



Litigation

Helping Clients Achieve
Success As They Define It



With more than 250 attorneys nationwide, our litigation practice is the firm's largest. It draws from a deep bench of talented litigators to represent clients in cases ranging from securities class actions and contractual disputes to patent infringement and federal and state appeals.

Ballard Spahr has been recognized as a leading law firm for litigation since 2004 by *Chambers USA: America's Leading Lawyers for Business*. Clients retain us for our ability to identify the problem at the core of a dispute, formulate a strategy to obtain the best result, and skillfully advocate their position in court, in agency and administrative proceedings, and before arbitration panels.

Our litigators have taken the largest and most complex cases to trial, as both plaintiff and defense counsel. We appear before state and federal courts and grand juries throughout the country, including the U.S. Supreme Court, as well as boards and tribunals worldwide. Our experience encompasses major multidistrict litigation.

In addition, our litigators possess significant skill and success with arbitration, mediation, and other alternative dispute resolution (ADR) methods. We have developed ADR programs that enable clients to control individual cases and mass tort actions without public scrutiny and the excessive cost of litigation.

Our approach to litigation is simple and pragmatic—and it begins by identifying what success means to the client. Sometimes victory means a trial win. Other times, it means an advantageous and creative settlement or use of ADR. Our litigators have the skill and experience to lay out the options, create a winning strategy, and go the distance.

WE REPRESENT CLIENTS IN:

- Education
- Energy
- Finance
- Government
- Health care
- Investments and development
- Life sciences
- Manufacturing
- Media
- Nonprofits
- Pharmaceuticals
- Real estate
- Retail
- Technology
- Telecommunications
- REITs

Our litigators are known for their incisive and practical judgment. We identify the issues at the core of the dispute and formulate a focused and effective plan of action. This leads to reduced cycle time, more effective budgeting, increased opportunity for early resolution, and enhanced trial readiness.

ANTITRUST

Handling investigations and defending against charges of price-fixing, vertical and horizontal restraints, tying arrangements, monopolization, and other alleged trade restraints.

APPELLATE

Strategizing at all trial phases to assess potential outcomes and preserve issues critical to success. We review the record and distill evidence, analyze and frame the issues, and draft briefs and present arguments with clarity and persuasion.

BANKRUPTCY, REORGANIZATION AND CAPITAL RECOVERY

Handling restructuring, workouts, and refinancing of debt, creditor-debtor litigation, and reorganizations and liquidations both in and out of bankruptcy.

CLASS ACTION LITIGATION

Achieving outstanding results in all phases of litigation, from obtaining dismissals and defeating class certification to winning at trial.

COMMERCIAL LITIGATION

Representing clients in disputes involving breach of contract and UCC-related matters, unfair competition, contract interference, breach of fiduciary duty, fraud, and corporate governance.

CONSUMER FINANCIAL SERVICES

Defending banks and other financial institutions in class actions, regulatory proceedings, and other complex litigation.

E-DISCOVERY AND DATA MANAGEMENT

Identifying, analyzing, and delivering information in civil, regulatory, and criminal matters. We also advise on litigation readiness and legal hold plans to ease future discovery.

ENVIRONMENT AND NATURAL RESOURCES

Representing clients in national and regional compliance, permitting, development, and contamination matters, as well as in criminal and civil litigation.

GOVERNMENT RELATIONS, REGULATORY AFFAIRS AND CONTRACTING

Representing clients in state capitals across the nation, monitoring and providing data on governmental developments, and directly assisting in legislative efforts.

INSURANCE

Handling issues involving bad faith litigation, from excess judgments to UM/UIM claims, as well as defending insurers in class actions and claims of RICO violations, self-dealing, gross negligence, and misappropriation.

INTELLECTUAL PROPERTY LITIGATION

Representing clients in trademark, copyright, and patent infringement actions; trade dress and trade secret disputes; licensing violations; and internet-related matters.

LABOR AND EMPLOYMENT

Handling issues involving discrimination and harassment, reductions in force, wage and hour, ERISA litigation, affirmative action, and violations involving the ADA, FMLA, and OSHA.

MEDIA AND ENTERTAINMENT LAW

Representing clients in all facets of publishing, and in all manner of production—news, theater, music, and film.

MUNICIPAL SECURITIES REGULATION AND ENFORCEMENT

Guiding clients through investigations and enforcement actions by federal and other regulatory bodies, defending them in municipal securities issuance litigation, and advising on public offerings, private placements, and direct purchases of municipal securities.

POLITICAL AND ELECTION LAW

Advising individuals, organizations, and government officials on issues involving campaign finance, redistricting, ballot access, direct democracy initiatives, lobbying and electoral strategy, PAC and nonprofit group formation and operation, and legal compliance.

PRIVACY AND DATA SECURITY

Helping clients around the world mitigate risk, respond in the event of a crisis, and recover. Our cross-disciplinary team of attorneys works closely with our clients—leveraging industry vendors when needed—to effectively map data, identify potential vulnerabilities, and draft protective compliance policies and procedures. We stand ready to address network intrusions and respond to data breaches.

PRODUCT LIABILITY AND MASS TORT

Challenging experts' methodology under Daubert or Frye and developing private ADR programs that contain scope and cost.

PROFESSIONAL LIABILITY

Defending clients against common law fraud, malpractice, and securities fraud matters, as well as investigations by the Securities and Exchange Commission and the Public Company Accounting Oversight Board.

REAL ESTATE AND CONSTRUCTION LITIGATION

Defending clients against claims of environmental violations, faulty design and construction, and compliance with accessibility laws such as the Fair Housing Act.

SECURITIES ENFORCEMENT AND CORPORATE GOVERNANCE LITIGATION

Representing companies and their officers and directors in securities and corporate governance claims, from regulatory investigations to derivative lawsuits and shareholder class actions.

WHITE COLLAR DEFENSE/INTERNAL INVESTIGATIONS

Conducting internal investigations and representing clients facing actual or threatened government enforcement. We also represent clients in False Claims Act and other civil fraud litigation and administrative proceedings.



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