

MICHAEL CEDILLOS

Digging Deep Into Financial Litigation

by Elizabeth Davies

For Michael R. Cedillos, having a way with numbers is only part of her job.

A financial services litigator with Greenberg Traurig LLP, Cedillos also has a way with words. So much so, she holds a bachelor's degree in rhetoric—the art of persuasion.

“I’ve always envisioned myself working more with words than numbers,” she says. “But this practice is all words and numbers.”

And that has proven to be the perfect mix for Cedillos, a former bank teller and mortgage originator. At age 38, she has represented financial institutions and national credit card companies, as well as their individual employees, dealing with issues related to checks and other payments under the Uniform Commercial Code, the Electronic Funds Transfer Act, the Fair Credit Reporting Act, the Fair Credit Billing Act and the Telephone Consumer Protection Act.

She also represents broker-dealers and their management in arbitration and in responding to regulatory investigations and inquiries. She has done defense litigation in both class action and individual suits that range from the financial and securities to real estate industries.

Through that, she’s made a name for herself in the financial services market as someone who manages both bank and securities litigation with equal amounts of finesse.

“Most people tend to do one or the other,” she acknowledges. “I’m unique in that I do both. They’re both genuinely very interesting. A lot of what I enjoy about my work is finding out what caused the dispute to arise.”

Also unique are her wordsmithing abilities. While the legal industry is filled with good writers, Cedillos takes things one step further. She has studied persuasion as an art form, including everything from ancient poetry to modern philosophy to understand how word choice affects audience response. That, she says, is key in litigation.

“A story is not just the content, it’s the way the story is told,” she says. “This is a great asset for someone in litigation, whereas understanding finance was a skill I was able to develop separately.” Cedillos deliberately did this when taking corporate finance in law school.



It’s also an area she has found deeply fascinating. “I like looking at the economies of our world,” she says. “If those systems weren’t here, the world would stop.”

A FINANCIAL BACKGROUND

Though her skill set for the law seems clear, Cedillos wasn’t always planning on a legal career. She grew up in the San Francisco Bay Area, the daughter of an engineer and an architect. Through her father’s connections, she got a job as a bank teller while she studied at the University of California-Berkeley. After college, she pursued a career in mortgage origination near her hometown in California.

“It was a hot area at the time, and I thought it was interesting,” she says. “I had always considered going to law school. But first, I wanted to make sure it was something I really wanted to do.”

As it happened, the mortgage industry wasn’t for Cedillos, but that background gave her a unique view of the financial markets and a deeper understanding of how they function.

“When you’ve seen the operational side of things, it’s a lot clearer,” she says. “A lot of cases originate from misunderstandings customers have about how financial institutions work.”

Take, for instance, the case of a check deposited at a bank by someone with the same name that was written on the check — but it’s

not the person that check was intended for. Someone with no industry experience might expect the bank to try to investigate whether this payee is the ‘right’ payee every time a check is deposited.

But Cedillos understands it would be too burdensome on the financial system for every bank to have to call up every person who ever wrote a check to try to verify that, in each instance, this particular “John Smith” is the correct “John Smith.”

That type of insider knowledge, combined with Cedillos’ background in rhetoric, has been the basis for her early success.

“It’s having the ability to think through an issue and make it relatable for someone who doesn’t understand finance or securities,” she says. “It’s about being able to convey concepts in an easy way. Judges are smart, but they’ve probably never been a bank teller or a stockbroker. Not everyone understands how the system works.”

Cedillos relies on her financial know-how to uncover the problems that led to her case and to find a resolution. Then she’s determined to advocate for her client.

“I’m motivated by what’s best for my client, whether that’s an individual or a company,” she says. “I’m not interested in fighting with the other side just for the sake of fighting. I want to know, based on these facts and

circumstances, what's best for my client in this case. And then I work toward that."

CONSTANT FIGHT FOR JUSTICE

Michelle Silverthorn met Cedillos when both were 1Ls at the University of Michigan Law School. Today, Silverthorn is the founder and chief executive of Inclusion Nation, a diversity consulting firm for employers. She has followed Cedillos' career and been impressed with her ongoing dedication to clients.

