



## E.K. Cottrell

E. K. Cottrell practices in the area of 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 casualty claims, including class actions pending in Arizona, Delaware, Florida, Illinois, Minnesota, New York, Pennsylvania, and Texas.
- 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

### Professional Affiliations

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



### Shareholder

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### Practice Areas

Class Action Litigation  
Corporate and Partnership Litigation  
Insurance Litigation and Regulation  
Securities and Financial Services Litigation

### Industries

Banking and Financial Services  
Insurance  
Insurance Company Regulation and Litigation

### Education

J.D., With Honors, University of Florida Levin 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



## E.K. Cottrell

Business Litigation Section

Florida  
U.S. District Court, Southern  
District of Florida

### **Community Involvement**

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

### **Distinctions**

**AV Peer Review Rated** by Martindale-Hubbell