

DAN RUBIN

Tenacious Advocate in Financial, Real Estate and Workout Litigation

by Nicole Harbour Lau

It's not every day that a young lawyer makes an unforgettable first impression on Scott Frost, a partner member and co-chair of the financial institution practice group at Howard & Howard Attorneys PLLC.

But Daniel Rubin, a member of Howard & Howard since 2010, isn't your ordinary lawyer. Nearly 12 years after interviewing him, Frost says that interview stands out vividly in his memory.

"I'll never forget it," says Frost of his 2008 meeting with Rubin. Having suffered the loss of a large practice group at his old Cincinnati-based law firm, Frost recalls the firm was short-staffed and in dire need of attorneys. So, when he received an email from Rubin inquiring about a position, he was eager to interview him the following day.

"And the interview was really remarkable," Frost remembers. "It was around February or March of 2008 and there were not a lot of jobs out there for young lawyers at that time. I'd interviewed a lot of young associates in my career up to that point, and Dan came in, looked me in the eye and said, 'If you hire me, you won't regret it. I'll be the hardest-working lawyer you've ever seen.' Almost in those exact words."

"I couldn't help but be impressed with his courage, his belief and his confidence," says Frost, "and so I simply said 'yes,' almost on the spot."

Tenacity, courage and a strong desire to learn are attributes Rubin has possessed since he was young.

"I've always enjoyed reading the newspaper and trying to get educated about as much as I could," says Rubin.

The son of Jack and Marilyn Rubin, Rubin was born and raised in Dallas, where reading, swimming and later, writing, took up much of his time.

"I always enjoyed writing and trying to get points across through writing," explains Rubin, who wrote for his high school newspaper.

Rubin's gift with words led him to apply to Northwestern University's Medill School of Journalism, where he earned both his bachelor's and master's degrees in 1999 through an



accelerated master's degree program. Though Rubin did some media consulting work and research upon graduation, his career path changed when he was hired by the American Bar Association (ABA) in 2004.

"By the time I graduated college, I felt that the newspaper industry was shrinking and newspapers would not be as robust as they had been," explains Rubin. "I knew the industry was changing, and I felt like I should apply my skills to the field of law."

ABA SPARKS LITIGATION INTEREST

Working at the American Bar Association, Rubin was most interested in litigation, or the process of resolving disputes through mediation or the courts in an efficient manner. He also had the chance to meet with bar officials from across the country, including lawyers who had been elected by their peers to top positions.

"I didn't really know what kind of law I wanted to do," recalls Rubin. "I think I knew I wanted to be a litigator of some sort, but I didn't know exactly what type of litigation I was interested in doing."

Rubin studied law at Loyola University School of Law, where his passion for

litigation grew.

"I liked working on real-world problems, and Loyola is a great school for hands-on experience and real-world litigation," says Rubin.

Whether learning about Illinois litigation from Francis Patrick Murphy, a partner at Chicago's Corboy & Demetrio, or about federal prosecution from U.S. District Court Judge Virginia Kendall of the Northern District of Illinois, Rubin absorbed invaluable lessons from his professors.

Murphy encouraged his students to write actual pleadings, and Rubin used the opportunity to visit the Richard J. Daley Center and examine pleadings written by Murphy himself.

During law school, Rubin spent approximately eight months working for the Office of the Illinois Attorney General in their Special Litigation Bureau.

"I really enjoyed working at the attorney general's office," says Rubin, noting that one of the projects involved the investigation of a marketing firm soliciting donations for an alleged charity. Rubin assisted investigators by contacting people who had donated, as well as researching the company's registration papers.

"It was nice to help consumers out because

I felt like they had been confused about where their donations were going,” Rubin says. Ultimately, Rubin’s findings helped secure an injunction against the company.

After passing the Illinois bar in 2007, Rubin was eager to begin litigating. So, when he saw a job posting for Scott Frost’s law firm, he responded immediately.

“It was in the middle of the economic downturn in 2007 and 2008, and Scott’s practice was representing banks and commercial institutions,” recalls Rubin. “It was extremely busy with a lot of workouts and issues with land, and I was looking for a job, so I sent Scott my resume.”

“His timing was very fortuitous,” Frost says. Under Frost’s wing, Rubin practiced commercial and business litigation, in addition to banking law, for the next two years.

Starting out, Rubin remembers being confident about taking on litigation immediately because he already had real-world experience after working with the attorney general and working through Illinois trial procedure in law school.

“I have to give credit to Professor Francis Murphy,” says Rubin. “His class really did prepare you for Illinois pre-trial litigation.”

HELPING CLIENTS WIN

While working with Frost and learning the ropes from 2008 to 2010, Rubin also married his wife, Andrea, and developed an even stronger passion for litigation, which he enjoys to this day.

“I really enjoy coming to work every day and helping my clients win,” says Rubin. “Scott Frost does a great job at helping his clients by putting the best people on the task to get the job done—whether that’s Scott, me or someone else at the firm.”