"She understands that it's their dreams and hopes and failures and fears and livelihoods that are at stake, and she works incredibly hard to advocate for them," Silverthorn says.

"From her phenomenal pro bono work to her multimillion-dollar cases, Michael fights for her clients and uses all of her knowledge and skill for the law to ensure they receive the best possible outcomes she can achieve."

What has truly stood out to Silverthorn, however, is that the law is more than simply a day job for Cedillos.

"For a profession that has been so maligned over the years, Michael really brings it back to the people and the heart of why we do what we do—a constant fight for justice and the people we serve," Silverthorn says.

"As she leads her legal teams and partners with some of the best lawyers in the business, Michael's work, her professionalism, her civility to her opposing counsel, her diligence, are all testaments to how much she treats law not as a business, but as a profession and a calling."

Also integral to her early professional growth has been mentors within her firm.

"The people here have wanted me to do well," she says. That includes Miriam Bahcall, principal shareholder at Greenberg Traurig. Bahcall says Cedillos stands out for both her work ethic and her exceptional judgment.

"Michael is not only a hard worker but she also gets things done," Bahcall says. "She doesn't just bill hours. She is able to generate work product quickly when it is needed and under challenging circumstances."

"I've seen her complete many projects while overseas—supposedly on vacation."

Cedillos has performed at a higher level than one would have expected, Bahcall adds. She recalls a case in which the firm was representing a U.S. company whose operations were in China. It came to light that the company's founder and chief executive, who was based in China, had misappropriated funds and needed to be removed.

The company needed to file for bankruptcy and also needed the court's help to remove the CEO.

"Unfortunately, I had an engagement I couldn't break when we needed to file," she says. "So, Michael, then a mid-year litigation associate, stepped in together with GT's

bankruptcy counsel and made it happen."

Her stand-out abilities as a young lawyer did not go unnoticed. In 2013, she was part of the team that won Global M&A Network's Turnaround Atlas Award for her work on the Chapter 11 restructuring of Shengda Tech Inc.

She also received the Corporate Advocate and the YPB Corporate Ambassador Award from the Legal Assistance Foundation of Metropolitan Chicago, now known as Legal Aid Chicago.

"I work to be both good at what I do and efficient at doing it," she says. "There's a difference between being fast and being efficient. When you're being efficient, you're taking the least amount of time necessary to still do the job 100 percent right. I always work toward getting the best possible outcome as efficiently as possible."

WHY EXPERIENCE MATTERS

Raw experience has been critical in Cedillos' professional development. In a two-year period from 2016 to 2018, she participated in a total of more than 60 days of trial in arbitration. Cedillos also has examined and defended witnesses at trial in state and federal court.

For the most part, Cedillos loves such hands-on work. But the toughest aspect of her practice, she says, is encountering a lawyer who doesn't focus on financial litigation like she does.

"You end up having to go back to basics," she says. "That's why lawyers specialize over time. Dealing with people who just don't understand is hard."

In one such case, Cedillos recalls opposing counsel arguing in arbitration that privacy laws didn't apply to the financial sector, suggesting that all discovery should be part of the public record. Even the arbitrator knew their argument didn't hold water.

"You are wasting my time," the arbitrator told opposing counsel. "You are arguing facts you know are wrong."

"I don't mind people advocating for their position," Cedillos explains. "But I don't like when people make arguments that are legally frivolous."

It's not unusual for Cedillos to do some financial forensics on behalf of her clients. She once represented a financial institution being sued because a customer said \$30,000 had been removed from her account. Cedillos poured over the account information and couldn't find any record suggesting that was the case.

"Even her attorney refused to believe his client could be wrong—until his client was deposed," she says. "When asked why she still thought she was out \$30,000, she literally said, 'I don't know, I just am.'" The case was dismissed.

Cedillos also has significant experience

working with plaintiffs who are representing themselves.

"Pro se plaintiffs can be among the hardest to handle in the financial space, but my experience working directly with financial institution customers prior to law school often allows me to quickly identify any sources of the plaintiff's confusion and explain things to them in a relatable manner."

