masudafunai



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Jiwon Yhee has represented clients across a wide variety of industries on business, IP, and employment dispute resolution and litigation, and other commercial matters. Jiwon's strengths lie in her practical approach to problem-solving and her ability to analyze and find solutions to the most complex issues and claims. Notably, she has served on client teams involving claims for damages in the hundreds of millions of dollars.

In her commercial litigation practice, she represents both plaintiffs and defendants in actions asserting breach of contract, breach of warranty, fraud, breach of fiduciary duty, and other business torts and claims. She often handles matters involving the protection of intellectual property, including trade secrets, copyrights, and trademarks. In her employment litigation practice, Jiwon focuses on the defense of corporations under the FLSA, Title VII, ADEA, ADA and other federal statutes and their state equivalents. Jiwon has also routinely litigated cases involving the enforcement of non- competition, non-solicitation, and other restrictive covenants. Jiwon has successfully defended clients with limited English ability or whose documents are primarily in Korean.

Jiwon also assists clients outside of litigation. Her experience includes drafting and reviewing the potential enforceability of confidentiality, non-competition and non-solicitation agreements, as well as sales representative and distribution agreements.

Experience

- Member of litigation team that successfully defended an international manufacturer of agricultural and livestock nutritional and cleaning products in a federal district court lawsuit involving claims of trademark infringement, false advertising, and domain name cyber squatting. Team

Education

University of Illinois College of Law, J.D., magna cum laude, 2015; Elder Law Journal, 2013-2014, Administrative Editor, 2014-2015; University of Illinois National Trial Team; Phi Delta Alpha Trial Team

Princeton University, A.B., 2009; Certificates in East Asian Studies and Creative Writing, 2009; Oxford University, Fall 2007; Princeton in Beijing, Summer 2007; Yonsei University (Korean Language Institute), Summer 2006

Admissions

Illinois

Michigan

New York

Ohio

U.S. Bankruptcy Court, Northern District of Illinois

U.S. Bankruptcy Court, Southern District of New York

U.S. District Court, Northern District of Illinois

U.S. District Court, Central District of Illinois

U.S. District Court, Eastern District of Michigan

obtained settlement on favorable terms for the client.

- Obtained complete dismissal of Trademark and Copyright Claims filed in United States District Court against a domestic consumer electronics company by competitor located in Southeast Asia. Client retained all rights to pertinent trademark registrations in the United States, and as a part of a global resolution of worldwide disputes related to the pertinent trademark and copyright, client also maintained trademark registrations in European Union jurisdictions which allowed client to significantly expand distribution footprint into European marketplace (June 2020).
- Achieved complete dismissal of arbitration claims alleging violations of the Federal RICO Statute, common law fraud, and breach of contract, where initial claims requested in excess of $450M in damages stemming from the bankruptcy and liquidation of the Plaintiff company; all claims initially filed in federal district court in the Southern District of New York and arbitration compelled based upon controlling contractual provision in pertinent contract documents (Sep. 2018).
- Court granted a motion to dismiss, with prejudice, claims against the former parent company of the Plaintiff based upon the exclusive forum selection clause in the operative contract selecting South Korea as the venue for litigation. DMC Machinery America Corp. v. FFG DMC Co., Ltd., et al, No. 16-cv-269, 2016 U.S. Dist. LEXIS 152494 (N.D. Ill. Nov. 2, 2016).
- Represented a global manufacturer of industrial equipment against a former customer's claims for fraud, negligent misrepresentation, and breaches of implied warranties. The customer filed the case in the U.S. District Court for the Central District of California under California law, even though the parties' terms and conditions stated that the case should be brought in Illinois under Illinois law, in an attempt to avoid the enforcement of certain other contractual provisions in the parties' contract. The case was successfully transferred to the client's home forum in the Northern District of Illinois, which gave the client significant substantive and cost advantage and prevented the customer from avoiding certain contractual provisions. After significantly undercutting the opponent's claims during depositions, obtained favorable settlement consisting of a very small fraction of the amount originally demanded by the customer.
- Represented private equity firm and its principals in two lawsuits in South Carolina relating to the alleged non-payment of wages. Obtained a favorable global resolution and a dismissal of all claims.
- Represented a Luxembourg-based defendant in a civil

U.S. District Court, Western District of Michigan

U.S. District Court, Eastern District of Texas

U.S. District Court, Northern District of Ohio

U.S. District Court, Northern District of New York

U.S. District Court, Southern District of New York

U.S. District Court, Western District of Wisconsin

U.S. District Court, Eastern District of Wisconsin

Supreme Court of the United States

U.S. Court of Appeals: 9th Circuit

U.S. Court of Appeals: 2nd Circuit

Practice Areas

Litigation

Employment, Labor & Benefits

Commercial, Competition & Trade

Intellectual Property & Technology

Languages

English

Korean

RICO lawsuit involving multiple defendants located in France, Russia, Luxembourg, London, Monaco, and other countries, with the Plaintiff seeking over $170 million in damages. Obtained an initial dismissal on behalf of its client in the U.S. District Court for the Central District of California, which was then appealed to the Ninth Circuit Court of Appeals and, ultimately, to the United States Supreme Court. After the case was eventually remanded to the district court, swiftly obtained the dismissal of several of Plaintiff's claims against its client, and thereafter, an amicable resolution with all parties and a dismissal with prejudice of the client in the case.

- Secured favorable resolution for Tier 1 automotive supplier in parts supply dispute involving alleged U.S. steel import restrictions on Mexico, delayed and insufficient part deliveries, and substantial expedite costs. Through discovery, summary judgment briefing, and trial preparation, positioned the client to preserve the vast majority of its contractual offset in a favorable settlement.
- Secured Favorable Resolution of Fair Labor Standards Act Collective Action

Memberships

- American Bar Association

Distinctions

- CALI Excellence for the Future Awards in White Collar Crime, International Law and the Federal Civil Rights Clinic, 2013-2015
- Fulbright Scholar, research grant from the U.S. Department of State and the Institute of International Education, 2010
- Legal 500 Chicago Elite – Commercial Disputes