

## Commercial Litigation

While the threat of a lawsuit is part of doing business, litigation can, unfortunately, have a significant impact on your operations and bottom line. At Kaufman Dolowich, our trial lawyers and litigation team work closely with corporate executives, business owners, and in-house general counsel, to help clients navigate the complex and high-stakes legal issues that threaten to drain their resources and disrupt their business operations. Our firm understands what is at stake and considers all potential outcomes and approaches before proceeding to court, including deciphering the appropriate venue and potential alternative dispute resolutions available to best fit our clients' needs. The Kaufman Dolowich approach is to carefully evaluate each client's interest and build a litigation plan that best suits their individualized needs.

Kaufman Dolowich's commercial litigation team prides itself on working collaboratively to offer our clients the best problem-solving approach in the most efficient and cost-effective manner for each case, to reach the economic objectives of our clients.

## Handling a Broad Range of Business Disputes

Our litigation team regularly represents private businesses, public corporations, sole practitioners, partnerships, public entities, and municipalities in a wide array of commercial litigation matters, including:

### Business Litigation

Our experienced trial lawyers are admitted to practice throughout 30 states in the nation and manage litigation matters in both state and federal courts throughout the country, including The Delaware Court of Chancery. Kaufman Dolowich proudly provides the knowledge and expertise to tackle any commercial litigation matter in its jurisdiction and beyond as many of our attorneys are licensed in multiple jurisdictions. We aim to match the attorney with the most knowledge, expertise and location needed to effectively address the needs of each client. Our trial team regularly handles trial and appellate matters in state and federal courts throughout our footprint as well as arbitrations and administrative tribunals. Through its broad footprint, the Kaufman Dolowich trial lawyers offer multijurisdictional capabilities with an equal commitment to quality and individualized attention regarding the allegations, liability lawsuits, and disputes facing your business. Our trial lawyers are adept at recognizing the multifaceted and challenging concerns facing your company and pursuing them diligently and efficiently to a favorable outcome.

Kaufman Dolowich understands and appreciates the challenges facing businesses in litigation including the costs associated with the same. We strive to consider all potential outcomes and approaches before proceeding to court, including deciphering the appropriate venue

### Antitrust Litigation

At Kaufman Dolowich, we understand how allegations of antitrust violations can impact a company's bottom line. Our capabilities include the representation of clients in private antitrust actions and in matters brought by government agencies, including state attorneys general. We can handle antitrust cases that involve everything from disputes between two competitors to defense of consumer class actions and cases involving monopolization claims and allegations of vertical restraints.

### Construction Litigation

Our construction litigation services offer a strong complement to the transactional, administrative, and compliance counsel provided through Kaufman Dolowich's robust construction law practice. When legal disputes arise in connection with construction-related matters, our commercial litigators stand up to defend the rights of our clients.

We regularly litigate construction law cases on behalf of general contractors, subcontractors, trade contractors, and materials suppliers among others.

## Shareholder & Partnership Disputes

Whether your business is a small partnership, a mid-sized closely-held corporation, or a Fortune 500 company, serious disputes can arise between shareholders and business partners or corporate directors that require court intervention. Each Kaufman Dolowich commercial litigation attorney is well-versed in matters necessary to protect the rights of partners, shareholders, directors or the business entity itself in all types of shareholder and partnership disputes.

## Class & Collective Actions

Class and collective actions involve complex legal and factual issues requiring a team of experienced attorneys. The lawyers at our firm are well positioned to handle these high-risk, high stakes cases. We defend clients in a diverse range of class action and collective action cases, including cases that involve discrimination, data breaches, the Fair Labor Standards Act, the Fair Debt Collections Practices Act, the Fair Credit Reporting Act, the Racketeer Influenced and Corrupt Organizations Act and the Telephone Consumer Protection Act.

## Wage & Hour

Employers of all sizes and shapes are at risk for wage and hour claims brought under the federal Fair Labor Standards Act (FLSA) and its state counterparts. The attorneys at Kaufman Dolowich have decades of collective experience advising and defending employers who find themselves the target of wage and hour investigations and enforcement proceedings initiated by the U.S. Department of Labor and state labor departments. We also defend employers against wage and hour lawsuits filed by their employees in state and federal court.

