GAIL A. MCQUILKIN

Partner

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PRACTICE AREAS
Complex Litigation
Fraud and Ponzi Schemes
Antitrust Violations
Deceptive Trade Practices
Intellectual Property
Class Actions

EDUCATION
J.D., University of Miami School of Law
Editorial Member of the University of Miami Law Review

KOZYAK
TROPIN
THROCKMORTON

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Gail McQuilkin is a partner of Kozyak Tropin & Throckmorton in the complex litigation department. Her litigation practice encompasses fraud, insurance cases, intellectual property (patent, trademark, copyright and trade secret litigation), Internet technology litigation, executive compensation and employment law disputes, entertainment law, construction litigation, class actions, antitrust matters, and torts. Gail is experienced in trial work on both the federal and state level and handles related appellate matters, multi-party case management and all forms of alternate dispute resolution proceedings. Gail also has extensive experience in drafting complex settlement agreements, intellectual property licensing agreements, executive employment contracts and restrictive covenants, severance agreements, operating agreements, shareholder agreements, and development of trademark and trade secrets policies, and procedures for public and private companies.

In addition to her experience in the practice of law, as the firm's managing partner from 2002-2004 and 2013-2014, and her graduate degree in business administration, she has extensive knowledge and experience in the business of law. Gail is recognized by The Best Lawyers in America for her work in Commercial Litigation, Copyright Law, Litigation – Intellectual Property, and Litigation – Patent. Gail is also frequently recognized in Florida Legal Elite, High Risk Litigators, and is a Fellow of the America Bar Foundation, and active member of the American Bar Association.

RESULTS

FRAUD AND PONZI SCHEMES

Gail was part of the firm's team that represented more than seventy investors, who collectively lost $190 million investing with Ft Lauderdale lawyer Scott Rothstein, who ran a Ponzi scheme, based on selling investments into structured settlements. The team recovered over 95% of losses, interest, and attorney fees, an unprecedented result. We did this by suing Rothstein's co-conspirators, including multiple banks, accounting firms, and a host of others who aided and abetted the fraud.

INTELLECTUAL PROPERTY MATTERS

Gail has successfully represented corporations in intellectual property disputes that involve complicated patent issues, trademark, copyright and trade secret disputes between industry leaders. She also serves as general counsel for intellectual property matters for many companies and institutions. Gail has also represented high-profile individuals in intellectual property disputes in the entertainment industry, including disputes over publishing rights and royalty payments. She also successfully represented the second largest provider of medical concierge services in a claim for theft of trade secrets which settled in favor of her client.

DECEPTIVE TRADE PRACTICES

Gail has a lead counsel role in a mass plaintiff case brought on behalf of investors in a large real estate project. She was instrumental in negotiating a settlement agreement that provided full relief from the investment, and restitution of the investment proceeds. She was also lead counsel in a certified class action of residents of a large national chain of assisted living facilities seeking monetary relief for services not provided, and successfully negotiated a large settlement that provided refunds to the class members.

EXECUTIVE COMPENSATION

Gail regularly represents high level senior corporate executives in employment contract and severance agreement disputes, including executives ousted from large companies as well as individuals involved in shareholder and partnership disputes. Gail recently successfully recovered fraudulently withheld capital investments for a departed partner in an international real estate development project.