

## Business & Contract Disputes

Our business litigators have vast experience in this broad category of the law, including corporate, partnership and limited liability company dissolutions, fraud, employment contracts, commission and compensation agreements, non-competition agreements, and shareholders' disputes.

### Representative Cases

- Obtained a jury verdict for compensatory and punitive damages in the amount \$11,906,171 against four bulk-buyer-related, former condominium association directors under claims of breach of fiduciary duty based on actions taken by the former directors that were contrary to the interests of the association and its owners, in *Shores of Panama Resort Community Association, Inc., Plaintiff, v. Solly Halberthal, Isere Halberthal, Joshua Ostreicher, and Jay Glatter, Defendants (2016)*.
- Obtained a ruling by Fourth District Court of Appeal in *Lyons v. Lyons (2015)*, which held for the first time that a married grantor of homestead property cannot challenge the deed she signed without joinder by her husband because she lacked standing to do so.
- Prevailed at trial and on appeal on behalf of a real estate developer in a breach of contract suit against famed boxing promoter Don King regarding a parcel of property located in Palm Beach County, in *DK Arena, Inc. v. E.B. Acquisitions I, LLC (2010)*. The decision affirmed the trial court's finding that Mr. King breached obligations in a dispute concerning a \$23-million purchase and sale agreement for real estate. This case also firmly established the precedent that detrimental reliance upon verbal representations in the context of a real estate transaction can, under certain circumstances, overcome the statute of frauds.
- Prevailed on behalf of the purchaser of assets from a bankruptcy estate in an adversarial bankruptcy matter authorizing the purchaser's acquisition of assets from the trustee, in *In re Chira (2009)*.
- Prevailed on behalf of property owner seeking disbursement of loan proceeds in action brought by mortgage broker, seeking to freeze loan proceeds as security in commission dispute, in *Cohen Financial, LP v. KMC/EC II/LLC*, 967 So. 2d 224 ( Fla. 3rd DCA 2007).
- Prevailed on behalf of client seeking reversal of trial court judgment holding individual personally liable, in *Penichet v. American Recruiters Consolidated, Inc.*, 929 So. 2d 738 (Fla. 4th DCA 2006).
- Successfully represented business owners and former distributor of computing product in prior employer's claims for patent infringement and non-compete restrictions contained in distribution agreement. Court ordered nominal damages against former distributor on patent infringement under the doctrine of equivalence, and determined no breach of post-employment restrictive covenants, pursuant to jury verdict, in *Aqua Massage Int'l, Inc. v. Licht*, 2004 WL 2359346, 18 Fl. Weekly Fed. D 28, (S.V. Fla. 2004).
- A challenge over corporate control by a deposed president/director against our clients, the new president and the company, seeking \$100,000,000 (settled very favorably to our client).
- Defended a \$400-million lawsuit by the FDIC against third-party providers for bank fraud.
- A \$10 million contract dispute in Los Angeles, between our client - a European company - and the Plaintiff, a former representative seeking commissions.
- Represented Officers of Public Corporation in a Breach of Contract and Fraud case against Public Corporation and its primary shareholder for failing to pay Officers performance bonuses in excess of \$10,000,000 for structuring and closing sale to company that privatized company. Prior to trial case resolved by way of settlement.