

# HIGH STAKES LITIGATION



Smith Anderson has a long record of representing companies in their most critical litigation matters. We are known for our trial-tested lawyers who combine their substantial courtroom experience with acute business judgment and who have successfully represented clients in litigation cases at every level of the judicial system in North Carolina and throughout the country, as well as complex national and international arbitrations. We have a proven track record of winning when the stakes are high and your business is on the line.



## CASE CLOSED

- ◆ In one of the largest civil judgments in North Carolina history, a company with operations in California and Indiana was effectively put out of business after its largest buyer suddenly terminated the parties' contract. After prevailing in a jury trial and then an appeal, Smith Anderson collected in full a \$48.5 million judgment on behalf of the company.
- ◆ A Delaware corporation headquartered in Raleigh adopted an "exclusive forum" bylaw requiring certain shareholder suits to be brought only in North Carolina. A shareholder filed suit in Delaware, claiming that the bylaw was invalid, in part because the bylaw had been adopted at the same time the directors approved a merger of the company. In a precedent-setting opinion that has garnered national attention, the Delaware Court of Chancery ruled in favor of the directors and upheld the bylaw. Smith Anderson represented the independent directors in this lawsuit.
- ◆ A publishing company had a dispute with one of its largest customers regarding the interpretation of a long-term license agreement; more than \$300 million hinged on the resolution of the dispute. Smith Anderson brought suit on behalf of the company, took the case to trial, and obtained a declaratory judgment vindicating the company's interpretation of the agreement. The court further ordered the customer to pay all of the company's attorneys' fees.
- ◆ A major security company faced a high-profile wrongful death lawsuit arising out of the murder of four of its independent contractors who were ambushed on a convoy working in Iraq. This case involved federal and state lawsuits, Department of Labor and International Centre for Dispute Resolution proceedings, Congressional sub-committee hearings, and multiple federal appeals in the Fourth Circuit and the U.S. Supreme Court. Smith Anderson successfully moved the lawsuit into arbitration and obtained a dismissal of the claims, which was then confirmed by a federal court.

## RANKINGS AND RECOGNITION

- ◆ In its 2017 edition, *Chambers USA: America's Leading Lawyers for Business* recognizes Smith Anderson's Commercial Litigation practice as a leading practice in North Carolina along with five individual commercial litigators.
- ◆ BTI Consulting Group ranked Smith Anderson as one of the nation's top 100 law firms for client service excellence in the 2016 and 2017 BTI Client Service A-Team guides. The BTI Client Service A-Team is the only law firm ranking based solely on direct, unprompted feedback from corporate counsel.
- ◆ 2017 "Best Law Firms," a collaboration between *U.S. News & World Report* and *Best Lawyers®*, bestows its Metropolitan ranking to our firm's Commercial Litigation practice, as well as to 14 other litigation practice categories. Overall, Smith Anderson is recognized as a leading firm in 38 practice categories.
- ◆ Twenty-three Smith Anderson litigators were recognized in *The Best Lawyers in America®* 2016, among 60 Smith Anderson lawyers who were also recognized.
- ◆ In the 2017 edition of *Benchmark Litigation*, Smith Anderson received a "Highly Recommended" rating among law firms in North Carolina – the highest rating given by the publication. The publication, which focuses exclusively on peer and client review of U.S. litigation practices and attorneys, also recognized 11 of our lawyers as either North Carolina State "Litigation Stars" or "Future Stars."



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## SUPPORTING THE COURT SYSTEM

We support the development of the North Carolina legal system through leadership roles in the following associations and professional organizations:

- ✦ Business Court Rules Committee
- ✦ North Carolina General Statutes Commission
- ✦ Civil Local Rules Subcommittee for the Eastern District of North Carolina
- ✦ North Carolina Equal Access to Justice Commission
- ✦ North Carolina Bar Association
- ✦ North Carolina Association of Defense Attorneys
- ✦ North Carolina Chamber Legal Institute

“They are highly regarded in corporate law and business litigation...Their level of expertise is impressive, and their attention to detail and attentive listening sets them apart from others.”

– Client quote in 2017 *Chambers USA: America's Leading Business Lawyers*

## ABOUT SMITH ANDERSON

*Smith Anderson has grown to become the largest business and litigation law firm headquartered in the world-renowned Research Triangle region and one of the largest in North Carolina. We provide a full range of legal services to a diverse and dynamic group of regional, national and international companies. Over 100 years of practicing law has grounded our firm's culture, informed our perspective and provided us the insight necessary to help our clients succeed.*