

## CONTACTS

Mark J. Criser

Benjamin H. Hill III

Dennis P. Waggoner

## PEOPLE

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Benjamin H. Hill IV

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C. Howard Hunter

William J. Judge Jr.

Sasha L. Ledney

Ryan J. Leuthauser

# LITIGATION

Hill Ward Henderson has a wealth of experience handling commercial and business tort litigation. We successfully try cases of all varieties, but we also pursue alternative resolutions when in our clients' best interests. With a large team at our disposal, we have the resources to provide outstanding service to clients of all sizes. And having represented clients in jurisdictions across the U.S., our seasoned advocates have experience in handling cases in almost every substantive area, including:

- Antitrust
- Business Litigation
- Contract Disputes
- Employment
- Insurance Coverage
- Intellectual Property
- Mass Torts and Class Actions
- Products Liability
- Professional Liability
- Securities and Shareholder Rights

Our attorneys also have experience handling appeals before the United States Supreme Court, the United States Court of Appeals for the Eleventh Circuit, the Florida Supreme Court, and Florida's District Court of Appeal. Several of our attorneys are Florida Bar Board Certified Civil Trial and Business Litigation Lawyers, and many have been recognized by Chambers USA, *Florida Trend*, *Florida Super Lawyers* and *Best Lawyers in America*, American Board of Trial Advocates (ABOTA), the Federation of Defense and Corporate Counsel (FDCC), the International Association of Defense Counsel (IADC), the Defense Research Institute (DRI), as well as the American College of Trial Lawyers.

## NOTEWORTHY

*"Hill Ward Henderson is always a phone call away." Client quote, Chambers USA 2023.*

*"The lawyers are responsive, good writers and deliver results." Client quote, Chambers USA 2023.*

## Litigation

David L. Luikart III  
Kendra McCan Lyman  
Fred C. "Kip" Marshall  
Connolly C. McArthur  
Scott McLaren  
Patrick M. Mosley  
Sean P. Mullen  
Anisha P. Patel  
Kevin Paule  
Brett J. Preston  
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Tori C. Simmons  
Allison M. Stevenson  
Tyler C. Troyer  
Mark M. Wall  
Nicole D.D. Walsh  
Joshua C. Webb  
Trae S. Weingardt  
Jeffrey J. Wilcox

### AREAS OF CONCENTRATION

Antitrust & Trade Regulation  
Appellate Practice  
Commercial Landlord/Tenant  
Construction & Design  
Litigation  
Consumer Products Liability  
Litigation  
Corporate Compliance and  
Investigations  
Data Privacy and Security  
Drug & Medical Device

*"It's an excellent firm with highly skilled attorneys." Client quote, Chambers USA 2023.*

*"They get the job done accurately and on time." "They are very fine lawyers who provide zealous representation." Client quote, Chambers USA 2022.*

*"They know the judges very well and explain the intricacies of the law clearly and provide expert advice." Client quote, Chambers USA 2021.*

Market commentators report, *"It is always an extraordinarily strong group to litigate against." Chambers USA 2021.*

*"It is a fine firm that has been around for a long time with really, really good lawyers." Client quote, Chambers USA 2021.*

### EXPERIENCE

We emphasize not only effective, but efficient, litigation. We are thoughtful, thorough, practical and forceful in our approach to litigation, as demonstrated in certain highlighted representations below.

- Represented Honeywell International in a civil fraud case arising from the sale of a business unit, and obtained a complete defense verdict after a seven-week jury trial in which the plaintiff sought hundreds of millions of dollars in damages.
- Defended OSI Restaurant Partners, Bain Capital, and Catterson Partners as lead trial counsel in a business dispute with the country's largest Outback Steakhouse franchisee, where the franchisee agreed to pay OSI \$30 million after jury selection.
- Regularly defended local, national, and international law firms against complex, multi-million dollar malpractice claims, including:
  - Lead trial counsel in an eight-day jury trial for legal malpractice and breach of fiduciary duty brought by the FDIC. On appeal, the Eleventh Circuit reversed the jury's verdict and judgment was entered in the law firm's favor on all claims.
  - Defended an international law firm against a complex, eight-figure legal malpractice claim arising out of a failed business relationship.
  - Obtained summary judgment for an Am Law 200 law firm and four firm shareholders in a legal malpractice and breach of fiduciary duty action alleging nearly \$100 million in damages.
  - Defended Am Law 20 law firm in legal malpractice and breach of fiduciary duty action litigated over a decade and obtained

## Litigation

Governmental Relations, Bid Protests and Procurement  
Healthcare Litigation  
Hospital Liability  
Industrial & Commercial Product Liability  
Insurance Coverage Litigation  
International Disputes Resolution  
Land Use & Development Rights  
Life, Health & Disability Insurance  
Long Term Care/Nursing Home  
Mediation  
Medical Malpractice Litigation  
Noncompetes & Business Divorce  
Probate, Trusts & Fiduciary Litigation  
Securities & Shareholder Litigation

### RELATED CAPABILITIES

Antitrust & Trade Regulation  
Appellate Practice  
Commercial Landlord/Tenant  
Employment Law  
Healthcare Litigation  
Insurance Coverage Litigation

summary judgment, affirmed on appeal, against claims alleging million of dollars in damages.

- Defended a local law firm against a complex, seven-figure legal malpractice claim arising out of a liability insurer's payment of a settlement in excess of policy limits, which concluded promptly after three early and effective depositions.
- Successfully resolved a receiver's legal malpractice claims against Am Law 100 law firm for hundreds of millions of dollars.
- Obtained dismissal of competitor's hostile trade secret and non-compete action against publicly traded technology company.
- Represented insurers in actions to rescind insurance policies procured through misrepresentation and in first party coverage disputes.
- Enforced non-compete agreement through successful trial in federal court.
- Obtained summary judgment for a major health care system on claims brought under the False Claims Act seeking over \$100 million.
- Obtained dismissal of competitor's hostile trade secret and non-compete action against publicly traded technology company.
- Successfully represented attorneys in investigative and disciplinary matters with The Florida Bar.

## NEWS & INSIGHTS

Hill Ward Henderson Attorneys and Practices Receive 2023 Chambers Recognition  
Firm News, 6.1.23

Hill Ward Henderson Attorneys and Practices Receive 2022 Chambers Recognition  
6.1.22

Hill Ward Henderson Receives Regional Rankings from U.S. News – Best Lawyers® 2022  
Firm News, 11.4.21

Hill Ward Henderson Attorneys and Practices Receive 2021 Chambers Recognition  
Firm News, 5.20.21

## Litigation

Hill Ward Henderson Attorneys and Practices Receive Chambers USA  
2020 Recognition  
Firm News, 4.23.20

Hill Ward Henderson Receives National and Regional Rankings from  
U.S. News – Best Lawyers® 2020  
Firm News, 11.1.19

Hill Ward Henderson Recognized By Chambers And Partners 2018  
5.8.18