

## Michael S. Hino

Partner

Berwyn

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Mike guides clients through the complexities of resolving their critical disputes. Clients choose him for strategies that help anticipate potential hurdles while positioning them to achieve their best outcomes.

### OVERVIEW

Mike is a first-chair litigator with several decades of experience helping clients with all aspects of their complex disputes. As a go-to resource for clients wherever they do business, he regularly handles commercial litigation before federal, state, jury, and bench trials across the U.S. Mike also offers significant experience before administrative and government agencies. He has diverse experience handling matters across most major industries, and in particular in the biotechnology, private equity, real estate, and software sectors.

Applying a deep understanding of the jurisdictional, factual, and business nuances that can affect the outcome of a case, Mike resolves matters through negotiation, mediation, and arbitration. His clients benefit from the insights that come from years of trial-to-verdict experience and the ability to quickly identify the most important aspects of a case. Mike has led trial and arbitration teams on virtually every type of business claim, including post-closing disputes, supply contracts, trade secret and intellectual property, real estate, and restrictive covenants.

### REPRESENTATIVE MATTERS

- Represented a biotechnology startup in a multimillion-dollar arbitration regarding a breach of a transaction agreement. An arbitration panel ruled in favor of our client, awarding \$6.2 million in damages and more than \$1.2 million in attorneys' fees, with the total value delivered to the client exceeding \$13 million.
- Defended a client in the medical marijuana industry against fraud and breach of fiduciary duty claims asserted by one of its investors.
- Representing a national developer and manufacturer of health care diagnostic tests in a breach of contract lawsuit filed by a prospective supplier.
- Defending client against claims involving alleged theft of trade secrets under federal and state law, breach of fiduciary duties, and unfair competition.
- Obtained plaintiff's verdict, which rescinded an agreement of sale, and ordered the return of the buyer's deposit after a four-day jury trial involving the sale of a wood pellet manufacturing facility. The jury also rejected all counterclaims.
- Obtained summary judgment, which was affirmed on appeal, in a case where plaintiff, a court-appointed

receiver, asserted claims for breach of fiduciary duty, usurpation of corporate opportunity, fraud, conversion, violation of the Pennsylvania Uniform Fraudulent Transfer Act, and equitable subordination; plaintiff sought damages in excess of \$81 million.

- Obtained a defense verdict after a 10-day jury trial regarding an alleged failed ERP software project; plaintiffs sought damages in excess of \$18 million.
- Obtained a favorable settlement after a three-day bench trial regarding business privilege and other local taxes.
- Acted as national coordinating counsel and regional litigation counsel for manufacturers of commercial roofing systems defending product liability, warranty, and related claims.
- Obtained a \$3.5 million jury verdict, which was affirmed on appeal, following a five-day trial on behalf of a landowner and developer in a case arising under Pennsylvania's Eminent Domain Code; in addition to the jury verdict, our client was also awarded more than \$1.75 million in delay damages.
- Obtained a \$1.16 million award, including attorneys' fees and costs, following a five-day arbitration on behalf of a warehousing and stevedoring company against an importer of bananas and other fruits from Colombia and Costa Rica.
- Argued before the Supreme Court of Pennsylvania in a case involving issues arising under Pennsylvania's Eminent Domain Code.
- Obtained an arbitration award, after a multiday arbitration, on behalf of a physician who was improperly terminated by a hospital.
- Obtained a multimillion-dollar settlement on behalf of independent representatives in a lawsuit against an industrial manufacturer.
- Obtained a decision after a four-day bench trial that a distance-learning college was a purely public charity under Pennsylvania law, resulting in its exemption from state and local real estate taxes.

## **AWARDS**

- Thomson Reuters Stand-out Lawyer (2018-2021) – independently rated lawyers

## **TOP AREAS OF FOCUS**

- Business Litigation

## **ALL AREAS OF FOCUS**

- Business Litigation
- Class Action
- Environmental Litigation + Enforcement Defense
- Litigation + Trial

## **EDUCATION AND CERTIFICATIONS**

### **EDUCATION**

- University of Pittsburgh School of Law, J.D., *cum laude*, 1991, managing editor, *Law Review*
- University of Richmond, B.S., 1988

### **BAR ADMISSIONS**

- Pennsylvania

## **COURT ADMISSIONS**

- U.S. Court of Appeals, Third Circuit
- U.S. District Court, Eastern District of Pennsylvania