



Thomas Godwin

Senior Counsel

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Thomas Godwin deploys two decades of trial and appellate experience to create legal solutions tailored to his clients' unique needs.

Mr. Godwin's track record includes case-ending dispositive motions, multi-million-dollar verdicts (with punitive damages), and favorable negotiated resolutions. Mr. Godwin has also successfully handled appeals from judgments, dispositive motions and interlocutory orders.

Mr. Godwin works with a diverse clientele, from high-profile figures in the entertainment industry to Fortune 500 companies and various business stakeholders. Clients frequently seek out Mr. Godwin to act as rescue counsel to help resolve unforeseen challenges that pose obstacles to favorable resolutions.

Licensed in New York and California, Mr. Godwin maintains a national practice across multiple jurisdictions in state and federal courts.

Education

- Duke University School of Law (J.D., LL.M in International and Comparative Law), 2004
Lead Editor, Duke Law's Alaska Law Review
- University of Virginia (B.A.), 2000

Bar Admissions

- California
- New York

Court Admissions

- U.S. District Court, Central District of California
- U.S. District Court Southern District of New York

Representative Matters

Mr. Godwin's practice covers a wide range of business matters, including fiduciary duty issues, fraud, contract disputes, real estate, accounting controversies, unfair competition, intellectual property, and involuntary business dissolutions. Mr. Godwin also handles high-stakes trust, estate and conservatorship disputes.

Business and Investment Disputes

- Secured a \$3 million jury verdict on a breach of fiduciary claim on behalf of an LLC member and involuntary judicial dissolution of the LLC.
- Secured a \$2.3 million jury verdict for a minority LLC member in dispute with the company and its managers involving fraud and breach of fiduciary.
- Negotiated a favorable settlement for entities in a high-profile venture capital dispute over technology investments in Hawaii.
- Prosecuted individual investor securities fraud claims and settled on terms favorable to the client before discovery.
- Defended an LLC member in an involuntary judicial dissolution and fraud action, using the statutory buy-out provisions to secure a favorable settlement.

Entertainment

- Defended producers of *The Dog Whisper* series in a joint venture dispute involving business tort and accounting claims.
- Defended producers in a \$100 million dispute involving a slate finance film deal involving business tort and accounting claims.
- Successfully resolved multiple production and distribution disputes on behalf of producer related to *Dark Tide*, *Revolver*, and *13*.

Real Estate and Contract Dispute

- Obtained a favorable summary judgment ruling in a boundary dispute between a Fortune 100 company and a neighboring landowner.
- Obtained a receiver, on an ex parte basis, over the Hilton Six Flags in a \$15 million foreclosure dispute.
- Defended special purpose entity in connection with breach of contract claims arising from termination of a \$68 million purchase and sale contract.

Trust, Estates and Conservatorships

- Invalidated settlement agreement in a family trust dispute that purported to strip a settlor of her interest in the trust, resolved multiple petitions for damages and secured a favorable negotiated resolution.
- Negotiated a favorable resolution on a trustee's behalf in a dispute involving breach of fiduciary duty claims prior to discovery.

Class Action Defense

- Successfully obtained leave to appeal to the Nevada Supreme Court on class decertification in a product liability class action, which led to resolution of the case prior to a decision on the class certification issue.
- Defeated class certification for a Big Four accounting firm in an accounting malpractice case.
- Defended private vocational schools in class actions involving fraud and unfair business practices and obtained voluntary withdrawal of a class representative.

Statute of Limitations and Personal Jurisdiction

- Secured multiple dismissal of entire actions on statute of limitation grounds.
- Secured multiple dismissals of parties on personal jurisdiction grounds.