

E.K. Cottrell

E. K. Cottrell practices in the area of complex commercial litigation. Some of his representative areas of practice include defense of class actions on behalf of insurers, business entities, and management for alleged improper market conduct or business practices, mergers and acquisitions, securities, and fiduciary obligations; representation of financial institutions concerning creditors rights and obligations; representation of insurers and reinsurers in coverage and regulatory compliance matters; and other general business litigation.

Member: Associate Evaluation Committee

Representative Matters

- Presently lead national counsel for a Fortune 100 insurance company for class action litigation related to property and casualty claims, including class actions pending in Alabama, Arizona, Arkansas, Delaware, Florida, Illinois, Minnesota, Montana, New York, Ohio, Pennsylvania, Texas, Washington, and West Virginia.
- Class action counsel for several Fortune 100 financial services companies in state and federal courts across the country for various consumer issues, including cases relating to vanishing premiums and other practices in the sale of life policies, insurance coverage and claims practices issues, alleged fraud in connection with bond issuance and shareholder suits.
- Counsel to Fortune 100 manufacturing company for mass tort class action asserting class exposure to hazardous substances. Successfully decertified personal injury and medical monitoring classes.
- Counsel to Fortune 100 financial services company in federal qui tam action asserting Medicaid fraud seeking over two hundred million dollars. Successfully obtained defense judgment issued by U.S. Court of Appeals for the Eleventh Circuit.
- Counsel to Fortune 500 grocery chain as plaintiff's counsel in suit against third party administrator asserting mismanagement resulting in multi-million dollar resolution.
- Counsel to Japanese reinsurance companies as plaintiffs' counsel in suits against reinsurance managing agent asserting fraud and mismanagement resulting in judgment and recovery of several hundred million dollars.
- Counsel to Fortune 500 company in shareholder class action challenging share exchange merger, resulting in defeat of class certification and dismissal of action.
- Counsel to large international holding company in federal bankruptcy court in Delaware relating to challenge of fraud and collusion in sale of asset valued at several hundred million dollars, resulting in full exoneration of client and finding of good faith conduct to uphold transaction.

Representative Experience

- LeBoeuf, Lamb, Greene & MacRae L.L.P., Jacksonville, FL
Associate, 1997-2004
- Marks Gray, P.A., Jacksonville, FL
Associate, 1994-1997

Presentations and Publications

Presentations

- "Consumer Class Actions," Moderator, ABA National Institute on Class Actions, 2007, 2008



Shareholder

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Practice Areas

Class Action Litigation
Securities and Financial Services
Litigation

Industries

Insurance
Insurance Company Regulation and
Litigation

Education

J.D., with honors, University of Florida
College of Law, 1994 (Editor-in-Chief,
Florida Journal of International Law)
B.S., *cum laude*, Wake Forest
University, Calloway School of
Business, 1988

Bar Admissions

Florida

Court Admissions

U.S. Supreme Court
Florida State Courts
U.S. Court of Appeals, Seventh Circuit
U.S. Court of Appeals, Eleventh Circuit
U.S. District Court, Middle District of
Florida
U.S. District Court, Northern District of
Florida
U.S. District Court, Southern District of
Florida

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Professional Affiliations

- American Bar Association: Class Actions & Derivative Suits Committee; Chair, Membership Subcommittee, 2007-present; Corporate Counsel Committee
- Federal Bar Association
- The Florida Bar: Florida Board of Bar Examiners Expert Drafter and Reader; Business Litigation Section

Community Involvement

- Community Presbyterian Church: Session Elder
- Dale Carnegie Course: Instructor
- Friends of Atlantic Beach Elementary: President, 2008-present; Board, 2007-present
- National Eagle Scout Association
- Wake Forest University: Alumni-in-Admissions Representative

Distinctions

AV Peer Review Rated by Martindale-Hubbell