



## IRINA Y. DMITRIEVA

Partner

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Irina Y. Dmitrieva is a highly experienced appellate litigator with more than 20 years of success at the federal and state appellate court levels. She has represented both private clients and governmental entities. Clients and trial lawyers value her meticulous attention to the facts of each case, her deep understanding of the governing legal principles, and her ability to formulate novel legal arguments to address each client's individual needs.

Ms. Dmitrieva has had appellate court successes arguing cases in the Illinois Supreme Court, Illinois appellate courts, and United States Court of Appeals for the Seventh Circuit. In these venues, she's secured reversals of adverse trial court judgments and successfully defended trial victories.

She's scored wins in a variety of high-stakes cases involving:

wrongful death

personal injury

fiduciary duties

### PRACTICES

Appellate  
Commercial Litigation  
Employment & Labor  
Government Affairs  
Governmental & Civil Rights  
Motor Vehicle Accidents  
Premises Liability

### BAR ADMISSIONS

- Illinois
- U.S. Court of Appeals for the Seventh Circuit
- Illinois Supreme Court

### EDUCATION

- University of Florida Levin College of Law, J.D., 2003
- University of Florida, Ph.D. in media law, 2003
- University of Minnesota, M.A. in Communications, 1998

premises liability

employment law

multi-million-dollar commercial disputes

Freedom of Information Act

- University of Moscow, B.A. in Journalism, 1995

#### LAW SCHOOL HONORS/ INVOLVEMENT

- *Florida Law Review*
- Editorial Staff
- Order of the Coif

#### **Embedded Counsel on Trial Teams**

Ms. Dmitrieva also serves as embedded counsel on trial teams. She advises teams on legal and strategic issues to effectively position clients for victories at critical litigation junctures. She also assists trial teams with post-trial proceedings to best position clients in proceedings before reviewing courts.

#### **Previous Experience**

Prior to joining HeplerBroom, Ms. Dmitrieva served as the sole appellate attorney for the Chicago Transit Authority, one of the largest mass transit companies in the United States. In that capacity, she was instrumental in shaping the law governing transportation companies and common carriers.

Previously, she represented the City of Chicago and its agencies in state and federal appellate courts in a wide variety of disputes including section 1983 civil rights litigation, taxation matters, municipal ordinances, and issues of federal and state constitutional law.

Earlier in her legal career, she practiced complex commercial litigation and appellate law at a large law firm in Chicago, where she was mentored by retired Illinois Supreme Court Justice Benjamin Miller.

In her former career as a journalist, she learned to craft compelling stories, an essential skill for writing convincing briefs and persuading appellate justices to understand her clients' perspectives.

## **Results**

- Successfully defended a favorable jury verdict in an Illinois appellate court in a case where jury awarded plaintiffs \$40,000 instead of the \$3 million they sought. Case involved an unusual cause of action that rarely goes to trial. Plaintiffs argued they were deprived of a fair trial based on alleged *in limine* violations,

erroneous evidentiary rulings, improper jury instructions, and trial court's refusal to strike two jurors for cause. *Lavernedra Wilson, Virginia Carr, Sandra Carr Taylor, and Marie Carr v. Spencer Leak & Sons Funeral Home Ltd., Spencer Leak Sr., and Anthony Leflore*, 2025 IL App (1<sup>st</sup>) 241020-U.

- Obtained Supreme Court reversal of Appellate Court judgment and affirmed circuit court order dismissing wrongful death action against Defendant. Case brought by estate of pedestrian struck by rapid transit train while on Defendant's tracks. Court ruled Defendant owed no legal duty to protect trespasser on its tracks from an open and obvious risk of incoming train and had no duty to rescue. *Quiroz v. Chicago Transit Auth.*, 2022 IL 127603.
- Secured Seventh Circuit affirmation of summary judgment in failure-to-accommodate case under Americans with Disabilities Act (ADA). Suit was brought by former bus driver with carpal tunnel syndrome. *Frazier-Hill v. Chicago Transit Auth.*, 75 F.4th 797 (7th Cir. 2023).
- Obtained Illinois Appellate Court reversal of summary judgment in favor of *Chicago Sun-Times* in Freedom of Information Act (FOIA) case and instead secured summary judgment in favor of Defendant. Court ruled surveillance videos of subway platforms are exempt from disclosure under FOIA exemption concerning security measures. *Sun-Times v. Chicago Transit Auth.*, 2021 IL App (1<sup>st</sup>) 192028 (FOIA).
- Secured Appellate Court affirmation of summary judgment on pension fund's contractual and fiduciary claims. Plaintiff had sought more than \$7 million in prescription drug rebates. *Retirement Plan for Chicago Transit Auth. Employees v. Chicago Transit Auth.*, 2020 IL App (1<sup>st</sup>) 182510
- Secured Appellate Court affirmation of circuit court order dismissing wrongful death action brought by estate of customer who suffered diabetic shock while on Defendant's platform, fell on tracks, and sustained fatal injuries by contacting electrified third rail. Court ruled Defendant did not owe common carrier's highest duty of care to decedent because he was not a passenger at time of injury, and Defendant had no legal duty to monitor its premises for infirm individuals. *Anderson v. Chicago Transit Auth.*, 2019 IL App (1<sup>st</sup>) 181564.
- In a case of first impression, Seventh Circuit ruled extreme obesity does not constitute a *per se* physical impairment and disability under the Americans with Disability Act. Affirmed summary judgment in the Defendant's favor on Plaintiff's employment discrimination claim. *Richardson v. Chicago Transit Auth.*, 926 F.3d 881 (7th Cir. 2019)
- Briefed and negotiated favorable settlement in Appellate Court of wrongful death action brought by estate of woman who drove into and drowned in Chicago River, which resulted in adverse \$13 million jury verdict. *Fehim Sabanovic v. City of Chicago et al.*, 2011 L 00458 (Cook Co. Cir. Ct.).

