"](#) Law360, Quoted, Sept. 23, 2020
- ["Seventh Circuit Finds Violation of BIPA Informed-Consent Requirements Establishes Sufficiently Concrete Injury to Allow Federal Jurisdiction,"](#) Winston & Strawn Briefing, Contributor, May 13, 2020
- ["FCC Announces TCPA Exception for Health-Related Calls and Text Messages During COVID-19 Pandemic,"](#) Winston & Strawn Briefing, Contributor, Apr. 6, 2020
- ["Is California a Better Venue for BIPA Litigation Than Illinois?"](#) The Recorder, Quoted, Feb. 26, 2020
- ["Lawsuits Following Unsolicited Marketing Texts Keeps Pressure on TCPA Compliance,"](#) Legaltech News, Quoted, Feb. 26, 2020
- ["How the High Court Could Reshape the TCPA's Future,"](#) Law360, Quoted, Jan. 15, 2020
- ["5 Cybersecurity & Privacy Predictions for 2020,"](#) Law360, Quoted, Jan. 1, 2020
- ["Cybersecurity & Privacy Policy To Watch In 2020,"](#) Law360, Quoted, Jan. 1, 2020

- ["Department of Homeland Security Proposals Fade, But Facial Recognition is Forever,"](#) Legaltech News, Quoted, Dec. 9, 2019
- ["Kronos Gets Privacy Claims Pared Back in Biometric Class Suit,"](#) Bloomberg Law, Quoted, Nov. 25, 2019
- ["What is the Appropriate Statute of Limitations Period for BIPA Claims?"](#) *Cybersecurity Law & Strategy*, Author, Nov. 4, 2019
- ["Defending CCPA's "Reasonable" Safeguards Standard Against an Unreasonable Plaintiff's Bar,"](#) Winston & Strawn Webinar, Speaker, Sept. 16, 2019
- ["Facebook Ruling Extends Life of Ill. Biometric Privacy Claims,"](#) Law360, Quoted, Aug. 12, 2019
- ["What Financial Institutions Need to Know About the California Consumer Privacy Act,"](#) Winston & Strawn Briefing, Contributor, Aug. 5, 2019
- ["Identifying and Addressing Risks Under the California Consumer Privacy Act,"](#) Winston & Strawn Webinar, Speaker, Aug. 1, 2019
- ["Proposed Federal Law Broadens Regulatory Landscape for Facial Recognition Technology,"](#) Winston & Strawn Briefing, Contributor, Mar. 18, 2019
- ["Landmark Ruling on the Illinois Biometric Information Privacy Act,"](#) Winston & Strawn Briefing, Contributor, Jan. 30, 2019
- ["High Court: Venecko Probe's Files Not Subject to FOIA,"](#) *Chicago Daily Law Bulletin*, Mentioned, Jan. 31, 2019
- ["High Court Hears Arguments on FOIA Access to Vanecko Probe,"](#) *Chicago Daily Law Bulletin*, Quoted, Nov. 15, 2018
- ["Illinois Supreme Court to Decide Whether Daley Testimony on Koschman is Released,"](#) *Chicago Sun-Times*, Mentioned, Nov. 13, 2018
- ["Rising Star: Winston & Strawn's Sean G. Wieber,"](#) Law360, Featured, Aug. 8, 2018
- ["Contact Your Customers With Confidence: Recent TCPA Developments,"](#) Winston & Strawn Webinar, Speaker, Oct. 4, 2017
- ["Winston & Strawn Lawyer was an Unseen Hero,"](#) *Chicago Daily Law Bulletin*, Interviewee, Nov. 3, 2014
- ["Doing the Write Thing at IIT Chicago-Kent,"](#) *Chicago Daily Law Bulletin*, Interviewee, Aug. 29, 2014
- ["Lawyers Review Importance of Concussion Legislation,"](#) *Chicago Daily Law Bulletin*, Interviewee, Mar. 8, 2011
- ["The Road to Becoming an Associate,"](#) *Chicago Lawyer*, Featured, Jan. 3, 2010
- ["Spurred by Tragedy, Making a difference,"](#) *Chicago Tribune*, Featured, Feb. 25, 2007

IN THE MEDIA

Sean Wieber Discusses the Potential Increase in Privacy Cases Going to Trial in Illinois with *Bloomberg Law*
 MARCH 20, 2024

SEMINAR/CLE

Winston Hosts 2024 Financial Services Symposium in Charlotte
 JANUARY 24, 2024

BLOG

Court Issues Clearer Guidance for Standing in “Session Replay” Litigation

JANUARY 23, 2024

RECOGNITIONS

Winston Partners Receive Shout Out in Litigator of the Week Column

DECEMBER 8, 2023

CLIENT SUCCESS

Serving as Special Prosecutor for the State of Illinois, Won Conviction of Jussie Smollett on Five Felony Counts for Falsely Reporting a Hate Crime

DECEMBER 1, 2023

RECOGNITIONS

Winston & Strawn Recognized in 2024 *Benchmark Litigation*

OCTOBER 6, 2023

SEMINAR/CLE

2023 Health Care & Life Sciences Summit

SEPTEMBER 21, 2023

BLOG

Appeals Court Rules Courts Must Address Class Action Waivers Before Certifying Class

SEPTEMBER 20, 2023

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S. 2023*

JUNE 7, 2023

BLOG

Illinois Supreme Court Decision in White Castle Leaves Plaintiffs’ Bar With All-You-Can-Eat Biometric Buffet

FEBRUARY 24, 2023

IN THE MEDIA

Sean Wieber Discusses Spree of Biometric Privacy Lawsuits in *Corporate Counsel*

FEBRUARY 23, 2023

WEBINAR

A New Privacy Paradigm: Risks, Trends, and Best Practices in the Shifting Landscape of U.S. Privacy Laws

FEBRUARY 16, 2023

Capabilities

Commercial Litigation & Disputes

Class Actions & Group Litigation

Privacy: Regulated Personal Information (RPI)

Privacy & Data Security

Litigation/Trials

Advertising Litigation

Antitrust/Competition

Government Investigations, Enforcement & Compliance

Artificial Intelligence (AI)