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Meet Kurt.

He is a litigator with more than three decades of practice in commercial and environmental cases, including international litigation and arbitration. He has been an American Arbitration Association Arbitrator for nearly two decades.



Kurt E. Lindquist II

Charlotte, NC

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Mr. Lindquist is highly experienced in international and domestic corporate and commercial litigation, disputes and services. Since 1983, Mr. Lindquist has counseled with, and litigated for, large and mid-sized businesses across the United States and Europe. His more than 30 years of litigation and courtroom experience have benefited clients in judicial, arbitral and administrative settings in International, Federal and State venues.

Mr. Lindquist is recognized in North Carolina Super Lawyers in business and environmental litigation and in North Carolina Legal Elite in business litigation. In a recent Gallup Client Engagement Survey, Mr. Lindquist was ranked in the top 1% of lawyers surveyed in terms of substantive knowledge and experience, client service and client satisfaction:

- "Kurt is one of the top litigators in the country...";
- "Kurt is a superior lawyer, bright and innovative";
- Exceeds expectations and we appreciated his efforts on our behalf";
- "Kurt is a highly trusted advisor who is highly skilled and very good at what he does";
- "Appreciate his commitment to our book of business".

Mr. Lindquist has successfully protected and defended businesses and their interests with regard to all aspects of commercial contracts, unfair and deceptive trade practices, business torts, misappropriation (or retention) of trade secrets, covenants not to compete and interference with business relations. He has significant experience in obtaining and defending against Temporary Restraining Orders, Preliminary Injunctions and Permanent Injunctions in order to protect business strategies, assets, and capital of commercial clients whether based in the United States or abroad.

Mr. Lindquist's broad-based litigation practice includes complex business litigation, commercial disputes (output and supply contracts), regulatory disputes (before a variety of state agencies), licensing agreement disputes, franchise disputes, environmental litigation, toxic torts, products liability, healthcare and tax matters. Mr. Lindquist has defended class action lawsuits and issues arising out of class certification as well as catastrophic accidents involving severe personal injury and death.

In addition to his experience as a litigator, Kurt has served as an Arbitrator for the Commercial Division of the American Arbitration Association for more than 15 years. He is a Certified Mediator serving in both the State and Federal Courts of North Carolina.

Mr. Lindquist served as a Vice Chair to the Firm's Business Litigation Practice Group from 2008 to 2012. Currently, he serves as a member of the core leadership team for the Business Litigation Group.

Representative cases:

- Obtained a \$31 million Award in an International Arbitration administered by the International Chamber of Commerce (ICC) convened in Frankfurt on behalf of a German truck parts supplier. The Award included all attorneys fees, interest and costs.
- Successfully defended the Partnership in a joint venture dispute regarding manufacture and technical collaboration agreements between German and Japanese producers in the tire industry in an ICC arbitration venued in Geneva, Switzerland.
- Obtained 12(b)(6) dismissals on various claims of breach of commercial contract concerning liquidated damages clause and claims of business indemnity in U.S. Bankruptcy Court.
- Successfully defended and defeated \$100 million claims and then maintained and obtained significant settlement of multi-million dollar counterclaims regarding defective automotive electronic components manufactured by a multi-national company in the North Carolina Business Court.
- Successfully filed and managed confirmation of Foreign Award under the New York Convention in U.S. District Court for Massachusetts;
- Successfully defended Hong Kong and English Multi-National in US District Court for the Western District of North Carolina;
- Successfully defended US Company against Foreign Judgment under North Carolina Foreign Judgment Enforcement and Collection Act;
- Successfully arbitrated in Chicago supplier claims against Buyer consequent to breach of a master supply agreement by Buyer – a multi-national company.
- Successfully upheld denial of preliminary injunction in the U.S. Court of Appeals for the Fourth Circuit regarding allegations of misappropriation of trade secrets and breach of non-competition and confidentiality agreements.
- Was brought into a case post summary judgment and won the issue on appeal thereby reversing the trial court decision in the North Carolina Court of Appeals regarding North Carolina's "Farm Use Exception" as it applied to biodiesel refining.
- Successful defended the largest hosiery manufacturer in Europe in a breach of contract action in which the Plaintiff claimed damages exceeding \$600 million and successfully upheld client's acquisition and purchase of third largest textile manufacturer in the United States.
- Enforced the rights of a manufacturer and co-developer of certain nanotechnology arising out of development agreements against the inventor of certain nanotechnology products.
- Successfully defended one of the world's largest glove manufacturers in breach of contract action over an alleged breach of a Manufacture and Licensing Agreement.
- Obtained judgment against indemnitors in Florida under distribution agreement for major US manufacturer of automotive and industrial products.
- Successfully protected an American manufacturer under the Uniform Foreign Judgments Act against inflated claims by foreign distributor of product in Latin America.
- Successfully defended national grocery chain in a number of commercial leases and litigated "continuous operations" clauses in disputes with Landlords.
- Claimed on behalf of and defended national grocery chain in various contract disputes with suppliers and food vendors.
- Successfully represented national petroleum producer in a class action alleging contamination to air, soil and ground water. Successfully fought creation of putative class in class phase of the case.
- Successfully defended computer software company on claims of breach of employment agreements, breach of non-competition agreements, and misappropriation of trade secrets.
- Successfully represented worldwide chemical manufacturer in contract disputes and products liability cases in Virginia, North Carolina, and South Carolina.
- Successfully defended national home builder and finance subsidiary against claims of fraud, unfair and deceptive practices and other claims surrounding purchase, sale and financing of real estate.
- Represented and won an arbitral award in favor of national investment banking firm over contract dispute arising in California.
- Obtained verdict for client under supply agreement in U.S. District Court in Miami over defective products sold throughout the Southeast.
- Defended product liability claims for national pharmaceutical manufacturer.

