



Frank C. Welzer

Partner and Co-Chair, Litigation Department

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Practices

- Litigation

Overview

A seasoned commercial litigator, Frank resolves business disputes for corporate and individual clients, which include private companies, individual investors and investment groups, accounting and law firms, and more.

Frank litigates on behalf of both defendants and plaintiffs in contract, business tort, malpractice, employment, and other disputes. He represents accountants and lawyers accused of professional malpractice. He prosecutes claims on behalf of departing executives and defends employers in lawsuits initiated by former employees. And he sues and defends banks and other financial institutions.

Focused and detail-oriented, Frank provides his clients in every instance with a balanced perspective throughout the dispute resolution process. His in-depth pre-litigation analyses deliver frank assessments of the pros and cons of litigation - combining the facts of the case, the business and strategic objectives of his client, and his experience arguing similar matters - well before lawsuits are filed. In the courtroom, Frank draws on 30 years spent arguing cases to anticipate developments and responses from the opposing side so that he can guide clients to decisions that increase their chances of successful outcomes.

Frank is admitted to practice in California, New Jersey, and New York and first-chairs litigations, including at trial and in arbitration. In addition, he regularly represents clients in disputes in other states - Florida and Delaware, for example - and has served as a court-appointed mediator in New Jersey.

Outside the office, Frank enjoys saltwater fishing and spends many weekends on his 28-foot Boston Whaler.

Representative Matters

- Defended professional firm in ten-day arbitration resulting in complete exoneration and award on counterclaim, including attorneys' fees.
- Defended partners in luxury fashion retail business in six-day arbitration resulting in a net victory on counterclaim.
- Obtained appellate court reversal of dismissal of claims for fraud.
- Obtained summary judgment for corporate insiders on a multi-million dollar fraudulent conveyance lawsuit.
- Defended professional firm against charges of malpractice in a multi-week trial that ended in a jury verdict of complete exoneration.

- Obtained dismissal that was affirmed on two levels of appeal against efforts at judgment enforcement.
- Obtained summary judgment for designers on seven-figure contractual and wrongful termination claim.
- Obtained dramatic pre-trial settlement for investor group against majority members and managers of overseas telecommunications venture.
- Obtained summary judgment on wage claims in lawsuit brought by dismissed bank executive.
- Obtained dismissal for a commercial bank against claims made under the False Claims Act.
- Obtained terminating sanctions against licensee's business tort claims for discovery abuses.

Admissions & Education

Education

- University of Southern California, J.D., 1991
- Duke University, B.A, 1988

Bar and Court Admissions

- California
- New Jersey
- New York
- U.S. District Court, Central District of California
- U.S. District Court, District of New Jersey
- U.S. District Court, Southern, Eastern and Northern Districts of New York
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Ninth Circuit

Professional Affiliations

- Duke University Alumni Admissions Advisory Committee, Undergraduate Admissions Interviewer
- University of Southern California, Alumni Scholarship Reviewer