



Daniel K. Ryan

Partner

151 North Franklin Street
Suite 2500
Chicago, IL 60606
312-704-3248
dryan@hinshawlaw.com

Daniel Ryan has a diverse commercial litigation practice. Clients appreciate his recognized ability to strategically and aggressively resolve business disputes, particularly in matters tried in federal courts and through arbitration. His technical background includes a unique combination of capabilities in managed care litigation, health care litigation, employee benefits litigation, consumer fraud, bad faith, biometric privacy acts, corporate disputes, IT software implementation disputes, securities fraud, and corporate dissolutions.

Dan's business litigation practice is nationally focused, with cases venued throughout the country. In addition to various arbitration forums, he represents his clients before a wide variety of appellate forums, including the United States Courts of Appeals for the Seventh, Eighth, and Ninth Circuits, the Illinois and Indiana Appellate Courts, the United States District Courts from coast to coast, the EEOC, the Illinois Department of Human Rights, and the Illinois Human Rights Commission. Dan has tried numerous cases, both jury and non-jury. His practice also entails a substantial number of matters involving alternative dispute resolution, mediation, and arbitration.

Dan devotes a significant part of his practice to managed care disputes in counseling health plans and commercial payors in disputes regarding underpayments, denials based on medical necessity, experimental treatments, recoupments, coding audits, and not separately reimbursable line item charge denials. His managed care matters involve both in-network and out-of-network providers, many of which are resolved through arbitrations with the American Arbitration Association (AAA), American Health Law Association (AHLA), and JAMS. He represents employee benefit plans and fiduciaries in court litigation, both ERISA and non-ERISA, including trials and appeals. Dan's employee benefits litigation experience in this area includes the defense of health, life, and disability benefit claims.

Dan is also highly knowledgeable in the area of "special remedies." He has obtained injunctive relief in business disputes involving hospitals, health care plans, limited liability companies, and corporate dissolutions. Dan also concentrates a significant amount of his practice in the areas of non-competition agreements.

Dan joined Hinshaw in 1988. He is a member of the firm's Management Committee, a past Executive Committee member, and the former Chair of the firm's Business Litigation Practice Group. Throughout his tenure, he has contributed significantly to the firm's growth and management, having served on

Practices

Commercial Litigation

Life, Health, Disability & ERISA Litigation

Consumer and Class Action Defense

Biometric Information Privacy Act

Privacy, Security & Artificial Intelligence

Industries

Health Care

Education

J.D., Loyola University Chicago School of Law

B.A., University of Notre Dame

Admissions

Illinois

* Colorado (*currently inactive*)

Federal Trial Bar

U.S. Court of Appeals for the Seventh Circuit

U.S. Court of Appeals for the Eighth Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the District of Colorado

U.S. District Court for the Central, Northern, and Southern Districts of Illinois

U.S. District Court for the Northern and Southern Districts of Indiana

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the Eastern and Western Districts of Missouri

U.S. District Court for the District of North Dakota

U.S. District Court for the



the Hiring Committee, the Associate Evaluation Committee, and as an instructor for Hinshaw University, the firm's technical and professional training program for associate attorneys.

Dan completed intensive training in mediation from the faculty of Pepperdine University School of Law's top-ranked Straus Institute for Dispute Resolution.

Professional Affiliations

- American Bar Association (ABA)
 - Editor of the *ERISA Treatise*
 - Employee Benefits Committee
- International Association of Defense Counsel (IADC)
- Defense Research Institute (DRI)
 - Health, Life and Disability/ERISA Committee
 - Employee Benefits Committee
- American Health Lawyers Association (AHLA)

Honors & Awards

- Selected by his peers for inclusion in *The Best Lawyers in America*® for Litigation – ERISA, 2021 – 2024
- Recognized by *Best Lawyers*® as the Litigation – ERISA "Lawyer of the Year" in Chicago, 2021
- Named a BTI Client Service All-Star by BTI Consulting Group, Inc., 2014
- Recognized by his peers as a "Leading Lawyer" in the categories of Class Action & Mass Tort Defense Law

Representative Matters

A special feature of Dan's practice is his representation of a wide variety of clients, including major health insurers, managed care plans, financial institutions and credit unions, finance companies, real estate developers, and several nationally prominent insurance companies. Because of his diverse experience, he can quickly gain a sound understanding of a client's business and adapt to different and frequently changing situations.

Examples of matters Dan has handled include:

- Numerous health, life and disability cases (both ERISA and non-ERISA) at both trial court and appellate court levels
- Managed care disputes against participating and non-participating providers, involving reimbursement disputes, fraudulent billing, usual and customary charges, and related billing issues
- Class action and consumer fraud litigation
- Defense verdict in a two-week bad faith jury trial held in federal court in California for a national, top five health care company
- Favorable verdicts in employment discrimination suits

Eastern and Western Districts
of Wisconsin



- Favorable jury verdicts in bad faith claims handling cases
- Obtained injunctive relief in various disputes involving ownership interests in closely-held corporations, limited liability companies, and partnerships
- Class action involving an alleged violation of the Illinois Biometric Information Privacy Act ("BIPA")
- Prosecution and defense of claims relating to restrictive covenants, tortious interference, and misappropriation of trade secrets
- Defense of banks, credit card issuers, financial institutions, and automobile manufacturers in class actions involving claims of Uniform Commercial Code, consumer fraud, truth-in-lending, and fair credit reporting
- Defense of information technology providers in disputes involving software implementation projects
- Real estate disputes, including right of first refusal claims on purchase of a \$37.5 million apartment complex, as well as TIF district disputes, special service area tax developments, and condemnations
- Representing financial institutions in claims arising out of the Uniform Commercial Code (Articles 3 and 4), including fictitious payees, forgeries and alterations, and other check schemes
- Defense of a prominent truck manufacturer against claims for tortious interference with an international distribution agreement
- Defense of an automobile manufacturer in dealer disputes
- Arguments before the appellate courts, including the U.S. Courts of Appeals for the Seventh and Eighth Circuits and the state appellate courts in Illinois and Indiana

Presentations

Dan regularly gives presentations to various attorney groups and associations on business litigation subjects, including employee benefits, health care, class actions, injunctive relief, and arbitrations. A selection of presentations includes those before the Defense Research Institute (DRI), the National Consumer Class Action Litigation & Management Conference, the International Association of Defense Counsel (IADC), the Eastern Claims Conference, the Self-Insurance Institute of America, the Illinois Association of Defense Trial Counsel and the Illinois Institute for Continuing Legal Education (IICLE).

- "In-Network Challenges: Provider Arbitration and Related Issues (Health)," DRI's 2023 Life, Health, Disability and ERISA Seminar, New Orleans, Louisiana, April 26, 2023

Publications

- "Mental Health Parity Act," DRI's *In-House Defense Quarterly*, Spring 2021

Personal

Dan is an avid golfer, snow skier, and water skier. He lives with his wife and four children in the Chicagoland area.

Community/Civic Activities

- Active in his church on various boards and committees, including the Finance Committee and School Board
- Regularly devotes time to a number of charitable organizations