

Kenn Brotman

Counsel

Chicago
+1.312.807.4277

kenn.brotman@klgates.com

OVERVIEW

Kenn Brotman focuses his practice on complex commercial litigation, including breach of contract, breach of warranty, breach of fiduciary duty, and commercial evictions, as well as disputes involving product liability, premises liability, and toxic tort claims. He is a founding member of the firm's Biometric Data Compliance and Defense affinity group and advises clients with respect to litigation and compliance under the Illinois Biometric Information Privacy Act.

In addition to his commercial litigation, torts, and privacy practices, Kenn frequently serves as national litigation coordination counsel for manufacturers and retailers and is responsible for managing, overseeing, formulating, and implementing consistent defense strategies for similar litigation filed throughout the United States.

Kenn represents clients in a variety of fields and industries, including recreational product manufacturers, family entertainment centers, REITs, cemeteries, boats, big-box retailers, and trucking companies. He practices in state and federal courts throughout the country, as well as arbitration proceedings, with significant experience navigating the nuances and complexities of state courts and procedures in Illinois. Kenn has broad experience in all aspects of discovery, mediation, settlement negotiations, pretrial, and trial.

As the Chicago office's pro bono coordinator, Kenn manages opportunities to help K&L Gates reach its pro bono objectives and helps lawyers to succeed in meeting their individual pro bono goals. He also assists the firm's Cyber Civil Rights Legal Project representing victims of cyber-bullying and cyber-exploitation.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Kenn served as an associate at a mid-sized law firm, where he acted as national product liability counsel by managing, coordinating, and defending litigation for national recreational equipment manufacturers. He also previously served as a supervising law clerk for the Circuit Court of Cook County, and began his legal career as a sole practitioner, where he provided criminal defense of felony, misdemeanor, and traffic offenses.

PROFESSIONAL / CIVIC ACTIVITIES

Since 2008, Kenn has been a Hearing Board Panel Chair for the Illinois Attorney Registration & Disciplinary Commission (ARDC). In this capacity, he presides as panel chair during hearings, rules on evidentiary objections, and considers evidence and testimony submitted. Following the hearing, the panel chair leads deliberations with panel members, adjudicates ethical rule violation complaints and allegations asserted by the ARDC Administrator against attorneys, reports findings, and recommends sanctions to the Illinois Supreme Court as appropriate.

In 2022, Kenn was appointed chair of the Hearing Board by the ARDC. Prior to that, since 2016, Kenn served as the assistant chair of the Hearing Board. The chair and assistant chair are responsible for working with and advising the director of Adjudication Services to ensure the Hearing Board efficiently and fairly fulfills the directives of the commission and the Supreme Court to promote and protect the integrity of the legal profession in Illinois.

Kenn has completed the 40-hour performance-based mediation skills training and is certified by the Chicago Center for Conflict Resolution.

SPEAKING ENGAGEMENTS

- Presenter, “Daubert/Frye Motions in Construction Litigation: Navigating Standards for Expert Witnesses in Design and Defect Claims,” Strafford webinar, December 2017
- Co-Presenter, “The Ethical Limits of Advocacy,” 2017 National Employment Lawyers Association's Seventh Circuit Conference, Chicago, IL February 2017

EDUCATION

- J.D., Northern Illinois University College of Law, 1995 *(cum laude)*
- B.S., University of Miami, 1992

ADMISSIONS

- Bar of Florida
- Bar of Illinois
- United States District Court for the Central District of Illinois
- United States District Court for the Eastern District of Michigan
- United States District Court for the Northern District of Illinois
- United States District Court for the Southern District of Florida

THOUGHT LEADERSHIP *POWERED BY HUB*

- 21 August 2025, Illinois Law Subjects Out-of-State Companies to General Personal Jurisdiction
- 19 August 2024, Illinois Reigns in Excesses of Biometric Information Privacy Act: Form of Consent Expanded and Claims Limited
- 20 April 2023, Biometric Claims by Workers Covered by Collective Bargaining Agreements are Preempted in Illinois
- 24 March 2020, COVID-19: Illinois Executive Order in Response to COVID-19
- 25 March 2019, The Biometric Bandwagon Rolls On: Biometric Legislation Proposed Across the United States
- 25 January 2019, “No Harm, Still Foul”: Actual Harm Not Required for Plaintiffs Under Illinois Biometric Privacy Act
- 12 June 2018, BIPA Trending: Illinois Biometric Information Privacy Act Litigation Once Again On the Rise
- 2 March 2018, Spokeo Fails Facebook: Privacy Violation Held to Constitute Concrete Harm Under Illinois Biometric Information Privacy Act

OTHER PUBLICATIONS

- "Illinois Supreme Court: Biometric Claims by Union Workers Covered by Collective Bargaining Agreements Are Not Immune from Federal Labor Law Preemption," *Employee Relations Law Journal*, September 2023
- “Biometric Privacy: It's Not Just an Illinois Issue,” *Best Lawyers*®, 1 October 2020
- “Lithium-Ion Battery Failures: Suggestions For Product Manufacturers to Mitigate Liability Risk,” *Bloomberg BNA Product Safety & Liability Reporter*, 6 March 2017

NEWS & EVENTS

- 26 September 2025, 31st Annual FETTI Conference, Hosted by The Forum of Environmental and Toxic Tort Issues

AREAS OF FOCUS

- Product Liability
- Biometric Data Compliance and Defense
- Commercial Disputes
- Mass Tort

REPRESENTATIVE EXPERIENCE

- Represented an agricultural commodity trading firm and two of its shareholders in litigation before the Illinois State Court alleging breach of fiduciary duty, breach of oral contract, and unjust enrichment by the firm's former CEO; obtained summary judgment and bench trial ruling in our clients' favor.
- Handled all aspects, including trial, of product liability claims asserted in the Circuit Court of Cook County, Illinois, by manufacturer's employee against distributor, while simultaneously pursuing claims against manufacturer's insurer, resulting in 100% reimbursement to client of all litigation-related fees and costs.
- Prepared to try, and creatively resolved, multiparty breach of contract and breach of covenants running with the land action asserted against client as successor owner of commercial property, while simultaneously addressing indemnification dispute with prior owner of property.
- Advised client regarding Biometric Information Privacy Act compliance and litigated class action against human resources service provider for data allegedly collected by client and its customers through the use of so-called biometric time clocks.
- Defended class action brought under the Biometric Information Privacy Act and appealed Article III standing issue to the United States Court of Appeals for the Seventh Circuit.
- Member of a national counsel litigation defense team responsible for managing, directing, and coordinating the handling of cases, including recommending, overseeing, and managing litigation strategy and related budgets, costs, and fees, as well as the creation and implementation of alternative fee arrangements.
- Handled all aspects, including trial, of a commercial eviction matter, including recovery of past due rent, interest, and attorneys' fees from guarantor.