

## CIVIL DISPUTES AND LITIGATION

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**Insurance Coverage**

**Commercial Litigation**

### About Commercial Litigation

Clayman Rosenberg Kirshner & Linder LLP seeks to resolve our clients' commercial disputes with maximum efficiency and minimum risk. As the cost of litigation continues to rise, cost effectiveness is increasingly an integral part of the overall approach to any matter. Where possible, we utilize innovative negotiating strategies to achieve valuable results without the expense of trial. At the same time, Clayman Rosenberg Kirshner & Linder LLP is always prepared to try the case; our adversaries' awareness of that fact provides a huge negotiating advantage.

Clayman Rosenberg Kirshner & Linder LLP attorneys are routinely consulted concerning commercial disputes, both before and after litigation has commenced. We assist clients in resolving these disputes without resorting to costly, time-consuming, and distracting lawsuits whenever feasible. The key to achieving pre-litigation resolutions is often a combination of rapid mastery of the relevant facts and the development of imaginative solutions that work for opposing parties.

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### Representative Matters

- Settlement at no cost of shareholder derivative suits in New York and Delaware seeking tens of millions of dollars against a former officer of a public company.
- Obtained a dismissal of all claims in a federal civil racketeering suit brought by the City of New York against a North Carolina business.
- Defended a former executive in a suit for breach of fiduciary duty brought by owners of a closely-held international company.
- Won summary judgment in a claim brought on behalf of a jewelry business against its insurer for refusing to indemnify it after a significant fraud loss.
- Obtained a dismissal of all claims in a federal civil racketeering action brought against a multi-national corporation and its lawyers.
- Settled a breach of contract claim on highly favorable terms, thereby permitting technology company client to avoid bankruptcy and continue operations.
- Recovered a significant portion of loss from a bankrupt company's insurance provider in a contractual dispute involving stolen consigned diamonds.
- Obtained the dismissal of a multi-million dollar fraud and breach of contract suit against the owner of a small manufacturing company.
- Represented group of international investors in dispute involving franchisor of well known European chain seeking to expand into New York.