## Directors & Officers

Cognizant of the tremendous legal exposure corporate directors and officers face in today's business environment, Kaufman Dolowich's attorneys are committed to protecting clients in director and officer liability actions. We combine deep litigation experience with an in-depth understanding of corporate governance matters to defend the wide array of claims made against corporations and their officers and directors.

## Employment Practices Defense

Employment disputes can expose businesses and other organizations to costly litigation. We counsel and represent businesses, insurance carriers and their insureds in all aspects of employment practices liability defense litigation, from employment discrimination to sexual harassment to wrongful discharge.

## Professional Liability Defense

Our lawyers have decades of experienced resolving disputes involving all types of errors and omissions (E&O) coverage issues and disputes. We aggressively litigate coverage disputes through trial and appeal and represent clients in professional liability matters before state and federal administrative agencies.

## Securities Litigation

Kaufman Dolowich's litigation team regularly defends individuals, corporate officers, registered representatives, and member firms before securities regulators in a wide variety of enforcement matters. If you find yourself facing allegations from the Securities and Exchange Commission (SEC), we will represent you at every step of the enforcement proceedings from the time of the initial inquiry, through the formal investigation — we handle responses to administrative subpoenas for documents and “on-the-record” testimony — and through the “Wells” process. If the SEC case moves forward, we will work hard to protect your interests during settlement negotiations, pre-trial hearings, administrative hearings, and at federal trial, if necessary.

## Restrictive Covenants, Trade Secrets & Other Types of IP Litigation

We represent clients in courts throughout the country in corporate and intellectual property disputes. The wide-ranging broad experience of the Kaufman Dolowich litigation team includes defending business interests in matters related to misappropriation of trade secrets,

restrictive covenants, employee raiding, and departure of key employees. We work closely with our corporate and intellectual property practice area colleagues to provide continuity of representation to a client base that includes early-stage startups to Fortune 500 multinational corporations.

## Real Estate Litigation

Whether you are an individual landlord, a homeowners' association, a large property management company, or a publicly-traded Real Estate Investment Trust (REIT), a Kaufman Dolowich commercial litigation attorney will fight hard for your interests.

We routinely assist such clients with litigating real estate disputes, such as:

- Landlord-tenant matters (residential and commercial)
- Purchase/sale matters
- Wrongful eviction defense
- Co-ownership disagreements
- Nondisclosure claims
- Condominium issues
- Tenancy-in-common issues
- Title actions
- Partition actions
- Boundary disputes
- Lease conflicts

## Creative, Thorough and Effective Litigation Strategies to Achieve Success in High-Stakes Commercial and Business Disputes

Our litigators regularly represent clients in complex business matters. Because our litigation team works from 13 offices throughout the country, Kaufman Dolowich's commercial litigation attorneys are able to handle cases on a multi-jurisdictional levels while at the same time providing individualized attention to each and every client.

Whether you or your company are facing the threat of civil litigation, the prospect of criminal or civil investigations and enforcement by regulators, or unwanted public scrutiny, the litigation lawyers at Kaufman Dolowich offer creative, timely and strategic counsel to help you in your pursuit of a successful resolution.

We will work closely with you and your in-house team to collaboratively develop litigation strategies that are mindful of available resources. We are committed to always acting in your best interest as we seek favorable results through settlement negotiations and alternative dispute resolution avenues, when feasible.

## Contact a Commercial Litigation Attorney Today to Discuss Your Dispute Resolution Options

We understand the challenges associated with commercial disputes and work hard to reach results outside the courtroom through private settlement negotiations and mediation or arbitration whenever feasible. However, when there is no choice but to pursue remedies in court, we have both the litigation skills and reputation for fierce advocacy required to protect your interests at trial.

If you or your company are confronted with a matter that requires the skills of experienced trial counsel, we invite you to contact the commercial litigation team at Kaufman Dolowich today. Our litigators have earned a reputation for being fierce advocates for the interests of our commercial clients.

## Commercial Litigation's Leaders

- Christopher Nucifora