In 2010, with two full years of work under his belt, Rubin was hired by Howard & Howard Attorneys PLLC, which has been a great firm in which to grow, he says. Continuing to work with Frost, who was also hired by the firm in 2010, has been an added bonus.

“I admire and enjoy the teamwork aspect of Howard & Howard,” says Rubin. “We all help each other out, and if another team member has more knowledge in a given field or case, we are encouraged to get those other attorneys involved.”

With a concentration in business and financial reorganizations, commercial and real estate litigation, and secured lending and insolvency litigation, combined with litigation experience across multiple states, Rubin enjoys the challenges his job poses.

A hands-on litigator, Rubin admits that while he tries to “get things resolved amicably,” he’s also not afraid to go to bat for a client if necessary.

“Litigation is a competition and really gets your creative juices going,” he says. “I’m dogged in my pursuit of victory. I tend to take these things very personally.”

Frost would agree, remembering a pre-trial hearing involving motions in limine—motions filed by a party to a lawsuit that ask the court for an order or ruling limiting or preventing certain evidence from being presented by the other side at the trial of the case. Rubin’s confidence and quick thinking saved that particular case.

“This hearing was about two or three years ago. There was a very important motion in limine that we were clearly losing, which would have turned most of the jury instructions against us,” recalls Frost. “I knew this was going to be an almost insurmountable hurdle on certain issues in the case, and Dan recognized that as well.”

Despite Rubin’s limited trial experience, Frost says Rubin refused to give up.

“With his tenacity, Dan singlehandedly forced the judge to reconsider her own rulings and asked that the trial judge go ask her appellate colleagues for a second opinion, which the judge amazingly agreed to do.

“She came back the next day and reversed herself, and that was all on Dan. He saved the case, and it was a significant case for a very significant client. I’ll never forget that.”

Though tenacious, those who have worked with or been represented by Rubin also value his integrity and ability to think on his feet.

“Dan and I have always found a way to resolve complicated matters, even in the most antagonistic of situations,” says Adam Silverman, managing partner at Adelman & Gettleman Ltd, who first met Rubin in a 2009 case where they represented opposing parties. “We’ve always gotten to the right result under difficult circumstances.”

REACHING QUICKER RESOLUTIONS

Mike Waltz, senior vice president and director of special assets with Associated Bank in Chicago, describes Rubin as “thorough, efficient and fair.”

“Dan has represented us numerous times, and he does a nice job of getting down to the heart of the issue and quickly presenting a strategy to get to a quicker resolution,” says Waltz.

“He’s handling something right now for us, many years after we thought it had been resolved, and he’s been able to quickly jump back into it, get his arms around the situation, and helped the bank maneuver through a somewhat tricky situation to avoid some potential significant costs that could be there.”

Rubin has been recognized as a Leading Lawyer since 2015 and was named an Illinois Super Lawyer Rising Star from 2011 to 2017.

While Rubin appreciates these honors, his

real satisfaction comes from helping his clients.

“Recognition is always nice,” he explains, “but I prefer the client getting what they want.”

Frost says Rubin’s humility, juxtaposed with his tenacity and confidence, make him a stand-out lawyer.

“Dan has taught me the value of loyalty,” says Frost. “Dan works selflessly, without ego—a rarity in this business.”

Rubin’s ability to not take himself too seriously is another trait Frost and Rubin’s clients admire about him.

“We were at a dinner about eight years ago with some great clients, and Dan declared at the dinner that he was a rapper,” recalls Frost, laughing.

“We’re at this very stodgy banking dinner with clients from all over the place, and he was kind of called out and asked to rap, and he brought the house down with a rendition of Vanilla Ice’s ‘Ice Ice Baby.’

“So, here’s a tenacious litigator who’s known for his brilliance and being in the trenches, and he steps out as a relatively young lawyer and has no compunction whatsoever about performing a rap rendition of Vanilla Ice.”

As committed as Rubin is to his clients and coworkers, he is even more so to his wife, Andrea, his daughter, Devon, and his sons, Aaron and Jordan. Whether attending Northwestern football games together, volunteering as a school field trip chaperone, or helping coach his kids’ basketball team, Rubin loves the time he spends with them.

“He puts his family first, before anything else,” says Andrea Rubin, who met Rubin through a mutual friend nearly 15 years ago and married him in 2008. “But he’s also very dedicated and passionate about his work and really enjoys it too. He’s not afraid to stand up for what he believes in, and I think that goes for his clients, too. He’ll stand up for them.”

With 11 years of law experience in his arsenal, one of the biggest lessons Rubin has learned is the value of relationships.

“Maintain relationships,” he says. “You don’t want to burn bridges in this industry. There’s nothing wrong with being aggressive, but there is something wrong with being unprofessional. Maintaining relationships with opposing counsel, I think, goes a long way.”

Frost is excited to see what the future holds for Rubin.

“I wish nothing but the best for Dan and believe he doesn’t need my prayers or hopes to get there,” he says.

As for Rubin, he is constantly eager to continue learning.

“You’re always looking to do bigger things,” he says. “I do not want to get stuck in a rut doing the same things over and over again. If that means I have to spend unbillable time learning new subjects, I will do it.” ■