



CHRISTA D. WITTENBERG

O'NEIL CANNON HOLLMAN DEJONG & LAING S.C.

Shareholder

Wisconsin's Premier Lawyers & Litigators

CONTACT

Tel | 414.276.5000

christa.wittenberg@wilaw.com

Christa assists businesses and individuals with prosecuting and defending a variety of civil litigation matters. As a former federal district court law clerk, Christa is intimately familiar with litigation and procedures in federal court. She has also litigated matters in state courts in Wisconsin and Illinois and resolved cases through mediation and arbitration. Christa especially enjoys tackling challenging issues in trial courts and appellate courts, such as disputes involving personal and subject-matter jurisdiction, contract formation and enforcement, and nuances of procedural and evidentiary rules.

PRACTICE GROUP

- Litigation

Christa Assists Clients With

- Complex contract disputes
- Indemnification claims
- Health care litigation
- Shareholder disputes
- Debt collection practices and consumer protection claims
- Class action and whistleblower litigation
- Trademark and copyright infringement claims
- Inheritance disputes
- Personal injury cases
- Fraud and conspiracy claims
- Federal and state lawsuits
- Mediations and arbitrations

Experience/Representative Client Work

- Judicial Law Clerk for the Honorable Joe B. McDade, U.S. District Court for the Central District of Illinois, 2012–2014
- Defended director of publicly traded corporation against breach of fiduciary duty claims by stockholder, prevailing on a motion to dismiss in *SPI Solar, Inc. v. Analytics Plus, LLC*, Case No. 19-CV-599 (Waukesha County, Wisconsin)
- Successfully represented mortgage company pursuing claims in arbitration against multiple former employees who diverted business and misused employer's trade secrets and confidential information; defended officer and director against breach of fiduciary duty claims
- Recovered funds for health care provider in multiple disputes with health insurance companies for non-payment and under-payment of commercial and Medicare Advantage claims
- Successfully defended HVAC subcontractor against indemnity claims by performance contractor for school facility upgrades, obtaining summary judgment in client's favor in *Columbus School District v. Cooperative Educational Service Agency 10*, Case No. 17-CV-121 (Columbia County, Wisconsin)

CHRISTA D. WITTENBERG

PAGE 2

- Successfully represented multiple financial services companies and other businesses against Fair Debt Collection Practices Act and Wisconsin Consumer Act claims for debt collection activities, including putative class action claims, in the Eastern District of Wisconsin and in Wisconsin and Illinois state courts
- Assisted in obtaining dismissal of breach of contract and promissory estoppel claims against construction subcontract bidder in connection with the construction of a downtown Milwaukee high-rise office building on summary judgment, affirmed on appeal: *C.G. Schmidt Inc. v. Permasteelisa N. Am.*, 825 F.3d 801 (7th Cir. 2016)
- Successfully represented clients in certified class action alleging that health plan administrators breached fiduciary duties by failing to administer health claims in a manner consistent with employee health plan language covering “usual, customary and reasonable” charges for out-of-network services in *George v. CNH Health & Wealth Benefit Plan*, Case No. 16-CV-1678-JPS (Eastern District of Wisconsin)
- Successfully obtained summary judgment ruling in dispute between former business partners over trademark use and alleged fraud, breach of fiduciary duty, and defamation in *EastStar Solutions, Ltd. v. Owens*, Case No. 16-CV-1551 (Eastern District of Wisconsin)
- Successfully represented small business pursuing claim against financial advisors for recommendation of ineffective tax strategy
- Obtained summary judgment in favor of insured property owner in coverage dispute with title insurance company
- Successfully represented employer by obtaining early dismissal of false imprisonment and intentional infliction of emotional distress claims by disgruntled former employee
- Brought in to handle, assist with, or consult on numerous appeals
- Assisted clients on many occasions with evaluating, responding to, and challenging subpoenas to minimize cost and risk and maximize protection of information
- Successfully represented numerous clients in personal injury matters, both through pre-suit settlements and through litigation

Professional Associations & Affiliations

- State Bar Of Wisconsin
- American Bar Association
- Eastern District of Wisconsin Bar Association, Newsletter Committee Co-Chair
- Association for Women Lawyers, Treasurer
- Milwaukee Bar Association

Court Admissions

- Wisconsin
- Illinois
- United States Court of Appeals for the Seventh Circuit
- United States District Court for the Eastern District of Wisconsin
- United States District Court for the Western District of Wisconsin
- United States District Court for the Central District of Illinois

Awards/Distinctions

- Selected for inclusion on *The Best Lawyers in America: Ones to Watch* list, 2021–2022
- Selected for inclusion in 2020 Wisconsin Super Lawyers Rising Stars, Law & Politics and Milwaukee Magazine

CHRISTA D.
WITTENBERG

PAGE 3

- Order of the Coif, honorary scholastic society for law students
- *Phi Beta Kappa*, academic honor society for undergraduates
- Certificate of Merit awards for highest grade in class in Contracts and Evidence courses at University of Michigan Law School
- Production Editor, *Michigan Journal of Race & Law*, 2011–2012
- Executive Editor, *Michigan Journal of Environmental & Administrative Law*, 2011–2012

Articles/Presentations

- Author, “Final Thought: Check Assumptions at the Door,” *Wisconsin Lawyer*, July 2020
- Co-Author, “Due Process in the Time of Coronavirus,” *Wisconsin Lawyer*, April 2020
- Panelist, “Due Process Uncertainty While Confronting a Measles Outbreak,” State Bar of Wisconsin PINNACLE Seminar “Annual Constitutional Law Symposium 2019,” December 2019
- Co-Author, “When Measles Meets Due Process,” *Wisconsin Lawyer*, November 2019
- Speaker, “Best Practices for Using Emails at Depositions,” O’Neil, Cannon, Hollman, DeJong & Laing S.C., August 2019
- Speaker, “Freedom from Litigation: Personal Jurisdiction and Sovereign Immunity,” State Bar of Wisconsin PINNACLE Seminar “Annual Constitutional Law Symposium 2018,” December 2018
- Speaker, “Precision v. Concision: Can You Have it All?,” State Bar of Wisconsin PINNACLE Seminar “Know Your Writes: Next Level Legal Writing,” May 2017
- Speaker, “Regulation of Abortion Providers and the Impact of *Whole Woman’s Health v. Hellerstedt*,” State Bar of Wisconsin PINNACLE Seminar “With Liberty & Justice: A Constitutional Law Symposium,” December 2016
- Author, “Testamentary Capacity: A Sliding-Scale Approach,” *Wisconsin Lawyer*, September 2016
- Speaker, “The Impact of Judicial Law Clerks and Staff on State and Federal Court Proceedings,” O’Neil, Cannon, Hollman, DeJong & Laing, Hot Topics for Small Firm and Solo Practitioners seminar, October 2015
- Author, “The Constitutional Framework for Public Health Responses to Disease Outbreaks,” *Health Law Litigation*, American Bar Association Section of Litigation, Health Law Litigation Committee Newsletter, Spring 2015
- Co-Presenter, “Post-Trial Motions in Federal Court,” Peoria County Bar Association’s Federal Practice Seminar, July 2013

Community Involvement

- Vice Chairperson of Communications Committee of State Bar of Wisconsin
- President of Board of Directors for LOTUS Legal Clinic
- Volunteer at Project Concern of Cudahy–St. Francis food pantry
- Mock trial judge for Wisconsin High School Mock Trial
- Member of St. Mark’s Lutheran Church in Cudahy, Wisconsin

Education

- University of Michigan Law School (J.D., *magna cum laude*)
- University of Wisconsin–Madison (B.A., *with honors*)