

CASES HANDLED BY THE FIRM

Commercial Foreclosures/Deficiency Judgments

- A national bank sought a multi-million dollar judgment against a Firm client based on the value of a mining operation. Mr. Riemenschneider was successful in denying the bank's attempt in a trial before the court.
- A Firm client sought to foreclose a mortgage against a borrower. Mr. Riemenschneider obtained a judgment foreclosing the mortgage, prevailed on appeal and obtained a judgment for attorney's fees.
- A lender out of Massachusetts sought to obtain a judgment in excess of \$1 million against a client of the Firm based on the value of the collateral for the loan. Mr. Riemenschneider and co-counsel were able to prove during trial there was no deficiency, resulting in a judgment for his client and an award of attorney's fees.
- Mr. Riemenschneider and Mr. Wattwood obtained a favorable settlement with a national bank that had obtained a multi-million dollar judgment against their clients. The settlement resulted in the cessation of any further collection activities and a release of the judgment.

Fraud/Civil Theft

- A Firm client was sued for fraud and unfair deceptive trade practices and a class action was sought by the Plaintiff. After obtaining favorable pre-trial rulings on behalf of his client Mr. Riemenschneider was able to prevent the certification of the class and reach a settlement that was favorable to his client without the payment of any funds.
- Mr. Riemenschneider represented one of four physician groups under one over-arching company. Three of the groups were allied against the Firm's client. Each side alleged the other owed substantial sums to the company. Mr. Riemenschneider alleged that the three other groups were guilty of civil theft, fraud and mismanagement. The case was referred to arbitration and was heard over a number of weeks. The arbitrator found in favor of the Firm's client and awarded the company treble damages or triple the amount of the damages proved. The losing parties sought to reverse or modify the arbitrator's award. Ultimately, after an oral argument in the Fifth District Court of Appeal the award was reinstated in accordance with the arbitration award. The client was also awarded its attorney's fees.

Construction

- Mr. Riemenschneider represented a Firm client that was the developer of a condominium. As the developer it was sued for alleged construction defects by the condominium Association which sought damages in excess of \$1 million. Mr. Riemenschneider was successful in having a stay entered against the Association, which was upheld on appeal. A favorable settlement was reached for the Firm's client, who had to contribute only \$5,000 to the settlement. In return, the Association had to dismiss the lawsuit with prejudice.
- Mr. Riemenschneider represented a local general contractor to recover on a counterclaim lien in the approximate amount of \$14,000. The homeowners alleged that their home was built with substantial construction defects and sued the builder. At trial the jury ruled in favor of Mr. Riemenschneider's client and a judgment in excess of \$100,000 was entered for the builder.
- A commercial building contractor represented by the Firm sued a local company for amounts owed on a construction contract. The local company counter-sued and sought substantial damages against the builder. The jury trial took place over four days. Mr. Riemenschneider and co-counsel were able to obtain a substantial judgment in favor of the contractor which involved the recovery of attorney's fees.
- Early in his career Mr. Riemenschneider was lead counsel for a local city that had an injection well constructed for the storage of treated effluent. The well was not constructed properly and did not operate as represented. The City brought a claim against the consulting engineers and driller. The City was successful in obtaining a favorable settlement in the amount of \$3 million.

Collections

- A national bank sought to collect a multi-million dollar judgment against the Firm's clients. The bank garnished more than the bank accounts and froze the clients' funds. Mr. Riemenschneider was successful in having the garnishments lifted when it was shown the accounts were owned as tenants by the entirety with their spouses. No court hearing was needed.

Employment

- Mr. Riemenschneider represented a physician who sought to end his relationship with the group he partly owned. The matter was heard by an arbitrator and required a receiver and an arbitrator approved real estate broker. Mr. Riemenschneider was able to obtain a settlement that favored his client and liquidated the company's assets.
- Mr. Riemenschneider represented a surgeon who was in a lawsuit with a surgeon who was previously employed by him. The case dealt with an employment agreement and its interpretation. The case went to a jury in state court. After two days of trial the case settled favorably to the Firm's client.
- Mr. Riemenschneider represented a terminated employee against a New York company with substantial real estate holdings in Brevard County. The case involved the interpretation and validity of a handwritten employment agreement. The case was tried over 5 days before a jury in federal court in Orlando. Judgment was entered in favor of the Firm's client who received a substantial sum of money.
- The estate of a physician initiated an arbitration to recover the market value of a one-third interest in the group that he was a shareholder in. Mr. Riemenschneider prevailed in the arbitration, recovering more than double the amount being offered by the group. The estate was also successful in recovering a substantial attorney's fee award as the prevailing party.

Discrimination

- Mr. Riemenschneider represented a medical practice and physician sued for sexual discrimination. The case was tried in federal court in Orlando over a four-day period. The jury found no sexual discrimination and awarded no damages.
- One of the Firm's clients was sued for age discrimination. The case was tried before a jury in federal court. After the plaintiff presented his case Mr. Riemenschneider was successful in having the case thrown out with no liability to his client.

Contracts

- An international hearing aid company and franchisor sued a client of the Firm in federal court in South Florida to recover a judgment in excess of \$1 million for unpaid damages. The case was submitted to arbitration in California. Mr. Riemenschneider brought a counter-suit against the hearing aid company for violations of the franchise agreement. Arbitration took place over a two-week period in San Diego. Mr. Riemenschneider was successful in obtaining a judgment in excess of \$3 million. The parties eventually settled for a substantial

payment to the client.

Trade Secrets

- A large software company sued a small technology company located in Sanford, Florida represented by the Firm. The plaintiff was represented by a large international company that was seeking a judgment in excess of \$24 million against the Firm's client for the alleged theft of trade secrets related to a database that was used by NFL and college football teams across the country. The case was tried over three weeks in Silicon Valley, California. Mr. Riemenschneider prevailed and the plaintiff recovered nothing.
- A company based in Singapore retained Mr. Riemenschneider to recover the trade secrets of a company in Florida. After filing a complaint for breach of fiduciary duty, misappropriation of trade secrets and fraud, Mr. Riemenschneider was successful in obtaining a favorable settlement for the client, which included the recovery of the trade secrets and the removal of the CEO of the Florida company.

Probate

- Mr. Riemenschneider and Mr. DeRosier represented an estate and personal representative against the daughter of the decedent who sought to introduce into probate a will executed by the decedent two weeks before his death. Messrs. Riemenschneider and DeRosier proved at trial that the daughter's will was the result of undue influence and it was held to be null and void.