



## LITIGATION

“Our lawyers aren’t just successful in the courtroom – they’re also recognized leaders in the legal community. From our associates who lead the young lawyers’ associations to the Chair of our litigation practice (and former President of the Virginia State Bar’s Intellectual Property Law Section) and the local Federal Bar Association... it’s part of our culture.”

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### WHO WE ARE

The Litigation Group at Kaufman & Canoles has earned a reputation as a skilled and highly formidable team that helps clients resolve complex commercial disputes. Ethical and hard-charging, we have earned an impressive record of success before judges and juries in federal and state courts. We believe trial experience and a dedicated focus on the legal and business issues most relevant to our clients make a powerful and effective combination. We are skilled in all forms of alternative dispute resolution, including arbitration and mediation, and frequently work with clients to execute strategies for avoiding litigation.

Built around a core of experienced trial lawyers who have tried many complex jury and non-jury cases in both federal and state courts locally and around the country, Kaufman & Canoles’ Litigation team is one of the region’s most successful and well-regarded trial sections. Members of the Litigation practice each focus on particular areas of complex trial work in both federal and state courts and in both civil and criminal arenas.

Members of the team have been recognized by their peers for excellence and have been awarded recognition by all the major rating services, including, among others, *Best Lawyers in America*, *Chambers USA’s America’s Leading Lawyers for Business*, *Virginia Business’ Legal Elite*, *Virginia’s Super Lawyers*, *Martindale-Hubbell* and many others. In addition, members of the team currently hold and have held positions of prominence within state and local bar organizations associated with trial practice in Virginia and lecture regularly on trial practice topics.

### HOW WE HELP

Our litigators have broad experience resolving client disputes: in state and federal courts across the country, including the U.S. District Court for the Eastern District of Virginia known as the “Rocket Docket,” the U.S. Supreme Court, and most federal, state, and local administrative bodies. We have successfully argued cases spanning the full spectrum of business and commercial claims. In addition, we defend white-collar criminal lawsuits on behalf of individuals and corporate entities.

## HOW WE HELP (CONT.)

In all cases, our approach to resolving disputes is simple: develop a customized strategy that aligns with our client's business and financial objectives, prepare relentlessly for trial, and aggressively pursue the result our client seeks – whether in the courtroom, at the negotiation table, or through an alternative dispute resolution forum (and occasionally all three).

Clients appreciate the responsiveness, accessibility, and proactive communication of our litigation team. They know they can count on our practical solutions, sensible guidance, and steadfast commitment to their goals throughout their disputes. Equally important, our clients rely on our strict management of expenses, rigorous time and resource budgets, and enhanced technology to ensure efficiency and cost-effectiveness.

Our lawyers have successfully resolved a wide range of disputes and claims:

- Complex business matters
- Intellectual property law (patents, trademarks, copyrights)
- Securities matters
- Antitrust lawsuits
- Insurance coverage disputes
- White collar criminal matters
- Government contract disputes
- Construction disputes
- First Amendment/Defamation
- Franchising law
- Employment/Labor disputes
- Creditors' Rights/Bankruptcy matters
- Environmental law matters
- Products liability
- Professional liability defense
- Municipality law
- Tort defense
- Maritime matters

Known for its lean but effective staffing of trial matters, the firm places a strong emphasis on actual experience in court. The section strives to be both dynamic and effective at rates that are far below those associated with national firms. Backed by efficiencies of enhanced technology and the effective use of paralegals and support personnel, the team successfully manages all phases of the most complex litigation matters. The Litigation Group is recognized by state and national organizations for their excellence and accomplishments in complex and sophisticated litigation. In addition, the attorneys in our trial section are experienced counselors, helping businesses develop policies to avoid litigation.

## OUR TRACK RECORD

Attorneys in our litigation practice have successfully represented businesses of all sizes in a full range of complex litigation and have earned the reputation of being the trial team to call for significant cases. We have found that most businesses need legal assistance in critical areas requiring particular attention.

## WHO WE REPRESENT

The lawyers in our Litigation Group represent a diverse group of corporate, small business, and individual clients, from entrepreneurs and LLCs to regional leaders to some of the largest companies in the country.

## REPRESENTATIVE MATTERS

- Known as the most experienced and competent trial team for complex matters, we represent local, national and international businesses in all types of complex commercial litigation, arbitration and mediation proceedings
- Litigates disputes involving patents, trademarks, copyrights, and trade secrets. Recognized by their peers as among the top intellectual property attorneys in Virginia, the trial lawyers in the Intellectual Property group have established a successful and acclaimed trial practice and have appeared in literally hundreds of such cases, trying many to verdict
- Representation of policyholder insureds in insurance coverage disputes with insurance carriers arising out of all forms of commercial insurance products including Comprehensive General Liability insurance, Directors and Officers Liability Insurance, Fidelity Bonds, Errors and Omissions Insurance and advertising injury coverage
- In the area of complex securities matters, the team has effectively and successfully handled both the defense and prosecution of such claims in both federal and state court and in arbitration
- Extensive experience representing shareholders in corporate disputes, from derivative actions, to proxy battles, to claims of corporate waste and mismanagement
- Our focus in the technical area of antitrust law has allowed our trial team to successfully try cases for many different industry segments in both the civil and criminal arenas
- We represent business clients in environmental law litigation such as the resolution of enforcement actions brought by government agencies. We defend against claims for recovery of clean-up discharges of hazardous materials
- In the area of condemnation and eminent domain, we have achieved highly successful results for their clients regarding the condemnation of their land, zoning disputes and land use litigation
- As real property litigators, we have tried cases involving easements, boundary line disputes, title matters and other matters relating to property ownership and use
- Our experience in the areas of tax, bankruptcy and creditors' rights includes all matters in corporate restructuring, reorganization and liquidation proceedings involving secured and unsecured credit facilities. We have experience litigating tax disputes in federal and state courts, as well as handling the settlement of a variety of tax controversies
- We have extensive experience in all phases of government contract disputes, including bid protests and injunctions, claims analysis, preparation and litigation in federal and state courts and before the Boards of Contract Appeals, defense of procurement fraud investigations, and suspension and debarment proceedings
- We have extensive construction experience on public and private projects, from claim management to litigation, arbitration and mediation, representing owners, contractors and subcontractors
- In cases of alleged professional negligence, we have represented and defended general contractors, subcontractors, design professionals, engineers, accountants, attorneys, physicians and other professionals
- Our medical malpractice team adeptly handles litigation and counsels hospitals, physicians and allied health care entities in establishing and maintaining risk management programs
- In the area of First Amendment law, our attorneys handle cases regarding defamation, civil rights and defense of libel and slander
- Products liability, another area of special focus, includes the representation of manufacturers, distributors and retailers in the defense of personal injury, property damage, and industrial accident cases involving a broad scope of products ranging from consumer goods, chemicals, and power tools to heavy-duty farm, industrial, and military equipment
- The representation of state and local governments offers its own set of unique statutes and regulations, and our trial lawyers have been defending cities, counties and state agencies for many years in matters ranging from civil rights, employment and wage-hour disputes to construction, law enforcement and zoning
- In the Franchising and Distribution law area, we have experience in the creation and dissolution of all types of such businesses and the termination of unsatisfactory distribution, dealer and franchise arrangements and general business disputes relating to these arrangements