



The Law Office Of John M.G. Murphy, LLC

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AREAS OF EMPHASIS

Business litigation in the major substantive areas satisfying the needs of a broad business sector – including but not limited to contract disputes, shareholder lawsuits, business and general tort prosecution and defense, insurance questions, intellectual property litigation (copyright and trademark), landlord/tenant problems, real estate litigation, employment and unfair competition matters, among many others.

ADMITTED TO PRACTICE

Maryland Court of Appeals, District of Columbia Court of Appeals, Fourth Circuit Court of Appeals, Eleventh Circuit Court of Appeals, United States Court of Appeals for the Federal Circuit, United States District Court for the District of Maryland and United States District Court for the District of Columbia.

EDUCATION

University of Maryland School of Law

J.D. with honor, May 1986

Towson State University

B.S. cum laude, June 1981

Order of the Coif

Member

EMPLOYMENT

Principal, The Law Office of John M.G. Murphy, LLC 2007–present

Civil litigation services geared toward a broad range of businesses – breach of contract, shareholder disputes, commercial matters, employment issues, intellectual property and unfair competition, etc.

Associate 1988–1994, Partner 1994–2007, Ober, Kaler, Grimes & Shriver, Baltimore, MD 1988–2007

General civil litigation–business and corporate concentration
Multiple Years' administrative responsibility for litigation paralegal supervision

Associate, Eccleston & Seidler, Baltimore, MD 1986–1988

Legal malpractice defense

MARTINDALE–HUBBLE RATING: AV

PROFESSIONAL ORGANIZATIONS

Superlawyers

Nominated as a 2009 Superlawyer (r)—see www.superlawyers.com

Maryland State Bar Association

Litigation

District of Columbia Bar Association

Litigation Section

Baltimore City Bar Association

Young Lawyers Section
Public Information Committee (Chairman, 1990–92)
Member at Large, Young Lawyers' Section Executive Committee 1993

ADMINISTRATIVE RESPONSIBILITIES

Supervisor of Litigation Paralegals 1994–2002

Primary supervision of Firm's Long Term Care contract enforcement practice approx. 1994–2004

REPRESENTATIVE CASES

INTELLECTUAL PROPERTY

Prosecution and defense of copyright cases – software, web page content, musical works, graphic works, motion pictures (U.S.D.Md.).

Representation of a national restaurant franchisor in trademark, breach of franchise agreement lawsuits seeking injunctive relief and recovery of leased real and personal property (U.S.D.Md. And various Maryland State courts).

Representation of a Russian quasi-governmental entity in the prosecution of intellectual property rights in nuclear power plant simulation software (U.S.D.Md.).

Representation of mortgage brokers and lenders in copyright actions involving misappropriation of web page content (U.S.D.Md.).

CORPORATE

Defense of shareholder derivative actions (U.S.D.Md.).

Prosecution of suits for injunctive relief and damages for wrongful “squeeze-out” of corporate officers, directors and stockholders, and usurpation of corporate opportunities (Cir. Ct. Balt. Co., U.S.D.Md.).

Defense of suits for involuntary dissolution of Maryland statutory close corporations (Cir. Ct. Q.A. Co.)

EMPLOYMENT

Defense of employers and their employees in actions seeking injunctive relief and damages under covenants not to compete (U.S.D.Md., Cir. Ct. Carroll Co.).

Prosecution of departing employees and their competing business for breach of fiduciary duty and related business torts (Cir. Ct. Carroll Co., Cir. Ct. Balt. Co., U.S.D.Md.).

Defense of departing employees under claims for breach of fiduciary duty and related business torts (U.S.D.Md.).

Representation of employers in actions based upon race discrimination, sexual harassment, breach of contract, ultra vires actions by corporate directors (U.S.D.Md., Cir. Ct. A. A. Co., Cir. Ct. Balt. City, U.S.D.D.C., Sup. Ct. Cal. San Diego Co.).

Representation of employees in suits alleging employment discrimination, sexual harassment, breach of contract, and related causes of action (U.S.D.Md., U.S.D.D.C.)

CONTRACT AND TORT

Representation of pharmaceutical manufacturers and other industry entities in product liability cases, breach of contract actions under the UCC and otherwise, civil suits arising from regulatory disputes, and related matters (Cir. Ct. Mont. Co., U.S.D.Md., U.S.W.D.Mo.).

Representation of physician practice groups, individual physicians, nursing professional organizations, and other health care providers in lawsuits involving alleged malpractice, breach of non-competition agreements, breach of practice sale contracts, and other business tort actions, in the state courts in the Baltimore Metropolitan Area.

Representation of various providers of long-term skilled nursing care in breach of contract actions, suits seeking compliance with resident's medical assistance obligations, and related matters (various Maryland courts).

Representation of a major telecommunications carrier in several actions with regard to its claims for telecommunications fraud (U.S.D.Md., U.S.D.D.C.).

Defense of legal malpractice claims arising from personal injury actions, employment law disputes, Title VII actions, domestic cases, trusts and estate matters, real property settlements and foreclosure actions, among others, in state and federal courts in the Baltimore-Washington Metropolitan Area.

PERSONAL INJURY AND INSURANCE LITIGATION

Representation of a national restaurant chain in premises liability personal injury suits. (Cir. Ct. Balt. City).

