

## GENERAL CIVIL LITIGATION

Williams & Connolly LLP is regarded as one of the preeminent litigation firms in the United States, and general civil litigation is the firm's mainstay. The firm has handled virtually every kind of litigation imaginable, for individuals and institutions, in cases ranging from breach of contract actions involving hundreds of millions of dollars to the defense of major consumer class actions. The firm handles the most complex cases facing businesses in any industry, with a particular emphasis on preparing and taking cases to trial. The diversity of the firm's practice is illustrated by some recent cases. The firm won partial summary judgment for over \$90 million and another \$25 million after a bench trial in a complex breach of contract action over the sale of a consumer credit card company. The firm also defended a property insurance company at trial in a dispute arising out of the destruction of the World Trade Center. In another breach of contract claim for over \$100 million, the firm won summary judgment and upheld the ruling on appeal for Office Depot. The firm successfully tried an ERISA stock-drop case for a utility company sued for \$150 million, and won another trial on behalf of a pharmacy benefit manager by demonstrating that the client had properly calculated formulary rebates and pricing terms. On behalf of a global investment bank, the firm won dismissal with prejudice of a suit brought by a New York bank seeking damages and specific performance of the alleged purchase of a \$100 million loan portfolio.

As is evident from these few examples, lawyers from the firm regularly appear in state and federal trial and appellate courts nationwide, and also provide national direction and coordination in class actions and other complex cases in which clients are required to appear in numerous jurisdictions simultaneously. In these cases, the firm has experience in developing a comprehensive strategy, avoiding wasteful duplication of discovery efforts, taking cases to trial, and coordinating with other counsel in joint defense arrangements.

Representative Williams & Connolly LLP clients in general civil and commercial litigation include a virtual "Who's Who" of corporations: UBS, Pfizer, Bayer, General Electric, Office Depot, Merck, Sony, The Washington Post, Medco, Bechtel, Mars, McDonald's, JM Family Enterprises, AutoNation, Inc., Marriott International, Inc., Time Warner, Inc. and AES Corp., to name a few.

"WILLIAMS AND CONNOLLY  
LIKES TO SAVE ITSELF FOR  
CLIENTS IN MORTAL DANGER."

*The American Lawyer*

"THE POWERHOUSE WASHINGTON  
LAW FIRM WITH A DEEP BENCH."

*Wall Street Journal*

"WILLIAMS & CONNOLLY, THE  
WASHINGTON POWER LAW FIRM."

*Washington Post*

"A REPUTATION FOR FIERCE  
REPRESENTATION OF ITS HIGH-  
PROFILE CLIENTS."

*National Law Journal*

"ONE OF THE CITY'S MOST  
PRESTIGIOUS AND FEARED LAW  
FIRMS."

*The New Republic*

"TIGHTLY KNIT, HIGHLY TRAINED,  
AND NOTORIOUSLY RELENTLESS."

*Legal Times*

"WASHINGTON D.C.'S WILLIAMS &  
CONNOLLY IS ONE OF THE MOST  
PRESTIGIOUS FIRMS IN THE  
COUNTRY - AND ONE OF THE MOST  
TIGHT-LIPPED."

*Vault.com*

## REPRESENTATIVE GENERAL CIVIL LITIGATION MATTERS

The following is a sampling of the recent civil litigation handled on behalf of leading corporations in significant matters:

- **Nelson v. IPALCO** - Successfully defended Indianapolis Power & Light and the officers of its 401(k) plan at trial over allegations of ERISA violations in \$150 million stock drop case.
- **Emigrant Bank v. UBS Real Estate Securities** - Motion to dismiss granted in breach of contract case to purchase a \$100 million loan portfolio at auction.
- **Friedman, Billings & Ramsey ("FBR")** - Served as litigation counsel for Friedman, Billings & Ramsey, one of the top 10 investment banks in the nation. We successfully resolved a number of different commercial and contract disputes for FBR without making any payment to the opposing party and are handling several securities class actions and derivative cases.
- **AutoNation** - Handle major commercial litigation for nation's largest automotive retailer.
- **Boston Communications Group Inc. ("BCGI")** - Handled securities class actions and derivative suits for issuers and other public companies including Boston Communications Group Inc.
- **Trimless-Flashless Design v. Augat Inc., Thomas & Betts Corp., Tyco Electronics, and Tyco International** - Defended two major corporations, Thomas & Betts Corp. (T&B) and Tyco Electronics, and various subsidiaries against claims of misappropriation of trade secrets, breach of a non-disclosure agreement, and breach of fiduciary duty. TFD claimed, among other things, that the defendants had stolen certain manufacturing methods from TFD and had breached a nondisclosure agreement. Plaintiff sought unjust enrichment damages in excess of \$450 million and an injunction against manufacture of certain computer devices. The jury returned a defense verdict on the trade secrets claim and the judge set aside the relatively small \$10 million verdict on the contract claim for a complete defense verdict.
- **Placerita Oil Co., Inc. v. Tosco & Berry Petroleum** - Represented POCI, a subsidiary of the AES Corp. in a two-month jury trial against Tosco Corp. in Los Angeles County Superior Court. POCI alleged fraud in the sale of certain oil leases located north of Los Angeles. Berry Petroleum settled with POCI after the first week of trial. POCI continued to press its claim against Tosco to verdict, and the jury reported a verdict in POCI's favor of \$19.8 million. After a poll of the jury showed less than required consensus, POCI and Tosco reached a confidential settlement.
- **Gibson v. AutoNation, Inc.** - Represented car dealership and world's largest automotive retailer in putative class action alleging violations of Florida's Unfair and Deceptive Trade Practices Act and Florida Motor Vehicle Service Agreement Act. We successfully defeated the class claims and secured dismissal of the Complaint.
- **AutoNation USA Corporation** - Represented world's largest automotive retailer in putative statewide class action alleging violations of the Texas Finance Code. In the trial court, we succeeded in significantly narrowing the class definition proposed by plaintiff. On appeal, we succeeded in obtaining a reversal of the trial court's class certification order based on the trial court's failure to grant a motion to compel arbitration.