

Represented independent financing company in contentious complex commercial litigation

February 21, 2017

Successfully defended an appeal to the Eleventh Circuit Court of Appeals of a summary final judgment entered in favor of an independent financing company for breach of a commercial equipment lease contract and guaranty. The total amount awarded to the client was in excess of \$950,000 inclusive of attorneys' fees and costs. The victory is significant, as the McGlinchey Stafford team argued the complex interpretation of California law governing the contract claims, and Florida law governing the non-contract and statutory claims.

This matter involved a Florida-based producer/distributor of sports nutrition supplements and performance beverages operating throughout the country. The case was pending in the Southern District of Florida Federal District Court, and McGlinchey Stafford filed a summary judgment motion on all counts of the complaint and a counterclaim brought on behalf of the client. The team was preparing to go to jury trial when the court entered an order granting their entire summary judgment motion and entered judgment against the plaintiff on all counts of the complaint and in favor of the client on all counts of the counterclaim.