

Representative Matters: Appellate Practice

- Successfully represented the formed elected and appointed officials of Anne Arundel County to preserve pension benefits awarded to them during their tenures in office against attempt to force reductions in benefits by succeeding elected and appointed officials of the County. *Andrews v. Anne Arundel County*, Maryland, 114 F. 3d 1175 (4th Cir. 1997)(per curiam), cert. den. 118 S. Ct. 600 (1997).
- Broadened scope of insurer's duty to defend and indemnify before the Court of Appeals in *Chantel Associates, Chananie v. Mount Vernon Fire Insurance Company*, 338 Md. 131, 656 A.2d 779 (1995).
- Represented law firm and lawyer (then President of the Bar Ass'n of Montgomery County, Maryland), in a wrongful levy action against the United States (IRS) to recover sums seized by U.S. from a second law firm with which the client firm had a fee sharing agreement. *Bregman, Berbert & Schwartz, LLC v. United States*, 145 F.3d 664 (4th Cir. 1998).
- Established that law firm-tenant's failure to adduce evidence by experts in commercial leases to the effect that landlord's delay in construction of new space was unreasonable precluded recovery by law firm-tenant. *Lenkin-N Limited Partnership v. Nace*, 568 A.2d 474 (D.C. App. 1990).
- Determined that in calculating punitive damages, a jury may consider plaintiff's attorneys' fees in the underlying case. *St. Lukes Evangelical Lutheran Church v. Smith*, 318 337, 568 A. 2d 35 (1990).
- Reversed rule requiring strict compliance with notice requirements of the Local Government Tort Claims Act in favor of substantial compliance. *Mendelson v. Brown*, 371 Md. 154, 807 A.2d 632 (2002).