

### **Civil Litigation**

Icard Merrill's litigation attorneys handle a wide array of cases requiring diverse skills and backgrounds. Our trial lawyers participate in virtually all areas of litigation including antitrust, construction, business torts, contracts, labor and employment, bankruptcy and creditors rights, appellate, personal injury and wrongful death, tax, insurance coverage, bad faith, eminent domain, probate and trust, environmental and property law matters. We prosecute and defend cases in state and federal courts, and we work closely with other attorneys in our firm to mobilize additional resources often required for complex litigation.

All of Icard Merrill's litigation attorneys are skilled in resolving disputes prior to trial when it serves the client to do so. In many cases, contractual clauses require alternative dispute resolution (mediation or arbitration) either before litigation may be commenced or in lieu of filing a lawsuit, and in those cases, our lawyers guide clients through the process to the best result possible. In addition, we have lawyers who are licensed and/or training to become licensed mediators who act as neutral parties in attempting to resolve disputes.

### **Appellate Practice**

All aspects of our litigation practices include elements of appellate practice when the result of a trial or administrative hearing is unsatisfactory to a client. We handle appeals to circuit courts of appeal in both the state and federal court systems, as well as appeals of administrative and governmental rulings, all substantive areas of litigation when the situation warrants and where the client's interests will be served.

### **Business and Commercial Litigation**

Our business and commercial litigators represent clients in a wide array of disputes arising from business and commercial dealings. We have handled cases involving tortious interference with contracts and business dealings, breaches of contract, fraud, trademark and trade name enforcement, libel and slander, unfair trade practices, specific performance, particularly in real property disputes, lender liability and enforcement of non-competition and non-disclosure agreements. Our broad business and commercial experiences give our litigation clients the benefit of both legal expertise and business savvy that allows them to effectively establish the strategy and goals of litigation.

### **Construction Litigation**

The attorneys in the construction litigation practice represent contractors, subcontractors, owners,

developers and architects in resolving issues relating to construction defects. The firm has handled a wide variety of construction-related cases involving a variety of legal issues running the gamut from simple breaches of contract to highly complex issues with multiple defendants.

### **Employment Litigation**

The employment litigation lawyers represent many clients in various employment matters, including claims of wrongful termination, sexual harassment, employment contracts and various forms of employment discrimination. In addition, we represent clients before the numerous local, state and federal administrative agencies and courts that enforce employment laws, as well as in other dispute resolution proceedings. The employment law attorneys work closely with the firm's corporate and tax attorneys to address complex employment and compensation issues.

### **Insurance Litigation**

Our insurance litigation practice focuses on representing clients whose insurance claims have been wrongfully denied. We begin by assisting clients in evaluating their insurance coverage and the nature of the damages they have suffered and work toward a resolution of their insurance claims in a wide range of property and casualty losses, including but not limited to personal injury claims, premises liability, homeowners and auto insurance claims and business interruption insurance claims. Our knowledge and experience of the business aspects of insurance policies and claims adjustment allows us to advocate our clients' interests effectively.

### **Medical Malpractice**

When medical negligence results in serious injuries or wrongful death, our attorneys provide experience and knowledge to guide victims through the legal process. We begin with a thorough analysis of the facts and circumstances surrounding the injury and the law as it applies to the case. Our experience in this field allows us to understand the nuances of litigation in the context of a particular case, particularly the legislative and other obstacles that must be overcome in cases that involve professional negligence or wrongful death. The bedrock of our reputation is consistent and thorough communication with our clients, from intake through the resolution of the claim. We are extremely proud of our performance in successfully representing victims of medical malpractice and the reputation that we have gained from it. The vast majority of our cases are referred by fellow members of the Bar or former clients who have worked with us or are familiar with our expertise and reputation.

### **Personal Injury and Wrongful Death**

Individuals who have been injured or suffered the loss of a loved one as a result of negligence or carelessness of others need expert assistance. The trial lawyers at Icard Merrill have the experience to provide thorough and effective representation.

We represent clients injured in a variety of ways, including automobile accidents, defective products and slip and fall incidents. In wrongful death cases, our experience allows us to understand and manage the subtle nuances of the legislative requirements that must be satisfied to be successful. We communicate frequently with our clients as a case develops and work closely with clients and their families to resolve

the claim through the litigation process. We have earned a reputation for excellence with clients and other lawyers, who regularly recommend us to others in need of experienced litigation counsel.

### **Real Property Litigation**

Our real property litigators bring a thorough knowledge of real estate and mortgage law and superb advocacy skills to bear on real estate disputes, representing clients in a wide variety of cases encompassing all areas of real estate, including breach of contract claims, landlord/tenant disputes, property foreclosures, quiet title actions and claims against condominium and homeowners' associations.

James E. Aker

Charles J. Bartlett

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