

We know that the decision to engage in litigation is not made lightly and requires sound advice from lawyers who not only understand the legal processes, but also understand your business. Our commercial litigation attorneys are skilled advocates and have vast experience working with our clients to assess the risks and benefits of various options available in order to resolve disputes that may arise. These traits allow us to ardently pursue the goals of our clients in prosecuting or defending a business or commercial dispute.

Our experienced and efficient trial attorneys know the court system, the law and most importantly, the economic challenges faced by our business clients. Whether engaged in the financial, manufacturing, health care, professional services, retail, real estate, agricultural or emerging business industries, our clients know they can trust their high stakes litigation to Hancock Estabrook.

### Range of Services

---

Our commercial litigation attorneys handle all types of complex civil litigation including contract litigation, securities litigation, asset purchase and stock purchase agreements disputes, intellectual property and patent litigation, trade secret and restrictive covenant litigation, insurance coverage disputes, unfair competition and commercial development and management disputes (ranging from multinational corporations to individuals operating local small businesses).

We are experienced in the litigation and resolution of internal conflicts relating to the control and management of corporate entities, including board of director disputes, ownership/control disagreements and shareholder derivative actions.

Our attorneys provide practical business advice, industry expertise and courtroom experience to our clients, helping them with cases that are most critical to the success and profitability of their businesses.

### Representative Matters

---

- Obtained a summary judgment in federal court in Pennsylvania on Sherman Act antitrust claims brought against an Upstate New York medical device manufacturer.
- Represented the Mohawk Valley Water Authority in an action to confirm its right to withdraw the maximum amount of water from Hinckley Reservoir as permitted under an agreement with the State of New York. The action was favorably settled giving the Authority the right to withdraw the maximum amount of water sought in the litigation, free from any compensation obligation.
- Represented the founder and 50% shareholder of an industrial supply company, in a dissolution action pursuant to Article 11 of the New York Business Corporation Law, which resulted in the purchase of our client's interest in the corporation for more than \$20 million.
- Prosecuted and recovered judgment of a fraudulent conveyance action in the United States District Court for the Northern District of New York, against the former CEO of a bankrupt Central New York computer leasing company on behalf of the Chapter 11 trustee.
- Obtained summary judgment on behalf of a charitable sports-related organization dismissing claimed violations of New York's Civil Rights Laws arising out of the promotion of a sporting event using a public figure's likeness and image.

- Arbitrated a \$6.6 million intra-corporate dispute on behalf of a municipal health care cooperative.
- Prosecuted an action on behalf of a regional hospital for breach of contract and declaratory judgment (regarding the interpretation of contract provisions governing the reimbursement rate due the hospital for services rendered to patients insured by a specific entity) which resulted in additional revenues to the hospital in excess of \$9 million.
- Defended a regional hospital client in an action seeking in excess of \$500,000 damages for a breach of a hospital services agreement under which the hospital retained the plaintiff to operate its mental health unit.
- Defended a global banking organization, in an action seeking specific performance and lender liability damages, in connection with the bank's refusal to continue advancing construction funding for the expansion of a regional shopping center. The action was settled with no further funds advanced.
- Successfully defended a leading national accounting firm in a putative class action alleging violations of federal securities law and New York law brought in by the United State District Court for the Northern District of New York.
- Served as lead litigation counsel for 17 banking institutions, defending fraudulent conveyance/avoidance actions brought by the Chapter 11 Trustee for the Bennett Funding Group, alleged at the time to be the largest "Ponzi scheme" in U.S. history.
- Obtained an order from the United States District Court for the Western District of New York, staying a proposed class-action, alleging violations of the Truth in Lending Act, and compelling arbitration on behalf of a major credit card issuer.
- Obtained a defense jury verdict for a medical device manufacturer on a \$26 million tortious interference action tried in federal court in the Western District of Pennsylvania.
- Negotiated the successful resolution on behalf of an automotive manufacturer on claims for damages arising out of an equipment manufacturer's failure to provide special purpose machines meeting contract specifications, requirements and performance criteria.
- Obtained a preliminary injunction in federal court on behalf of an energy industry manufacturer to prevent a competitor from utilizing misappropriated technical information obtained from a prior employee.
- Obtained a summary judgment of non-infringement on a patent infringement claim brought against a New York manufacturer by a German competitor.
- Negotiated a \$500,000 environmental liability/site remediation settlement on behalf of a manufacturer for underground contamination in Florida.
- Tried an EPCRA environmental penalty hearing for an energy company before an EPA administrative law judge.

## Related Practice Areas

---

Our commercial litigation attorneys work closely with attorneys in other practices including:

- [Banking & Finance](#)
- [Bankruptcy & Creditors' Rights](#)
- [Construction](#)
- [Corporate](#)
- [Environmental](#)
- [Health Care](#)
- [Intellectual Property](#)
- [Labor & Employment](#)
- [Municipal](#)
- [Trusts & Estates](#)