



COMPLEX COMMERCIAL LITIGATION

Armstrong Teasdale's Complex Commercial Litigation practice is comprised of elite, experienced trial lawyers with uncommon insight into how to navigate and litigate increasingly complex, high-stakes disputes.

Our team has tried hundreds of cases for both plaintiffs and defendants in federal and state courts, as well as regulatory bodies all over the country. Our experience spans every significant category of commercial litigation, including breach of contract, business torts, RICO, consumer fraud, regulatory violations, antitrust, shareholder derivative actions, breach of fiduciary duty, trade secret misappropriation, Lanham Act violations, copyright infringement, unfair competition, class actions and mass torts.

Companies routinely trust Armstrong Teasdale's lawyers with disputes of such consequence; they could impact their viability or even an entire industry. Our lawyers have managed complex matters in over 30 states, are familiar with appellate and trial courts across the country, and have the breadth and depth to help our clients achieve the best possible outcomes. Our clients have called us "fantastic litigators" and "zealous advocates" in Chambers USA: America's Leading Lawyers in Business, where several of our trial lawyers are ranked for Commercial Litigation.

Our sole, driving purpose when representing a client is to quickly identify and devise a strategy to achieve the client's goals. In doing so, our lawyers strive to understand all aspects of the dispute and how those issues affect the client's business. Our lawyers' extensive trial experience uniquely positions Armstrong Teasdale to nimbly implement virtually any strategy the client desires, from a quick and effective resolution to full-blown trial and appeal, if necessary. Based on their experience, our lawyers possess the vision and understanding of the impact decisions made today will have at trial, several months or years later. With this demonstrated trial experience and forward-thinking vision, our clients receive the most effective representation.

As a firm, we possess the tools and talent to achieve favorable results for clients in the courtroom. Our in-house litigation support department, Lawgical Choice, allows our lawyers to rapidly and proficiently gather, organize, identify and produce gigabytes of our client's data in a cost-effective manner. And because we are based in smaller, less expensive metropolitan centers, our rates are often substantially less than those of traditional, large litigation practices, which not only allows our clients to save millions of dollars in legal fees, but also empowers them with the flexibility to litigate their disputes so as to reach the optimal result, rather than having to sacrifice potential advantage because realizing those advantages may be cost prohibitive under the rate structures of other firms.

Armstrong Teasdale lawyers work across disciplines to leverage our experience for each client and situation. We also work across a variety of industries, including financial services and banking, technology and manufacturing, consumer products, agribusiness and food, and health care and life sciences.

EXPERIENCE

\$19.5 Million Verdict in Complex Business Fraud Case

Secured a \$19.5 million verdict for a prominent Miami physician and part owner of a family drywall business in Colombia, in a two-week jury trial regarding attempts to deprive the client of his 33.33% interest in the business.

Investors Awarded \$18.9 Million in Securities Fraud and Mismanagement Dispute



Arbitrators awarded our investor-client \$18.9 million on claims of mismanagement and securities fraud against the founder/manager of two closely held investment vehicles.

\$18 Million Settlement of Arbitration for Coal Purchaser

Obtained an \$18 million settlement, reached during arbitration, for a coal purchaser arising from a producer's failure to deliver low-priced coal as market prices rose.

Obtained Landmark Appellate Ruling Defeating ERISA-Preemption Defenses to Fraud and Tort Claims

Represented a medical device provider in payment claims against a leading insurer that resulted in a landmark ruling by the U.S. Court of Appeals, Fifth Circuit, sustaining our client's fraud and tort claims against ERISA-preemption defenses

Favorably Settled Claims by and Against a Revenue Cycle Management Company

Obtained a favorable settlement of claims brought by and against a revenue cycle management company arising from the early termination of its multi-year collection contract with a large regional physician group.

Dismissals Lead to Favorable Settlement

Obtained the dismissal with prejudice of multiple claims brought by one financial institution against another arising out of a data breach led by fraudsters, facilitating a favorable settlement of the sole remaining claim.

Dissolution of Accounting Partnership

Represented senior partner in arbitration concerning dissolution of partnership resulting in seven-figure award for senior partner.

Disputes Concerning Purchase of Unsold Co-op Shares

Represented major developer in a series of suits concerning the developer's attempted purchase of a large block of unsold co-op shares worth over \$200 million, the usurpation of that opportunity by an erstwhile joint venture partner, and a real estate broker's subsequent attempts to collect a fee in connection with the transaction resulting in a net payment of millions of dollars to the developer.

Construction Dispute

Resolved dispute on summary judgment concerning developer's failure to pay contractor for construction work and successfully collected the debt from developer during the developer's subsequent bankruptcy action.

Contract Dispute Concerning Sale of Factory

Represented the seller of a factory in connection with claims for promissory estoppel and breach of contract resulting in seven-figure award after trial in favor of seller in New York.

