



Brett Ingerman

Partner
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Brett Ingerman's primary areas of practice are business and commercial litigation and arbitration, with a focus on complex commercial disputes, insurance and bankruptcy litigation. He has tried numerous cases to verdict in courts all over the country.

Brett also has significant experience in corporate investigations, governance and compliance involving criminal, quasi-criminal and administrative agencies. He has designed and implemented global compliance programs for companies large and small, and focuses on providing practical compliance advice consistent with best practices and local custom. Recently, Brett has conducted a series of large, independent investigations into potential estate claims in bankruptcy.

Brett worked with Senator George J. Mitchell to conduct an independent investigation into alleged illegal use of steroids and other performance-enhancing substances in Major League Baseball.

TRIALS

- *In re Covia Holdings Corporation*, Bench Trial, United States Bankruptcy Court for the Southern District of Texas, Case No. 20-33295 (DRJ)
- *Maryland Reclamation Associates, Inc. v. Harford County, Maryland*, Jury Trial, Circuit Court for Harford County, Case No. 12-C-13-509.
- *Meso Scale Diagnostics, LLC v. Crescendo Biosciences, Inc.*, Bench Trial, Circuit Court for Montgomery County, Case No. Case No.: 421796-V
- *Peter Baldwin, et al. & v. Aon Risk Services Companies, Inc.*, Jury Trial, Superior Court of the State of California, County of Fresno- Central District, Case No. 14-CE-CG-00572
- *The Sequoia Presidential Yacht Group, LLC, et al. v. FE Partners, LLC*, Chancery Court for the State of Delaware, Case No. 8270-VCG
- *Linde v. Arab Bank, PLC*, Jury Trial, US District Court, Eastern District of New York, Case No.

- Global Governance and Compliance
- Litigation, Arbitration and Investigations
- International Trade, Regulatory and Government Affairs
- White Collar and Corporate Crime
- International Arbitration
- Class Actions
- Mergers and Acquisitions
- Projects, Energy and Infrastructure
- Product Liability, Mass Torts and Product Stewardship
- Insurance and Reinsurance Disputes
- Commercial Contracts Disputes
- Investigations
- Corporate and Securities Litigation
- Real Estate Litigation
- Tax
- Professional Liability

04-CV-2799

- *Sadie M. Castruccio v. Estate of Peter A. Castruccio*, Bench Trial, Circuit Court for Anne Arundel County, Case No. 02-C-13-177699
- *State Highway Administration v. PEPCO*, Jury Trial, Circuit Court for Prince George's County, Case Nos. CAL 12-32572 and 12-32706
- *Aon Risk Servs. Northwest, Inc. & Aon Corp. v. Michael Cusack & Alliant Ins. Servs., Inc.*, Bench Trial, Supreme Court of the State of New York
- *SpaceTel Asia Ltd. v. Law Firm*; Jury Trial, Circuit Court for Baltimore County, Case No. 03C05000118CN
- *Lowden v. Bosley*, Bench Trial, Circuit Court for Alleghany County, Case No. 11-C-04-8384
- *Semtek International Incorporated v. Lockheed Martin Corporation*, Jury Trial, Circuit Court for Baltimore City, Case No. 97183023/CC 3762
- *Spincycle, Inc. v. Burcin Kalendar*, Jury Trial, US District Court for the District of Maryland, Case No. DKC-00-1190
- *The Home Insurance Company v. The Holmes Organisation, Inc., et al.*, Jury Trial, US District Court for the Northern District of Oklahoma, Case No. 94-CV-901-H
- *Darlene Williams v. Shean Camper, et al.*, Jury Trial, US District Court for the District of Maryland, Case No. MJG-95-1019
- *Nancy S. Pearre, et al. v. R. Samuel Jett, Jr. et al.*, Bench Trial, Circuit Court for Baltimore County, Case No. 03-C-98-008252
- *Thomas R. Schovee et al. v. Eric J. Mikolasko et al.*, Bench Trial, Circuit Court for Howard County, Case No. 95CA29734
- *In the Appeal of Ion Track Instruments, Inc. and PTC Corporation*, Bench Trial, Maryland State Board of Contract Appeals, Docket No. MSBCA 2027
- *In re the Current and Future Financial Condition of Baltimore Gas and Electric Company*, Bench Trial, Case No. 9173, Phase I
- *In re the Current and Future Financial Condition of Baltimore Gas and Electric Company*, Bench Trial, Case No. 9173, Phase II

- Energy and Natural Resources
- Insurance
- Financial Services
- Healthcare
- Hospitality and Leisure
- Real Estate

ARBITRATIONS

- *Connecticut General Life Insurance Company v. Perth Amboy Board of Education*, AAA Arbitration Case #13-195-Y-2631-11
- *Port Newark Container Terminal, LLC v. Moffatt & Nichol Engineers, Paving Materials & Construction Co., and Torik Corporation*, AAA Arbitration Case #18-110-Y-001835-06
- *American Fidelity Assurance Company v. Connecticut General Life Insurance Company, ARIAS*
- *Kingspan Holdings US, Inc. and Kingspan Group PLC v. Daniel R. Baker, Trustee, et al.*, American Arbitration Association, Case No. 50 T 168 00487 1
- *Kevin and Angela Houck v. JGS Homes, Inc.*, American Arbitration Association, Case No. 21 E 110 00012 00
- *Cable & Wireless USA, Inc. v. MCI Telecommunications Corporation*, Dispute Resolution & Litigation Services
- *FortuneCity.CO.UK, LTD and Fortunecity.com, Inc. v. NetCreations, Inc.*, American Arbitration Association, Case No. 50 T 117 00213 01