Paul Ferak is a litigation shareholder for Greenberg Traurig and national co-chair of the financial services litigation group where, he says, Cedillos is a key part of the team.

"Michael is an exceptional lawyer," he says. "She's smart, she picks up on things quickly, she's strategic and efficient. She also thinks practically. She has done an excellent job at GT and with developing her practice. Michael is a key piece of our financial services team. Clients request Michael to work on their cases."

Even when Cedillos isn't directly assigned to a case, she manages to make an impact, Ferak adds.

"Michael is involved in what we do in many ways, not just with the cases she is leading or involved in but also in cases where she is not involved," he says. "She's a true team player and collaborator. Our team and clients can always count on Michael to step in and help when needed."

CHOOSING THE CHICAGO COMMUNITY

Cedillos excelled at the University of Michigan Law School, where she graduated with honors and worked as executive editor of the school law review's online symposium forum and as an associate editor of the law review.

She went on to spend a year clerking for the Honorable Noel Anketell Kramer in the District of Columbia Court of Appeals. Cedillos had the opportunity there to learn from the best, observing more than 120 appellate-level oral arguments.

Ultimately, Cedillos chose Chicago as the place she wanted to set roots.

"I picked Chicago very deliberately," she says. "It is gorgeous to look at, the people are friendly and the city is clean. It's a different way of life here that is more family-friendly."

Today, Cedillos remains active as a member of the American Bar Association, the Chicago Bar Association and the Hispanic Bar Association.

She has been involved in young leadership programs for the Chicago Bar Association, The Jewish Federations of North America and Legal Aid Chicago. She feels strongly about supporting Legal Aid Chicago because it provides civil legal services to those who need it, including veterans and victims of domestic violence.

"Everyone is entitled to a free lawyer in a criminal case," Cedillos says. "But there is no guarantee of representation in civil cases, and civil matters can and do have real impacts

on people.”

Since 2013, Cedillos has served as a board member for InterfaithFamily, a national organization dedicated to supporting interfaith families pursuing Jewish life choices. That’s particularly important for Cedillos, whose mother was Jewish.

“And now I’m married to someone from a different religion, too,” she says. “As our society becomes an ever-greater mixing bowl of people and cultures, it’s important to provide resources that allow us to grow and meaningfully experience each other’s social, religious and cultural events together.”

Through InterFaithFamily, Cedillos met fellow board member Bruce Taylor.

“Michael brings a sharp legal mind to our discussions on organization strategy and governance,” he says. “She is a great volunteer, seeking opportunities to give back as well as handling the requirements of her profession.”

Taylor is past chairman of Cole Taylor Bank and past vice chairman of MB Financial Bank. In addition to his work with InterfaithFamily, he sits on Fifth Third Chicago’s advisory board. When he joined InterfaithFamily, he found Cedillos was a good resource.

“Michael joined Interfaith’s board before me and was very generous with her time, explaining more about the organization’s history and providing meaningful insights into its circumstances and plans,” he says.

While she loves her home in Chicago’s West Loop, Cedillos also has a passion for international travel. Along with husband Juan Pablo, a senior budget analyst for the Chicago Transit Authority, she has visited countries around the globe. The pair enjoy seeking out new cultures and food while appreciating the architecture of the cities where they travel.

To date, Cedillos has been to every continent except Australia and Antarctica. Her most recent trips include Greece, Chile, Costa Rica, China, Japan, Peru, Denmark, Sweden, Finland and Estonia.

Cedillos hopes to add more to that list. Travel satisfies their cultural curiosity, bringing them back to Chicago with a more global perspective.

That’s when she returns to Greenberg Traurig with renewed vigor, marrying her financial expertise and her communication skills into the solid package that makes up an exceptional financial litigator.

“I wanted to know if this was the thing I liked or the thing I knew,” she says. “It turned out to be both. I was one of the few people who got to law school, figured out what lawyers like this did and actually wanted to do it.

“I just want to keep getting better at it.” ■