Real Property Partnership Dispute

Represented four limited partnerships in derivative action alleging that four separate apartment complexes in Manhattan were sold to an insider for less than fair market value in breach of the general partners' fiduciary duties, resulting in global settlement reimbursing limited partners for their losses.

Dismissal of \$1 Billion Class Action Claim

Successfully defended the operator of a commercial website against a putative class action involving alleged interception of an online customer's personal information, including credit card information, and disclosure of that information to third parties without the customer's consent. The plaintiff argued that this information, which was stored in a browser file before being sent to the website, was not yet a communication to website and that the interception and transmission of that information via JavaScript commands was illegal under the Wiretap Act. The court agreed with the website operator's arguments and dismissed the action. Plaintiff's counsel was seeking over \$1 billion in damages, making this a significant victory.



Representation of Pharma Company in Breach of Contract Case

Represented a major pharmaceutical company as part of trial team in a breach of contract suit litigated over five days before the Delaware Court of Chancery.

Dismissal in Consumer Class Action Lawsuit for Sporting Goods Retailer

Secured the dismissal of a consumer protection and class action lawsuit against a major sporting goods and outdoor equipment retailer filed in the U.S. District Court for the Western District of Missouri. The matter specifically involved claims of alleged violation of the Missouri Merchandising Practices Act, unjust enrichment, and violation of consumer protection laws in 21 other states. The plaintiff sought to represent a nationwide class of customers seeking millions of dollars in damages for alleged violations of various states consumer protection statutes. The court granted the client's motion to dismiss, and the plaintiff did not appeal or seek leave to amend.

Significant Victory in Multimillion-Dollar National Class Action for Men's Retailer

Secured a significant victory for a men's clothing retailer on a motion for summary judgment in U.S. District Court for the District of Maryland. The plaintiffs alleged that certain sales promotions were deceptive and sought certification of a California class, potentially exposing our client to hundreds of millions of dollars in damages. The Court dismissed the lawsuit finding that plaintiffs could not establish that the marketing campaign caused them damage. Earlier, the Court had dismissed requests to certify a nationwide class and a Maryland subclass for similar reasons.

Won Class Certification for Plaintiffs in Large IoT Liability Case Against Automotive Manufacturer

Lead counsel for three certified plaintiffs' classes with an estimated 400,000 to 500,000 members, in a case alleging that various cars and trucks suffer from a series of cybersecurity defects that render the vehicles vulnerable to being hacked in a way that would allow hackers to remotely control the vehicles' operational and safety systems, including acceleration, braking, steering and ignition.

Successfully Defended Pet Food Brand in Misappropriation of Trade Secrets Case

Successfully defended a pet food company against misappropriation of trade secrets claims. Two of the plaintiff's employees were terminated by the plaintiff and went on to work for a competitor after developing a new type of packaging to supply to our client. At the same time, the competitor was in the process of developing replacement packaging to supply to our client. Our client moved its business to the competitor and the plaintiff filed suit in U.S. District Court for the Western District of Missouri against our client, the two former employees and the competitor. Armstrong Teasdale defended the lawsuit by, among other things, challenging the plaintiff's characterization of the allegedly misappropriated information as trade secrets. At mediation, the plaintiff agreed to settlement by dropping its claims and requesting a nominal payment from our client pursuant to a raw materials agreement for materials not used by the plaintiff before the relationship was terminated.

\$8.3 Million Verdict for Client in Business Negligence Case

Tried a complex contract and tort lawsuit in District Court for the Eastern District of Missouri on behalf of plaintiff garment design company whose building was destroyed after a natural gas explosion. Obtained an \$8.3 million verdict for clients after a seven-day trial. Verdict was ranked the #25 plaintiff win in Missouri in 2017.

Successfully Defended Packaging Company in Breach of Contract Case Following Acquisition

Successfully defended a packaging company against the alleged breach of a supply agreement entered into following the acquisition of a plastics manufacturing business from the plaintiff. Following the sale, the plaintiff continued to sell a specialty product, which would be manufactured by our client, and sought return of certain equipment used for its production. The suit was filed in state court in North Carolina, removed to federal court in North Carolina, then further transferred to U.S. District Court for the Eastern District of Missouri. Our client filed counterclaims and third-party claims for



fraud in connection with the supply agreement. Our client filed a separate action for fraud in connection with the sale of the plastics manufacturing business against the plaintiff and its principals in U.S. District Court for the District of Delaware. All claims were resolved after mediation for a nominal payment and non-monetary terms.

Resolution in Corporate Control Dispute Involving LLC

Successfully compelled defendant to resolve a corporate control dispute concerning a limited liability corporation (LLC). We filed suit on behalf of our client to invalidate a sweetheart lease and undo other self-dealing transactions by the manager of the LLC, as well as dissolve the LLC. Following a year of litigation, the manager purchased the client's interest in the LLC on very good terms for the client.