



## Linda Coberly

Partner  
Co-Chair, Litigation Department

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**Linda is one of the nation’s top appellate lawyers, as recognized by *Chambers USA*, *The Legal 500 US*, and *The Best Lawyers in America*®. Clients describe her as “a tremendously talented, thoughtful lawyer, very assertive about defending her clients’ interests.”**

Linda founded the firm’s award-winning Appellate & Critical Motions Practice and now leads the firm’s Litigation Department, alongside trial lawyer Tom Melsheimer. As a leading appellate lawyer, she is known for her strong business sense, clear briefs, and compelling oral advocacy. She has argued more than 70 appeals, including in the U.S. Supreme Court, eight different federal courts of appeals, and a variety of state appellate and supreme courts. She leads strategic, motions-intensive litigation matters at the trial court level and frequently serves in an appellate-lawyer-at-trial capacity in trial courts around the country. She has a wide-ranging practice, spanning from securities litigation to product liability litigation and intellectual property disputes.

A significant portion of Linda’s practice centers on advising and representing clients with respect to proceedings in the U.S. Supreme Court, drawing on her experience as a law clerk to Justice Stephen G. Breyer. She recently secured a 9–0 reversal in a securities case against client Macquarie Infrastructure Corporation, making new law on the scope of the private right of action under Rule 10b-5. And she also served as lead appellate lawyer and led the briefing in the firm’s 9–0 victory for a class of student-athletes in their antitrust challenge to the NCAA’s amateurism rules.

# Key Matters

## SELECTED APPELLATE VICTORIES IN ARGUED CASES:

- U.S. Supreme Court, 2024: Secured a 9–0 reversal of a ruling by the Second Circuit in a case addressing the scope of the private right of action under the federal securities laws.
- Federal Circuit, 2025: Defeated an appeal from a judgment rejecting trade secret, contract, and patent claims that sought more than half a billion dollars.
- Federal Circuit, 2024: Defeated a PTAB appeal that presented both patent issues and potentially sweeping arguments about the recusal practices of administrative patent judges.
- Sixth Circuit, 2023: Defeated an appeal from the dismissal of a massive False Claims Act suit based on the public disclosure bar and other pleading failures.
- Seventh Circuit, 2022: Obtained a win for a government contractor in a billion-dollar municipal contract in an appeal from the dismissal of an antitrust lawsuit on the basis of state-actor antitrust immunity.
- Fifth Circuit, 2022: Obtained affirmance of a take-nothing judgment in a contract dispute worth more than US\$200 million between an oil producer and a manufacturer of drilling equipment, earning runner-up status for *The American Lawyer's* Litigator of the Week.
- Eighth Circuit, 2021: Defeated a demand for a preliminary injunction (and the ensuing appeal) against a new and beneficial policy for allocating donated kidneys for transplant.
- Second Circuit, 2021: Secured a resounding win in a massive coverage dispute arising out of flood damage caused by Superstorm Sandy.
- Wisconsin Supreme Court, 2020: Obtained discretionary review and reversal in the Wisconsin Supreme Court of a jury award of punitive damages based on a trial court's entry of a sanction of liability following an alleged discovery violation.
- Seventh Circuit, 2020: Defeated an appeal from a grant of summary judgment in a case relating to a decades-old contract allocating environmental liabilities among railroads.
- Eleventh Circuit, 2019: Obtained reversal of a district court's interpretation of a critical administrative regulation applying to the Organ Procurement & Transplantation Network, in defense of a new and highly beneficial organ allocation policy.
- Fifth Circuit, 2019: As appellate counsel for most of the national banking industry, succeeded in defending the dismissal of a qui tam lawsuit against the banks arising out of Treasury regulations relating to the banks' receipt of federal benefits payments.
- Wisconsin Court of Appeals and Supreme Court, 2018 and 2019: Won reversal of a decision precluding insurance coverage for claims for copyright infringement and unfair trade practices, defeating application of a "knowing violation" exception.
- Ninth Circuit, 2014: Defeated an appeal from the dismissal of a 10b-5 lawsuit, obtaining a decision that was the first in the Ninth Circuit to hold that loss causation must be pleaded with specificity.
- Second Circuit, 2014: Obtained an appellate victory on behalf of the producer of Emma Thompson's film *Effie Gray*, defeating claims that Ms. Thompson's screenplay infringed a copyright.
- New York Court of Appeals and Second Circuit (2010): Won an outright dismissal of a US\$2 billion malpractice and aiding and abetting lawsuit against an accounting firm by a litigation trustee appointed in the bankruptcy of brokerage giant Refco, and secured a critical precedent for defendants on the issue of *in pari delicto* in corporate fraud cases, on certification to New York's highest court.

