



Litigation and Dispute Services

Business Litigation & Unfair Business Practices

Effectively managing litigation matters is critical for all companies, regardless of how often they are in litigation. Protora Law works with our clients to develop a litigation strategy that fits each dispute within a client's business framework – both from a level of importance, such as protecting intellectual property versus a relatively minor contract dispute, and from a cost management standpoint.

Protora Law has extensive experience litigating:

- Trade Secret Misappropriations
- Violations of the Virginia Computer Crimes Act
- Tortious Interference with Contract or Business Expectancy
- Common Law and Statutory Business Conspiracies
- Corporate Raidings
- Business Breakups
- Contract Disputes

In addition, unfair business practices can cause tremendous damage to any business and, in worst-case scenarios, can imperil a business' very survival. Our team has experience helping businesses that face unfair business practices, typically from competitors, former officers, directors, or employees. Conversely, defending claims of unfair business practices can be disruptive to accused businesses and individuals. Our experience in both prosecuting and defending these claims aids us in developing a specific offensive or defensive case strategy for these disputes. Representative claims include:

- Fiduciary Duty Breaches
- Business Conspiracy
- Trade Secret Misappropriations
- Breach of Contracts
- Defamation

Experience

Federal Courts

Our attorneys have handled cases before the Eastern and Western Districts of Virginia, the U.S. Court of Federal Claims and other district courts across the country. Our litigation team includes former law clerks for U.S. District Court judges as well as attorneys with years of experience defending nationwide federal litigation matters.

State Courts

The procedures of Virginia and other state courts are distinct from those of federal courts. Protora Law's attorneys have extensive experience in Virginia state courts, having handled hundreds of cases, where they have utilized a wide range of Virginia procedures to their clients' advantage. We have also handled litigation in Maryland and the District of Columbia.

Administrative Agencies

Protora Law's attorneys have frequently appeared before various administrative agencies, including the U.S. Equal Employment Opportunity Commission and Human Rights Commissions in employment matters, and the U.S. Government Accountability Office and other federal agencies for government contract matters.

Arbitration and Mediation

Given the costs and risks inherent in litigation, businesses often choose alternative methods of dispute resolution. Protora Law's attorneys have resolved countless disputes through mediation and arbitration. Because no two cases are alike, our firm develops a negotiation strategy that recognizes the personalities of the parties and fit the unique aspects of each case.

Federal Courts

- Centennial Broadcasting, LLC. v. Burns, 2006 WL 2850640 (W.D. Va. 2006). Represented a company that purchased a radio station in an action seeking an injunction preventing the prior owner from using a substantially similar radio format on any radio station heard in the local radio market. As a condition of the sale, the prior owner agreed not to operate a local radio station utilizing a substantially similar programming format as the sold station had used. The court temporarily and permanently enjoined the prior owner from operating a radio station using a substantially similar format after the court found that the prior owner “blatantly violated the agreement.”

State Courts

- Corinthian Mortgage Corporation v. Summit Financial Group, et al., Fairfax County, Virginia Chancery No. 187513. Represented the plaintiff, a direct-mail mortgage company, in a business conspiracy action against its former employees and a start-up competitor. The plaintiff received \$10.5 million in settlement and breakup fees as part of a negotiated Letter of Intent that gave one of the corporate defendants the option of purchasing the plaintiff’s parent company’s assets for \$52.5 million or pay the plaintiff \$10.5 million.
- University of Northern Virginia, Inc. v. Avery, et al., Fairfax County, Virginia Case No. 2008-5145. Represented the plaintiff corporation, a privately owned university, in a corporate control and ownership dispute against some of the University’s former managers, officers and shareholders. Claims brought against the defendants included business conspiracy, breach of fiduciary duty, tortious interference with business relations and violation of the Virginia Computer Crimes Act.
- World Telecom Exchange Communications, et al. v. Barmawi, et al., Fairfax County, Virginia Case No. 2012-15054 and 2014-09553. Represented the plaintiff telecommunications companies in a business conspiracy, misappropriation of trade secret and tortious interference with business relationship suit. Following a two-week jury trial, the plaintiffs were awarded over \$2 million in damages.

Government Contracts Administrative Agencies

- Stinger Ghaffarian Technologies, Inc., B-411041 et al., Comptroller General Decisions (April 24, 2015). Represented Science Applications International Corporation (SAIC), of Mclean, VA, who received a \$71 Million task order by the Federal Motor Carrier Administration for IT services and a Software as a Service IT solution. Stinger Ghaffarian Technologies, a mid-tier government contractor located in Greenbelt, Maryland, filed a protest against SAIC raising issues arising from SAIC’s internal reorganization and argued that SAIC’s SaaS solution did not comply with certain federal (IT) standards. The protest was denied by the U.S. Government Accountability Office.

Employment Administrative Agencies

- Represented client in U.S. Equal Employment Opportunity Commission (EEOC) investigation defending against alleged sexual harassment between a manager and employee. As a result of the investigation, the EEOC declined EEOC enforcement action.
- Wenzel v. Victory Inn Inc. et al. 1:11-10-00871-GBL-IDD. Litigated wage and hour defenses on behalf of employer in federal court case that was settled on favorable terms.

Business Litigation Team

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