

Commercial Litigation

Litigation is the topic that businesses and individuals hope never to be required to discuss, but when litigation is inevitable, the aim should be to handle it with skill and an eye towards cost-effectiveness, having a clear set of goals and objectives yet also the ability to adapt one's approach as the uncertainties and risks of a dispute play out.

The litigator's role, from the moment of engagement, should be to marshal the facts and gain as clear an understanding as possible of his or her client's position towards the end of eliminating as much uncertainty as possible so that rational and well-founded goals, objectives and decisions can be reached at every stage of a dispute.

Post Polak attorneys have collectively been doing just that for decades, and a significant portion of that role has been devoted to handling corporate and commercial disputes in both federal and state courts, as well as before administrative bodies. This includes the traditional types of matters that are associated with the phrase "commercial and corporate litigation," such as contract disputes, shareholder/partner disputes, real estate disputes, construction disputes, insurance coverage disputes, professional liability disputes, financing and finance lease disputes, governmental entity commercial issues, franchise disputes, directors' and officers' liability, loan and guaranty disputes, business fraud, trade secret and trademark litigation, consumer litigation, debtor/creditor issues, and a variety of regulatory matters affecting business and commerce, such as licensing and code and regulatory compliance disputes.

Post Polak's litigators further view one of the most important functions they serve in this regard is to explore and try to find well-reasoned and economically sound means by which litigation can be avoided or minimized before a dispute mushrooms, or as early in the process as is possible. In this regard, Post Polak considers it important for our transactional attorneys to work hand-in-hand with our litigators to ensure that the "L Word" (litigation) is less of a "fact of life" for our clients than it unfortunately can be.