

## Business Litigation

Becker represents clients in complex business litigation throughout the United States in federal and state courts, and in arbitrations.

### Practice Group Chair



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### Related Areas of Practice

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Becker represents clients in complex business litigation throughout the United States in federal and state courts, and in arbitrations. Approximately half of the firm's attorneys are full-time litigators, experienced in a range of litigation including corporate governance, breach of contract, real estate acquisition, intellectual property (including trade secret, copyright and patent infringement), non-competition and employment agreements, employment discrimination, bankruptcy, bid protests, land use, class actions and appeals. We represent government entities, publicly traded corporations, insurance companies, financial institutions, developers, entrepreneurs, contractors, design professionals, small businesses and individuals.

Our lawyers are widely recognized by their peers in the profession for their achievement. As an example, many of Becker's Florida litigators are [Board Certified by the Florida Bar](#) and noted experts in their practice areas including Business Litigation, Civil Trial, Appellate, and Construction Law.

### Representative Cases:

- Obtained a ruling by the Fourth District Court of Appeal in *Raiser-DC, LLC v. B&L Service, Inc. and Broward County, Florida* (2018), which held that Broward County was required to disclose information about Uber's operations at the Fort Lauderdale-Hollywood International Airport, despite Uber's claims that the records were trade secret information and exempt from Florida's Public Records Act.
- Obtained a \$3 million jury verdict against a high-rise residential developer for breach of warranty claims, that was trebled to \$9 million under the New Jersey Consumer Fraud Act, in *Grandview At Riverwalk Port Imperial Condominium Association, Inc. v. K. Hovnanian At Port Imperial Urban Renewal II, LLC, et al.* (2017).
- 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 permanent injunction against the City Of Fort Lauderdale prohibiting it from implementing a lease with a developer to build a water park on City land because the City failed to submit the contract for competitive bidding, in *Premier Parks, LLC v. The City Of Fort Lauderdale* (2017). Subsequently, our client became the successful bidder for the water park.
- 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 on appeal on behalf of a transportation service provider in a bid protest dispute arising out of Broward County's award of a shuttle bus contract for Fort Lauderdale-Hollywood International Airport, in *Academy Express, LLC v. Broward County* (2011).
- Prevailed on appeal on behalf of a residential land developer where the court held the developer was exempt from the disclosure requirements under the federal Interstate Land Sales Full Disclosure (ILSFDA) statute, in *Van Hook v. The Residences at Coconut Point* (2010).
- 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.

- Represented several thousand investors in a securities fraud and Interstate Land Sales Act (ILSFDA) class action against a publicly traded home builder and affiliates alleging fraud in connection with the sale of new homes as pre-leased investment properties, in *Sewell v. D'Alessandro & Woodyard, Inc. (2009)*. The class was certified and the firm was approved by the court as class counsel. The certified class included 2,000 – 4,000 individuals. The case settled in December 2011 following four years of contentious litigation and considerable motion practice resulting in a substantial payment to the class.
- 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)*.
- Represented a national class of consumers against a wireless phone insurer, alleging that insurers demanded unreasonable deductibles on phone protection policies, failed to adequately inform that refurbished phones were available and provided replacement phones that cost less than deductibles, in *Perez v. Asurian Corporation (2007)*. The Court approved a class action settlement providing for improved disclosures, improved claims administration procedures, monetary relief, and additional subclass relief in the form of vouchers redeemable for a free phone.
- Obtained an appellate court ruling that government officials enjoyed qualified immunity from suit based on officials' land-use determinations concerning the interpretation of a comprehensive land-use plan, in *Southwest Ranches v. Kalam, (2009)*. The Court held that the qualified immunity doctrine applied to officials at the earliest possible time, prior to having to incur an expense of defense including discovery. The Court based its application of the immunity doctrine on objective standards, concluding that the official's intent was irrelevant to the application of the doctrine of immunity.
- Successfully defended the City of Hollywood and a real estate developer, with vested rights, from constitutional challenges brought by a citizens group relating to the City's review criteria for development approval, in *Friends of Great Southern, Inc. v. City of Hollywood (2007)*.
- 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)*.
- Defended a \$400-million lawsuit by the FDIC against third-party providers for bank fraud.
- Represented a multi-billion-dollar federal bank in trademark enforcement and domain dispute matters. The firm successfully litigated a range of claims including the infringement of the bank's registered trademark, false designation of origin, cyber-piracy, unfair competition, and deceptive and unfair trade practices.
- Successfully represented one of the named former directors of Banco Latino in an action brought under the RICO statute, in U.S. District Court, by the Government of Venezuela. The firm obtained personal jurisdiction in Florida over a Mexican telecommunications company in an action brought by a U.S. citizen.