

## Results

### TEAM

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### BREACH OF FIDUCIARY DUTY

When our client was denied a business operating license due to questions that arose during a background check, investors brought a breach of fiduciary duty claim. Through good use of experts, knowledge of our client's business and industry, scrutiny of relevant financial information and experience with the regulators involved, we demonstrated the information in the background check was known to the investors and not the cause for denial of the license. We negotiated a significantly reduced settlement.

### PRICE-FIXING

We represented an executive with a global manufacturer caught up in a price fixing investigation by antitrust regulators and Canadian and European authorities. A key element of our defense strategy was deciding whether or not to bring our client to the United States to be interviewed by the Antitrust Division of the U.S. Department of Justice. After reviewing volumes of documents to understand facts and context, and meetings with prosecutors to learn their theories and how the client fit into them, the client was advised to come to the U.S. to be interviewed. Our clients were not charged.

### UNFAIR COMPETITION & TRADEMARK LITIGATION

When our manufacturing client entered into a handshake agreement with an investment group to market and sell his product, the investors stole his designs, commenced manufacturing nearly identical products and even trademarked his name without consent. Our client sought to have the trademark cancelled, the investment group sued, and a series of business tort counterclaims followed, including breach of contract, breach of fiduciary duty, fraudulent misrepresentation, deceptive trade practices and others. The case is ongoing.

### COMPLEX BUSINESS LITIGATION

One of our manufacturing clients makes a complex device that performs chemical analysis. When the quality of the work of a sub-contractor

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providing technical assistance came into question it became clear their work was not satisfactory. We filed a demand letter documenting claims against the sub-contractor, they ignored the points and we then filed a lawsuit. We deposed numerous witnesses, dug deep into the technology to prepare in-depth questions and ultimately prevailed by proving the inadequacy of the sub-contractor's work.

### **TAX FRAUD**

Our client worked for a company being investigated by the U.S. attorney's office for tax fraud. Because our client had signed various certifications that indicated knowledge of the owner's practices, he was approached to testify as a witness. We argued that the client should be granted immunity in the case. We gave a proffer of our client's information, the prosecutors interviewed the client themselves and ultimately put the client before the grand jury under an immunity agreement. The owner of the company was indicted and pleaded guilty.

### **FRAUD**

A client called for help with what appeared to be a standard payment collection case involving more than \$1 million. In carrying out our investigation, we detected mail and wire fraud activity due to our deep experience and familiarity with such cases. Through a docket search, we discovered pending lawsuits brought for non-payment by other firms against this party, and determined one of their executives was a convicted felon. We alerted the U.S. Attorney and the FBI.