

LITIGATION

Commercial Litigation Experience

- Obtained favorable settlement after a two-week trial defending against a \$54 million destruction of business claim.
- Achieved a \$3.3 million judgment, plus attorneys' fees, on behalf of a corporate officer following an eight day trial against his former employer and a successor company.
- Tried two-week jury trial and obtained favorable verdict involving dispute between shareholders.
- Obtained rare appointment of a corporate custodian after a protracted hearing exposing fraudulent activities.
- Defended against claims of liability asserted against a reinsurance company by the primary insureds and beneficiaries of an employee medical benefits policy.
- Achieved a favorable settlement on behalf of a United Kingdom centrifuge manufacturer in an action brought by a coal processor for damage caused by plant failure.
- Obtained a multi-million dollar settlement in a fraud/misrepresentation case resulting from the acquisition of a business; the settlement amount actually exceeded the damage claim raised by our client's damage expert. This fast-paced litigation had four different lawsuits and included successfully obtaining and preventing injunctive relief requested by our adversary. Convinced a federal court to freeze the proceeds of the sale of a business due to fraudulent representations during negotiations of the sale.
- Developed a creative summary judgment theory for a defendant-client that resulted in a significant reduction in the plaintiff's settlement demand and favorably resolved the federal court litigation.
- Represented several financial institutions in class action securities fraud claims and obtained dismissal of both a complaint and amended complaint, whose dismissal was confirmed by the U.S. Court of Appeals for the Third Circuit.
- Defended a major hospital in bankruptcy court on claims filed against it arising out of the largest municipal bond fraud case in Pennsylvania.
- Handled and successfully settled claims against a national cable television operator arising out of its acquisition of certain systems in Maryland and eastern Pennsylvania.
- Represented a client in multiple adversary proceedings in bankruptcy court arising out of a complicated series of financial transactions which also resulted in the defense of four state court actions filed by the client's former attorney.
- Represented a client at trial in U.S. Bankruptcy Court for the Eastern District of Ohio in which we established the debtor's fraud so as to avoid discharge of the client's debt.
- Defended a securities dealer in a lengthy, complex securities arbitration involving multistate fraud by a chief broker.
- Represented insurance companies in breach of insurance contract/premium cases through successful appeal to the Third Court.
- Achieved summary judgment for a hospital on intentional interference with contract and fraud claims.



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- Secured multiple injunctions for a landowner in a boundary dispute.
- Represented a corporation in mandamus actions for corporate records by a disgruntled shareholder.
- Obtained summary judgment for an ambulance company against a competitor alleging fraud.
- Handled and mediated a \$12 million matter relating to the performance of a power management computer system for an electric utility.
- Represented a national advertising client in recovering payments for termination of its agreement with a client following that client's merger with a large competitor. The case resulted in a significant monetary award to the client following a week-long arbitration hearing in New York.
- Represented a national cable television company in an arbitration matter pending in Washington, D.C., arising out of a dispute regarding multi-million dollar purchase price adjustments and escrow adjustments under an acquisition agreement.
- Represented coal owners in property tax assessment appeals, including recently defending the assessed values of approximately 60,000 acres of coal owners in Greene County, PA, after taxing bodies contended that the coalbed methane contained within the coal increased its value.
- Handled civil rights actions including a prisoner civil rights action and an action relating to the unconstitutional termination of parental rights.
- Defended a former chief financial officer of a large nonprofit hospital/university system in multiple civil and criminal matters, including an SEC investigation, lawsuits in various federal and bankruptcy courts and participation in a preliminary hearing lasting several months; created and managed a database containing nearly 400,000 records.
- Defended a natural gas company in a jury trial involving the explosion of a family's residence by successfully establishing that gas line damage caused by a construction contractor was largely to blame for the accident.
- Obtained dismissal of a propane supplier in a wrongful death action brought on behalf of a homeowner following explosion.
- Achieved judgment following trial in favor of our client in a real estate dispute.
- Defended an international cement and aggregates company in a wrongful death proceeding brought against the company under the Longshoremen and Harbor Workers Act.
- Handled a series of actions relating to media access to hearings, meetings, proceedings and documents.
- Defended a series of defamation actions brought against a television station.
- Represented a health care facility in a revocation of privileges proceedings in which the physician was accused of sexual harassment.



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Babst | Calland
Attorneys at Law
Where Trust and Value Meet™

- Represented citizens in an injunction against a local borough in a First Amendment and Sunshine Act violation matter.
- Handled a false imprisonment action for a large retailer.
- Represented insurance agents in license revocation and suspension proceedings.
- Defended a law firm in an attorney malpractice matter.
- Represented an architectural firm in a parking lot accident.
- Represented a physician in a bankruptcy proceeding regarding purchase of practice.
- Represented a sand and gravel company in maritime actions.
- Represented an insurance agent in litigation regarding fraud.



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412.394.5400 | 681.205.8888 | 717.868.8377 | 412.773.8715 | 814.867.8055 | 202.853.3455