CREDENTIALS

Admissions

- District of Columbia
- Maryland
- New York

Clerk Experience

- Law Clerk, Honorable Glenn T. Harrell, Jr., Maryland Court of Special Appeals

Recognitions

In December 2018, Brett was honored with the International Law & Jurisprudence Award given by Chabad at Johns Hopkins.

In April 2018, Brett was awarded a 2018 Leadership in Law Award from The Daily Record in recognition of his outstanding professional achievements, community service and mentoring within Maryland's legal community.

Chambers USA has called Brett, "a 'tough as nails litigator,' who focuses on complex commercial disputes and lender liability issues. Sources praise his 'thoughtful and innovative litigation plans and ability to use his own initiative.'" The directory has also hailed him "a rising name in the world of commercial litigation," and cited his "phenomenal work" on complex commercial disputes and "effective style and level of expertise." His clients said he is "a star in his own right." Brett possesses "the perfect combination of intelligence allied to bulldog tenacity;" "he analyzes his case, works things out strategically and fights hard in court." "The quality of his legal advice can hardly be improved; he is excellent."

Brett has also been named to *The Best Lawyers in America, Best Lawyers Annual Guide to Commercial Litigation 2010*. He has been named a Maryland Super Lawyer. *Benchmark: Litigation, a Guide to America's Leading Litigation Firms and Attorneys* has repeatedly recognized Brett for his experience in complex commercial litigation and arbitration.

Brett received a Client Choice Award for 2016. Established in 2005, the Client Choice Awards recognize those senior corporate counsel partners around the world that stand apart for the excellent client service they provide. The criteria for the awards focus on the ability to add real value to clients' business above and beyond other players in the market. Winners are chosen from a pool of more than 2,000 individual client assessments.

Education

- J.D., University of Maryland School of Law 1994
with honors
- B.A., Tufts University 1991

Civic and Charitable

- Former Chair and current Board Member, The CollegeBound Foundation
- Board of Trustees, McDonogh School

INSIGHTS

Publications

The missing link in whistleblower programs – the escalation protocols

28 January 2021

A fixed set of escalation protocols helps ensure that a whistleblower program functions efficiently.

Considerations for directors and officers in the expected wave of fiduciary duty litigation in bankruptcy cases

5 June 2020

Creditors looking for deep pockets frequently target a bankrupt company's directors and officers in so-called D&O suits.

DOJ updates guidance on evaluation of corporate compliance programs: three takeaways

4 June 2020

Three key takeaways to keep in mind when updating compliance policies for 2020.

Maryland Bar Journal Magazine Issue 1 2020

20 May 2020

Five of our lawyers were given a spotlight in Issue 1 2020 of the *Maryland Bar Journal*.

Ending the inevitable battle over whether the estate should assert claims: The case for independent fiduciary investigations

6 May 2020

An effective mechanism for investigating whether claims should be pursued against the debtor on behalf of the bankruptcy estate.

Post-COVID-19: What to expect in the "next normal"

30 April 2020

Issues that are front of mind, based on an informal survey of some of the largest companies and most influential global business leaders.

DOJ dismisses last of the drug trafficking charges against FedEx: two key takeaways

5 JUL 2016

A sudden about-face from the DOJ.

CFTC announces its largest whistleblower award to date – key takeaways

2 MAY 2016

CFTC sends a clear message to commodities futures traders that it means to aggressively court tipsters who have information about possible violations of the CEA.

DLA Piper's 2016 Compliance & Risk Report: What CCOs need to know

19 APR 2016

How well do you know your compliance program? 6 simple tools

13 JAN 2016

Companies are under increasing pressure to demonstrate to both the Audit Committee and, if necessary, regulators, that their compliance program is operational and effective. But how do you really measure that?

- Co-Author, "Post-COVID-19: What to Expect in the 'Next Normal'," *Law.com*, May 14, 2020
- Co-Author, Introduction for the *Comparative Law Yearbook*, 2019
- Co-Author, "Navigating a Post-'Yates Memo' World," *The National Law Journal*, July 4, 2016

- Co-Author, "What about me?" *Ethikos*, March/April 2016
- Co-Author, "An Escalating Crisis at Kilkonian," *Ethikos*, November/December 2015
- Co-Author, "Not just a compliance program, but an effective compliance program: SEC, DOJ issue strong reminders," *Journal of Investment Compliance*, September 29, 2015
- Co-Author, "Hack attack at Kilkonian Electronics," *Ethikos*, September/October, 2015
- Co-Author, "Trouble abroad for Kilkonian Electronics," *Ethikos*, July/August, 2015
- State and Local Tax Important Developments - Maryland, The State and Local Tax Lawyer, Publication of the American Bar Association
- Maryland Update, Committee on State Taxation

