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# Litigation

# A Skilled Litigation Team Serving Maryland, Virginia, Washington, D.C., and Nationwide

When a legal dispute threatens to disrupt your business or personal life, you need a team of litigators who are committed to protecting your best interests. You need lawyers who will work diligently to secure a favorable out-of-court resolution, but who will not hesitate to fight for your interests in court. You need—and we provide—lawyers who will immerse themselves in your dispute and zealously advocate on your behalf with insight and attention to detail. Our lawyers will put your interests first, no matter what.

Our litigators are level-headed strategists with decades of experience in state and federal courts—the kind of attorneys who know when to play hardball and when to compromise in a tactical way for an advantageous result. We maintain an active litigation practice that involves representing clients in state and federal courts at all levels, including appeals, and our attorneys regularly appear in court proceedings in Maryland, Virginia,

# A Strategic and Cost-Conscious Approach to Complex Litigation

We represent clients in complex real estate disputes, a wide variety of business litigation, estates and trusts litigation, and other litigation cases. This includes cases involving real estate development, commercial leases, business disputes, commercial transactions, construction contracts, technology contracts, trade secrets and intellectual property disputes, consulting agreements, collection matters, real estate purchase and sale agreements, title and land use issues, will contests, and estates and trusts administration. We bring the same strategic and professional approach to every case that we handle, and we rely upon extensive industry knowledge to pursue creative solutions and practical remedies for our clients.

#### Aggressive and Focused Representation with a Personal Touch

Regardless of the specific issue you are facing, you need to be able to make informed decisions with your immediate and long-term best interests in mind. Our attorneys can guide you through the decision-making process, and we will advise you with regard to potential risks and outcomes at every step along the way. While we are aggressive and focused litigators in court proceedings and settlement discussions, we greatly value our close working relationships with our clients to help them achieve their objectives. Whether you need to initiate legal action or defend against a claim, we can help, and we will make sure you feel confident in the progress and outcome of your case.

In many cases, prompt action will be essential to reducing the risk of substantial and permanent harm. While this may mean going to court to obtain an injunction, it could also mean tactfully approaching a counterparty that may not be fully aware of the consequences of its actions. When you contact us about your dispute, our litigators will meet with you personally to determine the most appropriate course of action, and then we will execute a case strategy designed to protect your interests as discreetly and cost-effectively as possible.

# The Scope of Our Litigation Practice

We represent clients in litigation throughout Maryland, the District of Columbia, and Virginia, as well as in other jurisdictions. Our attorneys are also able to represent local clients in jurisdictions across the country. We handle cases in state and federal court, and we maintain an active ADR (alternative dispute resolution) practice representing clients in mediation and arbitration as alternatives to proceeding in court. Regardless of the scope of your case and the amount at issue, we have the resources necessary to handle your case efficiently, and our

# **Real Estate Litigation**

We represent real estate developers, property owners, purchasers, sellers, commercial landlords and tenants, contractors, subcontractors, financial institutions, partners, investors, and other clients in litigation involving commercial real estate. We handle cases at all stages of real estate development, as well as disputes arising out of purchase, lease, and other real estate transactions and property disputes. We work closely with our clients to pursue positive outcomes in light of the particular factual and financial circumstances at hand.

# Lease Disputes

We represent clients in lease disputes involving office buildings, shopping centers, warehouses, mixed-use properties, apartment buildings, ground leases, and other commercial and industrial properties. In lease disputes, the contract terms are critical, and our attorneys have extensive experience negotiating, preparing, interpreting, and litigating all types of lease documents. We understand the business and financial implications of lease disputes for both sides, and we work to achieve favorable results that protect our clients' interests not only in the dispute at hand but over the long term as well. Our experience includes securing favorable outcomes for clients in lease disputes involving:

- Anchor tenant provisions
- Build-outs and premises modifications
- Common area maintenance (CAM) charges
- Exclusivity provisions
- Renewal and transfer rights
- Rent
- Terminations

# Landlord/Tenant Representation (Commercial & Residential)

Legal disputes between landlords and tenants can involve a variety of complex contractual and statutory issues. In many cases, prompt action will be necessary in order to mitigate the potential for ongoing harm. Whether you are a landlord seeking to evict a non-paying tenant or a tenant that needs help enforcing the terms of your lease, our attorneys can use their experience to negotiate a mutually agreeable resolution, or, if necessary, seek legal or equitable remedies in court. We handle landlord/tenant disputes involving all types of commercial and residential properties, and we work to preserve our clients' lease relationships whenever it is in their best interests to do so.

# Landlord Bankruptcy Representation

We represent landlords in tenant bankruptcies throughout Maryland, Virginia, Washington, D.C., and other jurisdictions. In these situations, landlords must make strategic decisions based upon a comprehensive understanding of their rights under the United States Bankruptcy Code and other applicable laws. With our experience in commercial bankruptcy cases, as well as out-of-court workouts and reorganizations, we offer our clients sound advice and tactical representation for all types of bankruptcy proceedings involving commercial tenants.

