



W. Edgar Spivey
Member

T (757) 624.3196
F (888) 360.9092
wespivey@kaufcan.com

Ed Spivey is a member of the litigation section at Kaufman & Canoles. He has a diverse civil litigation and arbitration practice that has involved the representation of international, national and local businesses, as well as individuals. Ed's areas of practice include complex commercial litigation, securities litigation, stockbroker and investment adviser disputes, shareholder litigation, insurance coverage disputes, products liability claims, and land use/real estate litigation. Ed has particularly deep experience arbitrating and litigating investment and securities disputes, especially in FINRA proceedings.

PRACTICE AREAS

- Litigation

REPRESENTATIVE MATTERS

- Currently one of a team of lawyers representing numerous Virginia localities investigating and litigating cases against pharmaceutical manufacturers, distributors and others connected with the opioid addiction epidemic. In early 2018, Ed and his team filed the first lawsuits in Virginia seeking to recover funds expended by Virginia local governments combating this public health emergency
- Obtained a six-figure jury verdict for compensatory and punitive damages as well as attorney's fees against Registered Investment Adviser and its President/Chief Compliance Officer for violations of the Virginia Securities Act, fraud and breach of fiduciary duty
- Represented estate of elderly customer in seven-figure FINRA arbitration proceeding awarding compensatory and punitive damages against large, national broker-dealer
- Obtained summary judgment for apartment owner policyholder on multiple-occurrence theory in federal court insurance recovery proceedings
- Represented large, local homebuilder in multiple cost recovery litigations associated with defective Chinese drywall
- Served as Special Counsel to the Commonwealth of Virginia's Office of Attorney General in nationwide arbitration against tobacco product manufacturers concerning \$1.2 billion payment due under the landmark Tobacco Master Settlement Agreement
- Represented major financial institution in managing and litigating claims caused by Registered Investment Adviser representative including defense of multiple client claims, pursuit of resulting claims for recovery under fidelity bond, and prosecution of follow-on subrogation claims against RIA representative
- Served as Virginia counsel to large international hedge fund in proxy contest associated with 2008 annual meeting of CSX Corporation
- Represented foreign component part manufacturer seeking North American operations insurance coverage for cost and expense associated with end product recall
- Represented regional financial institution seeking insurance coverage for class action claims arising out of the Telephone Consumer Protection Act

REPRESENTATIVE MATTERS (CONT.)

- Represented plaintiff shareholder in multimillion-dollar Section 11 securities fraud claim arising out of financial statement disclosures of large publicly-traded waste hauler
- Multiple representations of both claimants and respondents in FINRA (formerly NASD and NYSE), JAMS and other arbitrations involving the stock brokerage industry including unsuitability, churning, market manipulation, etc.
- Defended multiple high-exposure products liability claims against domestic and foreign manufacturers of consumer, industrial and military products including household appliances (water distillers, coffee makers, power chairs, tea kettles, etc.), paint sprayers, man-lifts, construction equipment, irrigation equipment, amusement rides, chemicals and other potentially toxic substances, and diversionary grenades
- Represented large real estate developer in implied easement case challenging commercial shopping center owner's right to use BMPs located on contiguous property

RECOGNITION AND HONORS

- Norfolk Litigation - Real Estate "Lawyer of the Year"; *Best Lawyers in America*, 2015, 2017, 2019
- *Best Lawyers in America*, 2012-2022
- Virginia Super Lawyers; *Law & Politics*, 2008-2012
- Virginia Super Lawyers, Corporate Counsel Edition; *Law & Politics*, 2009-2010
- Virginia's Legal Elite; *Virginia Business Magazine*, 2010-2013, 2016-2021
- Top Lawyers; *CoVaBIZ Magazine*, 2020-2022

ADMISSIONS

- Virginia Bar, 1988

EDUCATION

- University of Virginia; B.A., 1983
- University of Virginia School of Law; J.D., 1986

PRESS AND PUBLICATION

- 40 Kaufman & Canoles Attorneys Named as Top Lawyers 2022 in *CoVaBIZ Magazine*
- 52 Kaufman & Canoles Attorneys Named *Virginia Business Magazine's* "Legal Elite" 2021
- 48 Kaufman & Canoles Attorneys Named *Best Lawyers in America*© 2022, 4 Named "Lawyer of the Year," and 8 Named "Ones to Watch"
- 40 Kaufman & Canoles Attorneys Named as Top Lawyers 2021 in *CoVaBIZ Magazine*
- 53 Kaufman & Canoles Attorneys Named *Virginia Business Magazine's* "Legal Elite" 2020
- 46 Kaufman & Canoles Attorneys Named to *Best Lawyers in America* 2021 and 5 Named "Lawyer of the Year" and 7 Named "Ones to Watch"
- 45 Kaufman & Canoles Attorneys Named as Top Lawyers 2020 in *CoVaBIZ Magazine*
- 48 Kaufman & Canoles Attorneys Named *Virginia Business Magazine's* Legal Elite 2019
- 45 Kaufman & Canoles Attorneys Named Best Lawyers in America 2020 and 3 Named Lawyers of the Year
- 48 Kaufman & Canoles Attorneys Named *Virginia Business Magazine's* Legal Elite 2018
- 8 Kaufman & Canoles Attorneys Named Best Lawyers' 2019 Lawyers of the Year
- 43 Kaufman & Canoles Attorneys Named Best Lawyers in America 2019 and 8 Named Lawyers of the Year
- 48 Kaufman & Canoles Attorneys Named to Virginia Business Magazine's Legal Elite 2017
- 46 Kaufman & Canoles Attorneys Named Best Lawyers in America 2018
- 48 Kaufman & Canoles Attorneys Named to Virginia Business Magazine's Legal Elite 2016
- Ameriprise Financial Unit Ordered to Pay More Than \$2 Million to Client's Estate
- 6 Kaufman & Canoles Attorneys Named Best Lawyers' 2017 Lawyers of the Year
- 40 Kaufman & Canoles Attorneys Named Best Lawyers in America 2017
- 42 Kaufman & Canoles Attorneys Named to Best Lawyers in America 2016
- 10 Kaufman & Canoles Attorneys Named Best Lawyers 2015 Lawyers of the Year
- 42 Kaufman & Canoles Attorneys Named Best Lawyers in America 2015
- 54 Kaufman & Canoles Attorneys Named to Virginia Business Magazine's Legal Elite 2013
- 42 Kaufman & Canoles Attorneys Named to Best Lawyers in America 2014

PRESS AND PUBLICATION (CONT.)

- 41 Kaufman & Canoles Attorneys Named to Best Lawyers in America 2013
- 40 K&C Attorneys Named as Super Lawyers 2012 and 14 Named as Rising Stars 2012
- 53 Kaufman & Canoles Attorneys Named Virginia Business Magazine's Legal Elite 2011
- 40 K&C Attorneys Named "Best Lawyers in America" 2012
- 36 K&C Attorneys Named as Super Lawyers 2011 and 14 Named Rising Stars 2011
- 39 Kaufman & Canoles Attorneys Named Virginia Business Magazine's "Legal Elite" 2010
- 3 K&C Attorneys Named in Corporate Counsel Edition of Super Lawyers 2010
- 30 Attorneys Named Super Lawyers, 12 Named Rising Stars
- 9 Kaufman & Canoles Attorneys Named in Corporate Counsel Edition of Virginia Super Lawyers 2009
- 28 Kaufman & Canoles Attorneys Named as Super Lawyers & 8 Named as Virginia Rising Stars 2008
- Kaufman & Canoles Elects Executive Committee