

## Commercial Litigation

FormanWatkins has experience in a broad spectrum of commercial litigation matters. The firm's commercial practice is diverse and we regularly represent businesses, both large and small, in prosecuting and defending claims.

**Highlights of our commercial litigation practice include representation of:**

- Commodity trading business in action against warehouse operator for breach of contract and failure to exercise care in storage of goods
- International corporation in contractual defense and indemnity matters
- Private investors in breach of contract, fraud, and unjust enrichment action alleging that defendants failed to deliver the promised equity interest and used investment proceeds for improper purposes, including for personal gain
- Consulting firm in breach of contract action against healthcare practice for failure to perform contractual obligations in good faith and failure to remit consulting fee
- Healthcare services company in suit on open account
- Private company in sale of affiliate and subsidiary companies
- Creditors in Chapter 11 bankruptcy proceedings
- Equipment manufacturer in breach of contract action alleging that improper installation of equipment led to a plant shutdown causing over \$15 million in damages
- An International marketing firm in defending breach of contract action
- Closely held corporation in dispute among shareholders
- An International corporation in breach of contract action regarding the sale and purchase of benzene
- Cold storage facility in action alleging failure to exercise care in storage of goods
- An International corporation in the building materials industry in breach of contract action with general contractor related to a government funded coastal restoration project
- Wetlands mitigation bank owner in breach of contract action
- An American timberland company in action for unfair trade practices in the awarding of mining and aggregate lease
- New Orleans bar and its owners in breach of entertainment contract action
- Two hospitals against a provider of electronic medical records software
- Construction company against subcontractors for contractual indemnity coverage
- Construction company against insurers for additional insurance coverage

- Energy company in 10 states against contractors and insurers for contractual indemnity and additional insurance coverage
- Energy services company against energy company in breach of contract action
- Bitcoin exchange in lawsuit alleging hacking and theft of 9000 bitcoins
- Private aircraft company in whistleblower claim
- Private aircraft company in multiple breach of contract cases
- National retailer in Telephone Consumer Protection Act claims
- National retailer in Fair Credit Reporting Act claims
- Medicaid services subcontractor against other providers for breach of contract and business torts
- National wood products supplier in multiple breach of contract claims against a foundation contractor
- Global commercial real estate broker in a breach of contract and fraud action
- Commercial real estate investor in a breach of contract action over the sale of an apartment complex
- Motor carrier and broker of motor carrier services in open accounts and breach of contract action
- Various insurance companies in multiple breach of contract claims
- Commercial goods broker in a breach of contract action involving the purchase and sale of discounted goods
- Business owner in a dispute with co-owner over the operations of multiple convenience stores

**FormanWatkins also has extensive experience in Mississippi Consumer Protection Act litigation, including:**

- Google Inc. v. Jim Hood, Attorney General of the State of Mississippi, No. 3:14-cv-981 (S.D. Miss.) (representing Google in an action seeking injunctive relief, stopping investigation and prosecution by Attorney General Hood in violation of federal law).
- The State of Mississippi, ex rel Jim Hood, Attorney General v. Transunion LLC, Transunion Corp., and Transunion Interactive, Inc., No. 2015-0716 (Jackson County, Mississippi Cir. Ct.) (defending Transunion in penalties and damages action).
- The State of Mississippi, ex rel Jim Hood, Attorney General v. The McGraw-Hill Companies, Inc., Standard & Poor's Financial Services, LLC, Moody's Corporation and Moody's Investors Service, Inc., G 2011-835 S/2 (Hinds County, Miss. Chancery Ct.) (defended McGraw Hill in damages and penalties action brought by the Attorney General).
- The State of Mississippi, ex rel Jim Hood, Attorney General v. AU Optronics Corporation, No. 3:11-cv-00345 (S.D. Miss.) (defended Hitachi in price-fixing litigation).
- Stacy Pickering, Auditor For The State Of Mississippi v. Langston Law Firm, P.A.; Joseph C. Langston; Lundy & Davis; and Aylstock, Witkin, Kreis & Overholtz, No. 2010-CA-00362 (Miss. 2012) (defended Langston in an effort by Mississippi Auditor to claw back attorney fees earned by private counsel in Attorney General litigation).
- Dale v. Colagiovanni, No. 3:01 CV 663BN (S.D. Miss.) (fraud litigation by insurance commissioner against Vatican bank).