# **Construction-Related Issues**

Disputes during construction can have significant financial ramifications for all parties involved. We represent developers, property owners, architects, engineers, contractors, subcontractors, banks, and other clients in litigation, settlement negotiations, and alternative dispute resolution (ADR) proceedings involving:

- Construction delays
- Contract disputes
- Insurance coverage
- Labor issues
- Payment and performance disputes
- Professional liability
- Zoning, permitting, and other regulatory matters

We also represent clients in post-construction litigation involving claims for construction defects. These cases typically involve an array of complex legal and engineering issues, and we rely on our vast construction litigation experience as well as the insights of trusted experts, in order to advance our clients' claims and defenses.

# Title & Land Use Disputes

Title and land use disputes can cause delays and disruptions for properties and construction projects, and they can threaten deals when they are discovered prior to closing. Post-closing, the discovery of adverse title claims and unexpected land use issues can lead to cost overruns, financing issues, insurance disputes, and seller-purchaser litigation. In addition to representing private property owners and government entities in transactions and regulatory proceedings involving title and land use issues, we also represent clients in litigation involving issues such as:

- Approvals for subdivisions and site plans
- Boundary disputes
- Chain-of-title deficiencies
- Environmental approvals
- Misfiled deeds
- Previously undiscovered easements and encumbrances
- Previously unknown liens
- Rezoning, special exceptions, conditional uses and variances

#### Condemnation

Our condemnation practice involves representing private property owners and governmental entities in takings proceedings throughout the Washington, D.C. metropolitan region. We have extensive experience advising and advocating for clients in all phases of the condemnation process, including pre- and post-condemnation proceedings, and our attorneys use their comprehensive knowledge of the relevant legal, valuation, and constitutional principles to pursue favorable results in negotiations, at trial, and on appeal.

# Commercial/Contract Disputes

Commercial disputes involving contractual, statutory, and common law issues can slow businesses down and interfere with their strategic objectives. We take a comprehensive approach to commercial dispute resolution, which involves pursuing favorable out-of-court settlements whenever possible, while also maintaining an aggressive track toward trial. From representing partners and shareholders in business breakups to advancing our clients' interests in technology litigation, we represent individuals and companies of all sizes in a broad range of commercial matters.

# **Business Breakups**

Business breakups are common and should be addressed quickly. Disputes among partners, shareholders, and LLC members can bring a business to a standstill. Even where the entity's governing documents provide guidance regarding the owners' respective rights and obligations, disputes still can (and do) arise, and finding an efficient resolution can often be crucial to avoiding harm to the business's reputation and goodwill. In many cases, ambiguities and unforeseen issues add significant complexity to the equation, and the owners and the business itself will all need experienced legal representation. Our attorneys have significant experience assisting clients in addressing business breakups through negotiation, mediation, and litigation.

# Breach of Contract

We represent commercial parties in breach of contract litigation involving all types of business relationships. From enforcing payment terms and service level agreements (SLAs) to seeking appropriate remedies for breaches of confidentiality and wrongful terminations, our experience includes representing suppliers, vendors, manufacturers, distributors, contractors, subcontractors and other business clients in virtually all types of commercial contract disputes. While these disputes often ultimately lend themselves to settlement, prompt legal action may be necessary. Our commercial litigators can act promptly to protect your company.

# **Technology Litigation**

Our technology litigation practice is devoted to representing the interests of clients who develop, license, and use innovative and cutting-edge technologies. With substantial industry knowledge, we are uniquely positioned to represent clients who are on the forefront of technological evolution. From enterprise software arrangements, development and licensing agreements, web agreements, SaaS and similar agreements, IoT issues, and other technology matters, we represent parties on both sides of technology contract litigation, and we offer insightful, creative solutions that are tailored to each individual client's needs and objectives.

# **General Litigation**

In addition to the focused areas described elsewhere, we represent clients in general civil litigation, including claims involving personal injury, insurance disputes, and disputes among family members and third parties involving trust and estate administration. We use our extensive experience in asserting our clients' legal rights and protecting their financial interests in these types of disputes, and we focus on achieving efficient and favorable out-of-court resolutions whenever possible.

# Personal Injury

Our attorneys represent clients in personal injury insurance claims and litigation arising out of all types of accidents. This includes everything from vehicle collisions to major catastrophic events. We efficiently handle all aspects of the claims process—from initial investigations and claim assessments through trials and appeals. We work closely with trusted engineering experts, accident re-constructionists, physicians, and other professionals to assess the validity and value of any potential claims, and we aggressively advance our clients' interests in settlement negotiations, pre-trial practice, and litigation. We handle cases involving:

- Auto accidents
- Professional malpractice
- Aviation accidents
- Construction accidents
- Mass transit accidents
- Premises-related accidents
- Products liability
- Toxic exposure
- Other catastrophic events

# Estate Litigation

The scope of our litigation practice also includes representing clients in estate-related matters. Our attorneys represent estates, heirs, beneficiaries, creditors, personal representatives, trustees, and other interested parties in all types of estate and trust disputes. From contesting the validity of a will to addressing violations of trustees' fiduciary duties, we handle all types of cases, and we seek to help our clients achieve amicable resolutions that

preserve their family relationships whenever possible.

# Contact



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# **Team Members**



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