

Quick Contact

Daniel D. Zegura
Partner
Direct: 404.420.4607
Atlanta

dzegura@rh-law.com

S. Gardner Culpepper, III
Partner
Direct: 404.420.4623
Atlanta

gculpepper@rh-law.com

Related Attorneys

Catherine M. Bennett

Michael L. Eber

Joshua P. Gunnemann

Austin J. Hemmer

Dan F. Laney

Robert B. Remar

Cameron B. Roberts

Richard H. Sinkfield

Jeffrey W. Willis

Daniel D. Zegura

Related Practices

Complex Business Litigation

Information Technology

Complex Business Litigation >> Business
Torts and RICO

CONTRACT DISPUTES

A Business Approach to Contract Disputes

- Our attorneys have experience in contract disputes spanning a wide range of industries and business arrangements
- We approach contract dispute litigation not only to achieve a favorable resolution of the dispute, but also with an eye toward our clients’ long-term business objectives, including the continued business relationship with the adverse party, where necessary
- We also bring our knowledge of industry-specific rules and regulations to bear on complex or technical contract interpretation issues

Contracts are the cornerstone of business relationships, and we have experience dealing with contractual relationships across a full spectrum of industries and issues. From insurance to real estate, manufacturing, professional services, complex investment relationships, the sale of securities, restrictive covenants, sales, information technology, employment matters - we deal with every kind of written or oral agreement.

We represent sophisticated entities in very technical industries with big dollars on the line over the interpretation of contracts. These cases can present special challenges because litigation is often against the backdrop of a continued business relationship. These cases above all others require lawyers to not only be advocates in devising and asserting legal theories, but also diplomats and counselors to preserve the business relationship and advance the client’s overall business objectives. We apply these values to our representation to effectuate the best result for our clients’ long term business goals.

Contract litigation may also be against the backdrop of government or regulatory framework – reading a contract in light of technical or complex rules and regulations. We have lawyers with years of relevant industry experience, who know the nuances of the applicable rules and regulations and can shape litigation strategy accordingly.

FAST-PACED, HIGH-STAKES DISPUTE RESOLUTION

- **Our Client:** Private equity purchasers of one of the largest wholesale distributors in the United States.
- **Challenge:** Following spin-off of the distributor from its parent company, our clients and the seller disputed the meaning of complex contractual provisions governing the post-acquisition true-up process. If the seller’s interpretation of the contract had prevailed, our clients would have suffered an impact of several hundred million dollars. And time was a



crucial factor, as tax issues threatened to materially impact the bottom line.

- **Outcome:** In a short space of time, we filed suit in Delaware Chancery Court and rapidly put together successful motions for expedited relief, leading to negotiations that allowed the parties to reach a resolution that satisfied our client and preserved the working relationship between our client and the former parent company.
- **Our approach and staffing:** Working with co-counsel, the Rogers & Hardin team included a partner with extensive experience in litigating high-stakes contractual disputes, a litigation associate, and a corporate partner who effectively employed his experience in working with complex contracts in mergers and acquisitions matters. We managed the engagement to address the strong emotions that were at risk of destroying the parties' business relationship, and effected a result that preserved that relationship.