

ROBBINS | RUSSELL

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Philip A. Sechler

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V-CARD

Education :

J.D., *summa cum laude*, Georgetown University Law Center, 1989.

Editor-in-Chief, *Georgetown Law Journal*.

B.S., *with high distinction*, Pennsylvania State University, Finance, 1985.

Bar Admissions :

District of Columbia

Pennsylvania (inactive)

ABOUT

Phil Sechler focuses on complex civil litigation. He has substantial first-chair experience in courts throughout the country. His principal areas of practice include commercial disputes, unfair competition and trade-secret claims, real-estate matters, class-action defense, insurance recovery

actions, and professional malpractice suits. He has represented a broad range of corporations, directors and officers, partners, and investors in high-stakes business cases. He has successfully handled numerous multi-million dollar real-estate disputes in litigation and arbitration. And he has argued before the U.S. Courts of Appeals for the Second, Third, Fourth, Seventh, Eighth, and D.C. Circuits as well as the appellate courts in California, the District of Columbia, Florida, Maryland, and Virginia.

Phil joined Robbins Russell in January 2017. Before that, he was a trial lawyer and partner in the law firm of Williams & Connolly LLP, where he practiced for more than 22 years. In 2013, Phil joined the faculty at Penn State Law, where he taught courses in evidence, legal ethics, and trial advocacy. Phil clerked for Judge Francis Murnaghan, Jr., of the U.S. Court of Appeals for the Fourth Circuit.

Professional Activities, Publications, and Honors

Adjunct Professor, Georgetown University Law Center (Sept. 1999 through June 2013).

American Inns of Court

Member, Georgetown Law Alumni Board (2006 to 2012)

REPRESENTATIVE MATTERS

Commercial Litigation/Trade Secrets

St. Paul Pioneer Press v. Star Tribune Co., No. 62-C6-07-003489 (Minn. Dist. Ct. – 2d Jud. Dist.). I represented a newspaper in a trade secrets action against its major competitor, who had hired our client's former publisher and acquired its trade secrets. After a three-day evidentiary hearing on our emergency motion, we secured the return of our trade secrets, the ouster of our former publisher from his job, and the payment of attorneys' fees.

Bell Helicopter Textron Inc. v. Vector Aerospace, No. 4-12CV-034-Y (N.D. Tex.). I represented a helicopter manufacturer in an antitrust action filed by an independent service center that our client had terminated. We obtained a complete dismissal of the service center's antitrust claims, and successfully filed a separate action to recover our client's trade secrets and enjoin the unauthorized use of its name.

Archer Daniels Midland Co. v. Aon Risk Services, 356 F.3d 850 (8th Cir.). I represented the plaintiff in an insurance-broker malpractice action, obtained \$20 million in damages after a full jury trial, and successfully defended the verdict before the U.S. Court of Appeals for the 8th Circuit.

Federal Trade Comm'n v. Equinox Int'l Corp., No. CV-S-99-0969 (D. Nev.). I represented a multi-level marketing company in an action brought by the Federal Trade Commission and a class of former distributors alleging that the company was an unlawful pyramid scheme and had falsely advertised. The case was successfully resolved at trial, and a mandatory settlement class was approved.

Class Action Defense

Luiken v. Domino's Pizza, No. 09-cv-516 (D. Minn.). I represented the defendant in multiple class actions brought by delivery drivers alleging that they were entitled under state law to retain the delivery charges and that their reimbursement for driving expenses was insufficient under the FLSA.

Blazkowski v. Mars Incorporated, et al., No. 07-cv-21221 (S.D. Fla.). I represented the primary defendant in a major class action alleging false advertising and deceptive trade practices by a number of pet food manufacturers.

Pope v. TT of Lake Norman, No. 3:06CV535 (W.D.N.C.). I represented an automobile dealership in a class action alleging that its theft-prevention product constituted the sale of unauthorized insurance and obtained an early dismissal of the case.

Real Estate Litigation

Pentagon Plaza, Inc. v. H Street Building Corp. (D.C. Super. Ct. and Fairfax County Circ. Ct.): I represented a major office developer who purchased a 50% interest in substantial real-estate assets held through two deadlocked corporations and pursued litigation in two jurisdictions that successfully unlocked the value of those assets.

Eastbanc, Inc. v. Georgetown Park Assocs. II, L.P., No. 06-CV-1092 (D.C. Super. Ct.). I represented a private equity firm that purchased the Georgetown Park Mall out of bankruptcy and then intervened in litigation to resolve claims concerning an alleged right of first offer.

Hovnanian Land Investment Group, LLC v. Annapolis Towne Centre at Parole, LLC, No. 71 (Md.). I represented a residential developer in litigation over a closing on a land purchase agreement and successfully appealed to the Maryland Court of Appeals to vacate the summary judgment that had been entered in the trial court.

Commercial Arbitration

World Trade Center Redevelopment Arbitration. I represented the Port Authority of New York and New Jersey in arbitration on demands for rent abatement made by the master lessee of the World Trade Center pending further progress on the rebuilding of the WTC's infrastructure following the

September 11th attack.

Archstone-Smith Operating Trust LBO Arbitration. I pursued claims on behalf of a number of partners who had contributed properties to Archstone but whose OP units in the UPREIT were canceled in connection with the 2007 leveraged buyout of Archstone. These claims were resolved after a lengthy arbitration hearing.

Insurance Recovery

AutoNation, Inc. v. United Healthcare Ins. Co., No. 05-61277 (S.D. Fla.). I represented an automotive retailer in a case claiming that its health insurer had breached its duties under ERISA in administering a self-funded healthcare program for the company's employees.

SR Int'l Business Ins. Co. v. World Trade Center Properties, No. (S.D.N.Y.). I represented a property insurer who participated in the \$3.5 billion program on the World Trade Center in litigation over whether the September 11 attack was one or two occurrences.

AutoNation, Inc. v. Universal Underwriters Ins. Co., No. 04-60281 (S.D. Fla.). I represented an automotive retailer in a coverage action against its liability carrier that successfully challenged limits the carrier had placed on coverage and claims-handling processes.

Archer Daniels Midland v. Hartford, No. 95-CV-4001 (S.D. Ill.). I represented a Fortune 500 company in an action against its insurers for losses arising from the Flood of 1993 and covered by the contingent business interruption provision in its manuscript policy.