## Recent Experience

Winston Wins Unanimous Supreme Court Case Clarifying Securities Fraud Liability

Triumphed for Relevant Sports Before Second Circuit, Reviving Antitrust Suit Against FIFA, USSF

Secured Headline-Grabbing Win Blocking Enforcement of Texas Governor's Order Prohibiting Masks in Schools During Pandemic

Won Rare Denial of Class Certification for Medtronic in Securities Fraud Litigation

## Recognitions

Linda is one of the nation's top appellate lawyers, as recognized by *Chambers USA*, *The Legal 500 US*, and *The Best Lawyers in America*®. She is a member of the American Law Institute and a Fellow of the American Academy of Appellate Lawyers. She is recognized in *Lawdragon*'s "500 Leading Lawyers in America" and as one of the 2025 *Lawdragon* Legends, by *Benchmark Litigation* among the "Top 250 Women in Litigation" and as an "Illinois Litigation Star," and by *Illinois Super Lawyers* as one of the top 100 lawyers in the state.

In 2021, Linda was named to *The American Lawyer*'s inaugural list of Midwest Trailblazers. In 2020, she was named a "BTI Client Service All-Star," and Chicago Magazine recognized her as one of the "50 Most Powerful Women in Chicago," based on her role in the Chicago legal community and her work in securing the state's recent ratification of the Equal Rights Amendment. In 2019, Linda was selected as an honoree for *Corporate Counsel's* 2019 "Women, Influence & Power in Law Awards" in the Innovative Leadership Category, which honors general counsel, in-house leaders, and law firm partners who have demonstrated a commitment to advancing the empowerment of women in law.

In recognition of her pro bono work in the area of immigrant justice and human rights, Linda has received the "Edward J. Lewis II Pro Bono Service Award" from the Chicago Bar Foundation and the "Human Rights Practitioner Award" from the National Immigrant Justice Center. Linda has also received the "Ruth Goldman Award" from the Chicago chapter of the American Constitution Society in recognition of her work in advocating for the rights of women.

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## Activities

Linda is Chair of the Board of the United Way of Metro Chicago, serves as President of the Board of Chicago's Goodman Theatre, and is on the Board of Advisors for the Chicago chapter of the American Constitution Society. She serves by appointment of the Chief Justice on the Advisory Committee for the Federal Rules of Appellate Procedure. In addition, she serves by appointment on the Illinois Supreme Court's Commission on Access to Justice, including as chair of its Rules Committee. She is also a member of the firm's Executive Committee.

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“Extremely bright, quick to learn case-specific intricacies, and very hands-on in the way she litigates.”

*The Best Lawyers in America*® client testimonial

## Credentials

### EDUCATION

Linda received a J.D., *magna cum laude*, from the University of Michigan Law School, where she served as editor-in-

chief of the *Michigan Law Review* and was a member of the Order of the Coif. She received an A.B. from Princeton University.

