
Commercial Litigation

Providing effective, creative and efficient representation for clients' most complex commercial disputes.

Companies across nearly every industry have trusted us with litigation that presents significant financial or reputational risks. With trial-ready lawyers in the United States, Europe and Asia, our group has handled nearly every type of complex commercial litigation, including class actions and breach of contract matters, for companies in financial services, life sciences, telecommunications and other industries. *Chambers*, *Best Lawyers* and other leading legal publications consistently recognize the quality of our litigation talent, which includes some of the world's premier international arbitration and dispute resolution practitioners. Clients also benefit from our knowledge of relevant regulatory and political environments, as well as our deep experience with the financial, technical and scientific disciplines at the core of their operations.

Clients also report that they prize our collaborative spirit, which includes working with them to manage the cost of litigation. In addition to our top-flight lawyers, our efficient matter management strategies and in-house DiscoverySolutions team allow us to offer first-rate, cost-effective legal services with flexibility.

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Related Solutions

Appellate and Supreme Court
Litigation

False Claims Act

Intellectual Property Litigation

Securities Litigation

Class Actions

Business and Financial
Integrity

International Arbitration

WilmerHale Discovery Solutions

Construction and
Infrastructure

Government and Regulatory
Litigation

International Litigation

Insurance, Annuities and
Retirement

Areas of Focus

Breach of Contract

Licensing Disputes

Securities Fraud

Construction Litigation

Products Liability and Mass
Torts

Trade Secrets

Financial Fraud

RICO and Consumer
Protection Litigation

Unfair Competition

Experience

Secured an arbitration award of more than \$100 million for breach of contract—which was paid in full by the losing party—for a major medical device manufacturer.

Successfully defended a Fortune 50 company in a post-acquisition breach of contract case, a 10-day trial in New York that arose from a \$240 million business acquisition.

Represented a leading innovator of less invasive, miniaturized circulatory support technologies for the treatment of advanced heart failure, and its president and chief executive officer, in a securities fraud class action suit filed in the US District Court for the Southern District of New York.

Also in the US District Court for the Southern District of New York, secured the dismissal of fraudulent transfer and unjust enrichment claims for three subsidiaries of global financial institutions.

For IGEN International, secured a jury verdict that allowed the termination of a licensing agreement, awarded the company \$505 million in damages, and ultimately resulted in the sale of the business at issue to IGEN's former adversary for more than \$1.25 billion.

For a major high-tech company, provided defense in a case involving alleged breach of licensing and collaboration agreements and theft of trade secrets relating to the development of complex location technology.

Have defended multiple multinational companies and individuals in putative class actions alleging breaches of ERISA fiduciary duties, including in several cases which alleged that employer stock held in an employee stock ownership plan was an imprudent investment because of artificial inflation caused by undisclosed information.

For Mirror Image International, obtained dismissal of a long-running, \$600 million breach of fiduciary duty case pending in the Delaware Court of Chancery.

Represented Chesapeake Energy who was charged, along with a competitor, by the Michigan Attorney General with price fixing/bid rigging and attempted bid rigging. We handled the civil and criminal investigations, as well as related private litigations, and achieved dismissal of the attempt charge and substantive price fixing charge.

Won a significant victory for a client in litigation in Florida challenging intellectual property outsourcing practices under civil Racketeer Influenced and Corrupt Organization Act (RICO) and federal immigration laws, and representing the same client in employment discrimination litigation concerning the same subject.

Recognition

- In 2019–2023, *Chambers USA Guide* ranked the firm's Litigation: General Commercial practice in Massachusetts, New York and Washington DC, recognizing our New York practice as Highly Regarded.
- From 2021–2024, *U.S. News – Best Lawyers®* Best Law Firms List, ranked tier 1 nationally and in Boston, New York and Washington DC for commercial litigation
- *The American Lawyer* – Named WilmerHale the 2020 Law Firm of the Year—an award recognizing one firm that has had an exceptional year across its service offerings and for its work on behalf of clients in high-stakes matters.
- *Benchmark Litigation* – Ranked WilmerHale among the top firms in the nation across 7 practices, including General Commercial and recognized a number of WilmerHale lawyers as Litigation Stars and Future Stars in 2022 and 2023.
- *The Legal 500 United States* ranked the firm for general commercial disputes in its 2020–2023 editions.
- *US News & World Report's* “Best Law Firms” guide has ranked WilmerHale a national tier 1 firm for commercial litigation since 2019.