### Other Significant Case Results

- *Gabriel v. Alton Memorial Hospital*, No. 5-24-0729, 2025 IL App (5<sup>th</sup>) 240729-U (wrongful death)
- *HeplerBroom v. Xie*, 2025 IL App (1<sup>st</sup>) 242515-U (breach of contract)
- *MKM Oil and Fast Break v. Welk and Welk*, 2025 IL App (4<sup>th</sup>) 240284-U (leasing dispute; tortious interference)
- *Wilson, Carr, Taylor, and Carr v. Leak & Sons Funeral Home*, 2025 IL App (1<sup>st</sup>) 241020-U (tortious interference)

- *Cole v. Chicago Transit Auth.*, 2025 IL App (1st) 230797
- *Sauer v. Chicago Transit Auth.*, 2023 IL App (1st) 220791 (relation back doctrine)
- *Pryor v. Chicago Transit Auth.*, 2022 IL App (1st) 200895 (wrongful death)
- *Burton v. Chicago Transit Auth.*, No. 21-2802, 2022 WL 2287424 (7th Cir. June 24, 2022) (employment law)
- *Miller v. Chicago Transit Auth.*, 20 F.4th 1148 (7th Cir. 2021) (employment law)
- *Daniel v. Chicago Transit Auth.*, 2020 IL App (1st) 190479 (wrongful death)
- *Slater v. Illinois Lab. Rels. Bd., Loc. Panel*, 2019 IL App (1st) 181007 (labor)
- *Pickett v. Chicago Transit Auth.*, 930 F.3d 869 (7th Cir. 2019) (employment law)
- *Elliott v. CTA et al.*, 2019 IL App (1st) 181892-U (putative class action)
- *Walker v. Weatherspoon*, 900 F.3d 354 (7th Cir. 2018)
- *Fuery v. City of Chicago*, 900 F.3d 450 (7th Cir. 2018)
- *In re Appointment of Special Prosecutor*, 2017 IL App (1st) 161376
- *Simic v. City of Chicago*, 851 F.3d 734 (7th Cir. 2017)
- *White v. Hefel*, 875 F.3d 350 (7th Cir. 2017)
- *Finko v. City of Chicago Dep't of Admin. Hearings*, 2016 IL App (1st) 152888
- *Roberts v. City of Chicago*, 817 F.3d 561 (7th Cir. 2016)
- *Zollar v. City of Chicago Dep't of Admin. Hearings*, 2015 IL App (1st) 143426

NOVEMBER 25, 2025

HeplerBroom Attorneys Prevail in Another Madison County Wrongful Death Case

NOVEMBER 6, 2025

HeplerBroom Attorneys Successfully Defend Favorable Jury Verdict in Illinois Fourth District Appellate Court

## Honors

### Professional Associations

- American Bar Association
- Illinois Appellate Lawyers Association
  - *Appellate Digest Committee* (Co-Chair)
- Illinois Defense Counsel
  - Amicus Committee
  - "Appellate Practice Corner" columnist, *IDC Quarterly* (2024-present)

## Insights

### Events & Speaking Engagements

SEPTEMBER 18, 2025 | SPEAKING ENGAGEMENT

Dmitrieva Featured at Illinois Municipal League Conference

SEPTEMBER 17, 2025 | SPEAKING ENGAGEMENT

Dmitrieva, Tiffany, and Weiner Help In-House Counsel Learn How to Protect Privilege

JUNE 12, 2025 | SPEAKING ENGAGEMENT

Dmitrieva Speaking at Seminar on Writing an Effective Brief

### Publications

NOVEMBER 11, 2025 | PUBLICATION

Dmitrieva Publishes Appellate Column for Illinois Defense Counsel's Professional Journal

SEPTEMBER 11, 2025 | PUBLICATION

Dmitrieva Discusses Tips on Handling Rule 304(a) Cases in IDC Quarterly's Appellate Column

FEBRUARY 25, 2025 | PUBLICATION

Dmitrieva Discusses Appellate Cases in IDC Quarterly

JANUARY 30, 2025 | PUBLICATION

Dmitrieva Publishes Feature Article and Appellate Practice Column for IDC Quarterly

### Blog Posts

JULY 3, 2025 | BLOG

Circuit Court Revested with Jurisdiction the Date the Appellate Court Issues Mandate—Even if Circuit Court Clerk Fails to File It

JUNE 9, 2025 | BLOG

SCOTUS Ends "Background Circumstances" Rule in Reverse Discrimination Cases

MAY 21, 2025 | BLOG

Illinois Appellate Court Rules on Sole Proximate Cause Jury Instruction

JANUARY 30, 2025 | BLOG

Does the Availability of Remote Court Proceedings Nullify Illinois' Intra-State Forum Non Conveniens Doctrine?

### News

OCTOBER 22, 2024 | FIRM NEWS

Dmitrieva Co-Authors Amicus Brief for DRI and IDC in Illinois Supreme Court

OCTOBER 10, 2024 | FIRM NEWS

Messina and Dmitrieva Submit Motion to File Amicus Brief for Illinois Chamber of Commerce in Illinois Supreme Court