## ADMISSIONS

- Illinois

## CLERKSHIPS

- USCA - D.C. Circuit for the Honorable Chief Judge Douglas H. Ginsburg
- US Supreme Court for the Honorable Justice Stephen G. Breyer
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## Related Insights & News

- Interview on the *Washington Journal* about the Equal Rights Amendment, March 3, 2023
- Periodic commentary on WTTW's *Chicago Tonight* and other news outlets
- "The Realities of Mass Torts," speaker, Winston & Strawn Product & Mass Torts Summit, June 7, 2022
- "Supreme Court Update," panel presentation for Dallas Assembly Program, April 9, 2022
- "Ideas for New Constitutional Amendments," Letter to the Editor in *The New York Times*, Aug. 14, 2021
- "Biglaw's Push for the Equal Rights Amendment," featured guest on *The Jabot*, a podcast of *Above the Law*, July 2020
- "Why the time has finally come to ratify Equal Rights Amendment," *The Hill*, Feb. 11, 2020
- "Congress Can and Should Take Action on the ERA," *ACS Expert Forum Blog*, Feb. 11, 2020
- "The Equal Rights Amendment," Keynote Address at the ABA Women in Litigation Conference, Nov. 2019
- "Can the Equal Rights Amendment Be Revived?" a conversation about constitutional issues with Jeffrey Rosen on the National Constitution Center's *We the People* podcast, Feb. 2019
- "The Year in Litigation," panel presentation at the ALI Accountant's Liability Seminar, Oct. 2018
- "The Art and Craft of Legal Writing," panel presentation for the ABA, Aug. 2018
- Commentary on Supreme Court matters on MSNBC and *Chicago Tonight*
- "The Trial of Mordred: Insurrection in Camelot," mock trial hosted by the Shakespeare Theater in Washington D.C., June 2018 (oral argument against the current U.S. Solicitor General, before a panel including Justices Ginsburg, Breyer, and Kagan of the U.S. Supreme Court)
- "Standing Together: A Conversation about Equity," panel discussion hosted by BMO Harris and Heartland Alliance, with female change agents from government, business, and non-profits, May 2018
- Testimony supporting the Equal Rights Amendment, subject matter hearing before the Human Services Committee of the Illinois General Assembly, May 2018

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## RECOGNITIONS

Winston Team Featured in Litigator of the Week Column

APRIL 25, 2025

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## RECOGNITIONS

Linda Coberly Named to the 2025 *Lawdragon* Legends List

MARCH 6, 2025

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## IN THE MEDIA

Former U.S. Attorney Damien Diggs Joins Winston & Strawn in Dallas

MARCH 4, 2025

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## PRESS RELEASE

Winston & Strawn Welcomes Former U.S. Attorney Damien Diggs to Its Government Investigations, Enforcement and Compliance Practice in Dallas

FEBRUARY 25, 2025

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## RECOGNITIONS

Winston Attorneys Featured on the 2025 *Lawdragon* 500 Leading Lawyers in America List

JANUARY 14, 2025

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## PRESS RELEASE

Winston & Strawn Adds Joshua Hafenbrack as a Partner in Washington, D.C.

DECEMBER 12, 2024

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## PRESS RELEASE

Director of United States Patent and Trademark Office Kathi Vidal to Rejoin Winston & Strawn

NOVEMBER 18, 2024

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## RECOGNITIONS

Winston & Strawn Recognized in 2025 *Benchmark Litigation*

OCTOBER 3, 2024

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## IN THE MEDIA

Litigation Department Co-Chairs Linda Coberly and Tom Melsheimer Featured in *ALM's* "How I Made It" Series

OCTOBER 2, 2024

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## SPONSORSHIP

Winston & Strawn Sponsors *Inherit the Wind*

SEPTEMBER 14, 2024

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## RECOGNITIONS

Winston Attorneys Named to *Benchmark Litigation's* 2024 List of the Top 250 Women in Litigation

**RECOGNITIONS**  
Winston Attorneys Recognized in *The Best Lawyers in America*® 2025  
AUGUST 15, 2024

## Capabilities

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Appellate & Critical Motions

Litigation/Trials

Securities, M&A & Corporate Governance Litigation

Commercial Litigation & Disputes

Class Actions & Group Litigation

Government Program Fraud, False Claims Act & Qui Tam Litigation

Insurance Litigation

Financial Services

Professional Services

Media & Entertainment

Insurance

Medical Devices