Events

Previous

Something to Report, an MCLE event

27 April 2021 | 9:00 - 10:30 ET
Webinar

Shut down your investigation immediately

27 April 2021
Webinar

- Co-Presenter, "Today's Confidentiality Might Be Tomorrow's Controversy: How to Protect Your Company in Light of Surprising and Important Developments That Potentially Limit the Corporate Assertion of the Attorney-Client Privilege and the Protections Provided by Confidentiality Agreements," Association of Corporate Counsel - Baltimore (September, 2015)
- Presenter, "At What Cost?" Corporate Compliance: What Keeps the Audit Committee Up At Night?, Society of Insurance Financial Management (2014)
- Enforcing Lenders' Rights and Meeting the Challenges Passed by Today's Credit Markets
- Master Class on Conducting an Internal Investigation: ACI Government Contracts Investigations & Litigation Conference
- Performing an Audit of Your Compliance Program: ACI Government Contracting Compliance for Commercial Companies Conference
- Re-marketing Equipment and Prospective Finance Customers: Mitigating the Risk of Tortious Interference Claims

NEWS

Brett Ingerman named to *Baltimore Business Journal's* Who's Who in Law 2021 list

14 May 2021

DLA Piper is pleased to announce that Brett Ingerman has been named to the *Baltimore Business Journals* 2021 Who's Who in Law list of noteworthy Baltimore-area legal professionals.

DLA Piper advises Orbis Operations in its acquisition by McNally Capital

12 April 2021

DLA Piper represented Orbis Operations in its recent acquisition by McNally Capital.

Brett Ingerman named to the *Daily Record's* inaugural Power 100 list

26 February 2021

DLA Piper is pleased to announce that Brett Ingerman was named to the *Daily Record's* inaugural Power 100 list honoring the leaders who are "shaping businesses, governments, nonprofits, law firms and other critical institutions" across the state of Maryland.

MEDIA MENTIONS

- ["Ex-Weinstein Chair Says Hearsay Used In Ch. 11 'Scream' Row,"](#) *Law360*, August 5, 2021
- "Fireman's Fund Checks Out Of Hotelier's Virus Coverage Suit," *Law360*, July 29, 2021
- "Spyglass Fires Back At Weinstein Brother's Demand For Pay," *Law360*, July 23, 2021
- "Who's Who in Law 2021: Brett Ingerman, DLA Piper," *Baltimore Business Journal*, May 14, 2021
- "FTS Ch. 11 Plan OK'd After Fracking Sand Supplier Deal," *Law 360*, November 4, 2020
- "Compliance Brief: Confronting Third-Party Corruption Risk," *The Wall Street Journal Risk & Compliance Journal*, October 1, 2019
- "Year-end reflections: Brett Ingerman," *Maryland State Bar Association*, January 1, 2019
- Quoted in, "Emerging Regulatory Risk for 2019: Consumers Joining to Drive Corporate Behavior," *Corporate Counsel*, December 19, 2018
- Quoted in, "Survey: CCO liability fears persist," *Compliance Week*, November 27, 2018
- Quoted in, "Why DLA Piper's Baltimore managing partner says businesses see Maryland as 'more favorable'," *Baltimore Business Journal*, December 21, 2017
- "Interview with Brett Ingerman, Managing Partner, DLA Piper - Part III," *citybizlist*, June 16, 2017
- "Interview with Brett Ingerman, Managing Partner, DLA Piper - Part II," *citybizlist*, June 12, 2017
- "Interview with Brett Ingerman, Managing Partner, DLA Piper - Part I," *citybizlist*, June 7, 2017
- Quoted in, "New Baltimore managing partner talks about getting used to his new role, future of Big Law," *The Daily Record*, April 14, 2017
- Quoted in, "DLA Piper managing partner on litigation: There will always be business disputes," *Baltimore Business Journal*, January 25, 2017
- Quoted in, "As SEC broadens international enforcement focus, compliance efforts must adapt," *Wilmington Compliance Week*, January 18, 2017
- Quoted in, "The Morning Risk Report," *Wall Street Journal*, August 1, 2016
- Quoted in, "Navigating a Post-'Yates Memo' World," *National Law Journal*, July 4, 2016
- Quoted in, "Compliance officers facing increased scrutiny, fines – are you prepared?," *The Clear Picture* (Thomson Reuters)
- Quoted in, "CCOs facing increased scrutiny, resource shortages: Results of DLA Piper's 2016 Compliance and Risk Report," *Corporate Counsel Connect* (Thomson Reuters), June 6, 2016
- Quoted in, "Are Your Compliance Training Dollars Going to Waste?," *Corporate Counsel Connect* (Thomson Reuters), May 31, 2016
- Quoted in, "5 Need-to-Know Developments for the Audit/Compliance Committee," *Corporate counsel*, May 25, 2016
- Quoted in, "Environmental Issues Top Regulatory Concern for Directors," *Agenda*, February 2, 2016
- Quoted in, "SEC Tackles Corruption With Wider Global Reach," *Agenda*, November 9, 2015