



JASON S. BELL

## REPRESENTATIVE EXPERIENCE

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### CONTACT

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### AREAS OF PRACTICE

*Litigation/Trial Law*

*Franchise and Distribution*

*Law*

*Arbitration*

*Employment and Labor*

*Practice*

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### BAR ADMISSIONS

*Florida*

*Georgia*

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### Franchise and Supplier Litigation Experience

Fifteen years of experience in franchise and supplier litigation including:

#### Extensive experience as National Litigation Counsel including:

- National litigation counsel for three hotel franchisors (i) prosecuting actions for unpaid fees, liquidated and termination damages resulting in the recovery of several million dollars, and preventing hotels from leaving the franchise systems; and (ii) defending all types of claims brought by franchisees
- National litigation counsel for manufacturer of ignition interlock devices resulting in the recovery of several million dollars against licensees
- Representation of major school bus manufacturer with respect to advice regarding terminating, relocating and establishing dealerships
- Representation of motorcycle manufacturer with respect to advice regarding dealer disputes

#### Extensive experience in multi-unit and “bet-the-company” cases including:

- Representation of hotel franchisors in federal court litigation with more than forty separate franchisees and claims of more than \$100 million
- Representation of public company in arbitration against dealers claiming \$71 million dollars in damages after their dealer agreements were terminated
- Representation of restaurant franchisor against majority of the franchise system who were seeking to take over the franchise system
- Representation of ignition interlock manufacturer in lawsuit by largest franchisee who was attempting to switch all of its clients to competing manufacturer
- Representation of two national restaurant franchisors against claims brought by multi-unit owners and developers

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- Defense of national restaurant franchisor against claims by multi-unit franchisees for wrongful termination, fraud and related claims
- Representation of franchisor of software training services against multi-unit licensees for claims of breach of license agreements and misuse of trademark
- Representation of top executive of hotel chain from claims by international hotel developer for damages in excess of \$100 million dollars
- Extensive experience litigating and counseling franchisors and franchisees including:
  - Representation of car dealer in lawsuit against car manufacturer protesting termination of letter of intent for new dealership, resulting in settlement in which dealer was awarded dealership and substantial incentives
  - Representation of car dealer against domestic automotive manufacturer in protest of relocation of competing dealership
  - Representation of restaurant franchisee against franchisor seeking to close business following termination of franchise
  - Representation of franchisor of software training company against former licensee for breach of license agreement and misuse of trademark
  - Representation of national restaurant franchisor in numerous disputes with current and former franchisees for trademark infringement, unpaid fees and related damages
  - Representation of national restaurant franchisor against terminated franchisee for injunctive relief and damages
  - Representation of national pizza franchisor against former franchisee for injunctive relief and damages
  - Representation of national concrete manufacturer against former dealer protesting termination
  - Representation of franchisor of auto-glass business in actions against current and former franchisees
  - Representation of franchisor of maid services against claim by former franchisee for encroachment
- Analysis of liquidated damage provisions in franchise agreements for various hotel chains with respect to major acquisition of hotels valued at several hundred million dollars

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- Analysis of case law regarding a franchisor acquiring its primary competitor for franchisor client and franchisee client

#### **Aviation Litigation Experience**

- Recovery of nearly \$10 million in maintenance reserves from aircraft lessor
- Representation of domestic carrier with respect to lawsuits and mechanics liens to recover amounts owed by foreign carriers and domestic lessors for unpaid engine repairs and engine leases
- Initiation of civil action and filing for TRO against storage facility and lessee, leading to release of aircraft to foreign buyer and favorable settlement of disputed accounts
- Successful resolve of dispute for foreign air carrier with storage facility, allowing for release and sale of aircraft
- Advising of lessor with respect to lease disputes and third-party subpoenas
- Summary judgment for a successfully reorganizing airline in disputing \$30 million in claims filed by two major lessors
- Representation of foreign flag carrier and U.S. subsidiary on substantive consolidation of bankruptcy cases
- Defense of airline in a \$7 million lease dispute with a lessor over a failed engine
- Defense of airline in a claims dispute with a lessor over the return condition of a rejected aircraft
- Representation of low-cost carrier in dispute with aircraft lessor over terminated lease and refund of money owed to airline
- Representation of low cost carrier in dispute with airport authority over lease terms
- Representation of low cost carrier in dispute with airport landlord regarding lease terms
- Favorable settlement for airline in dispute with a fuel supplier and recovery of overpayments
- Dismissal on the merits of a lawsuit brought by a supplier of on-board service items against a major domestic low-cost carrier
- Successful representation of domestic carrier in lawsuit brought by catering supplier for breach of contract

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- Successful representation of small lessor of helicopters against national air-ambulance company with respect to lease payments, maintenance reserves and related damages
- Representation of domestic low-cost carrier in dispute with national cargo carrier regarding amounts owed with respect to carriage of mail hiring governmental employee, and obtaining settlement with respect to claim for attorneys' fees and costs
- Representation of company in successful resistance of claims that a billion dollar healthcare merger was in violation of a covenant not-to-compete
- Defense of company providing therapy services to multiple nursing homes against multi-million dollar claims for breach of those agreements and related Medicare regulations
- Successful representation of medical transcription manufacturer against dealers claiming \$71 million dollars in damages after their dealer agreements were terminated
- Representation of medical transcription service provider in breach of asset purchase agreement disputes
- Assistance with successful defense of company against claims for breach of billing contract related to ambulance services billing

#### **Trade Secret Experience**

- Successful representation of former employees of EDS against claims of misappropriation of trade secrets and corporate opportunities, breach of fiduciary duty and related claims
- Successful representation of logistics company in lawsuit against former CIO for theft of trade secrets, resulting in judgment enjoining former employee
- Defense of franchisor of national software training against claims it hired competitors' employees to acquire trade secrets
- Representation of company in lawsuit against former employee and competitor with respect to theft of trade secrets and company property
- Advising of clients regarding trade secret issues and protection of the same

#### **General Commercial and Employment Litigation**

- Successful representation of beneficiaries against trustee, resulting in multi-million dollar settlement

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- Representation of national carpet franchisor in lawsuit against national firm with respect to failed installation of enterprise software
- Representation of software manufacturer and licensor in multi-million dollar claim by home improvement chain regarding claims with respect to enterprise software installation
- Representation of software manufacturer with respect to opposing third-party subpoena
- Representation of banks with respect to confirmation proceedings, suits on notes and receivership cases
- Representation of secured lender in claim by agricultural seller that secured lender's client's receivables were protected by PACA
- Representation of potential purchaser of \$50 million property from bankrupt estate with respect to resisting subpoena designed to thwart possible purchase
- Representation of clients with respect to shareholder dispute involving multiple lawsuits in different courts and jurisdictions
- Representation of clients with respect to claims by bank regarding claims against property in multiple states