Representation of major national common carriers in automobile personal injury suits (Cir. Ct. P.G. Co., Cir. Ct. Fred. Co., U.S.D.Md.).

Declaratory judgment coverage litigation both on behalf of insurers and on behalf of insureds (Cir. Ct. Harf. Co., Cir. Ct. Balt. Co., U.S.D.Md.)

Defense of a national health insurance Third-Party Administrator in a multimillion dollar ERISA suit concerning severe head trauma resulting from an automobile accident (U.S.D.Md.).

Prosecution of selected plaintiffs' personal injury lawsuits (Various Maryland state courts)

MISCELLANEOUS BUSINESS LITIGATION

Representation of commercial landlords and tenants in lease disputes involving breach of lease, breach of contract, tortious interference with business opportunities, antitrust issues (numerous courts of the State of Maryland).

Representation of national artists and management agencies in contract/representation disputes (Cir. Ct. Mont. Co., Cir. Ct. Balt. Co.).

Representation of musicians, record promoters and recording studios in litigation arising from the audio recording industry (Cir. Ct. Balt. Co., Cir. Ct. Balt. City, Cir. Ct. Mont. Co.).

REPORTED CASES

ASCO Healthcare, Inc. v. Heart of Texas Health Care and Rehab., Inc., 540 F.Supp. 2d 634, 2008 U.S. Dist. LEXIS 25025, March 27, 2008, Decided (Civ. No. L-04-1419)

Alliance for Telecoms. Indus. Solutions, Inc. v. Hall, Civil No. CCB-05-440, United States District Court for the District of Maryland, 2007 U.S. Dist. LEXIS 79934, September 27, 2007, Decided

International House of Pancakes v. McNeal, Not Reported in F.Supp.2d, 2006 WL 760179 (D.Md. March 22, 2006) (No. JFM-04-1480)

PracticeWorks, Inc. v. Professional Software Solutions of Illinois, Inc., Not Reported in F.Supp.2d, 2004 WL 1429955, 2004 Copr.L.Dec. P 28,825, 72 U.S.P.Q.2d 1691 (D.Md., Jun 23, 2004)(NO. CIV. JFM-02-1205, CIV. JFM-02-1206)

Oak Crest Village, Inc. v. Murphy, 379 Md. 229, 841 A.2d 816 (Md., Feb 09, 2004)(NO. 27 SEPT.TERM 2003)

Giannaris v. Cheng, 219 F.Supp.2d 687 (D.Md., May 30, 2002)(NO. CIV.A. WMN-02-104)

Romano & Mitchell, Chartered v. LaPointe, 146 Md.App. 440, 807 A.2d 139 (Md.App., Sep 09, 2002)(NO. 1549 SEPT.TERM 2001)

Neurotron, Inc. v. American Ass'n of Electrodiagnostic Medicine, 189 F.Supp.2d 271, 2001-2 Trade Cases P 73,488 (D.Md., Aug 13, 2001)(NO. CIV.A. WMN-00-514)

Trustees of Nat. Automatic Sprinkler Industry Pension Fund v. Budget Plumbing Corp., Inc., 111 F.Supp.2d 716, 25 Employee Benefits Cas. 1864 (D.Md., Aug 31, 2000)(NO. CIV.A. AW-99-1542)

Health Care and Retirement Corp. of America v. Istvan, 202 F.3d 258 (Table, Text in WESTLAW), Unpublished Disposition, 1999 WL 1221392 (4th Cir.(Md.), Dec 21, 1999)(NO. 99-2244)

In re Anderson, Not Reported in B.R., 1999 WL 33457172 (Bankr.D.Md., Aug 04, 1999)(NO. 97-6-4705-SD, 98-5039-SD)

Kerby v. Mortgage Funding Corp., Civil Action No. CCB-97-1509, U.S. District Court for the District of Maryland, 992 F. Supp. 787; 1998 U.S. Dist. LEXIS 176, January 8, 1998, Decided, January 8, 1998, Opinion Filed

Auslander v. Helfand, Civil No. Y-97-285, U.S. District Court for the District of Maryland, 988 F. Supp. 576; 988 F. Supp. 576; 1997 U.S. Dist. LEXIS 20597, December 16, 1997, Decided

Transportation Data Interchange, Inc. v. AT&T Corp., Civil Action No. CCB-95-946, U.S. District Court for the District of Maryland, 920 F. Supp. 86; 1996 U.S. Dist. LEXIS 4243, March 28, 1996, Date, March 28, 1996, Filed

Walker v. Arkansas-Best Freight Sys., No. 94-1331, U.S. Court of Appeals for the Fourth Circuit, 1995 U.S. App. LEXIS 1768, November 1, 1994, Argued, January 30, 1995, Decided. 46 F.3d 1129, 1995 U.S. App. LEXIS 7140.

AT&T v. Jiffy Lube Int'l. Inc., Civil No. K-90-2400, U.S. District Court for the District of Maryland, 813 F. Supp. 1164; 1993 U.S. Dist. LEXIS 2517; 72 Rad. Reg. 2d (P & F) 148; 141 P.U.R. 4th 118, February 18, 1993, Filed

Woodholme Country Club, Inc. v. AT&T Information Sys., Civil Action No. HAR 90-768, U.S. District Court for the District of Maryland, 1991 U.S. Dist. LEXIS 3620, March 22, 1991, Decided