

People

Andrew P. Gold

Partner, Litigation
Commercial Disputes

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Andrew Gold has extensive experience litigating cases in and outside of Florida. He focuses on complex commercial litigation with particular emphasis on private equity, corporate governance, post-merger & acquisition disputes, misappropriation of trade secrets, and restrictive covenants. Andrew additionally handles large scale construction disputes. Andrew's corporate client base is comprised of private equity funds, manufacturers, real estate developers, software developers, database hosters, restaurants, retailers, and service providers. Andrew also acts as a neutral in mediation and arbitration proceedings.

Andrew has been repeatedly named one of South Florida's top litigators by highly regarded publications such as *The Best Lawyers in America*, the *South Florida Legal Guide*, *Florida Trend*, and the *South Florida Business Journal*. He has lectured extensively on complex commercial litigation issues, and has presented at the Capital Connection Conference sponsored by the Association for Corporate Growth and the Brookings Institute Judicial Education Program in Washington, D.C.

Notable Work

eVestment Alliance, LLC: Represented the leading institutional investor financial database and cloud-based solutions provider at trial in a Computer Fraud and Abuse Act and theft of trade secrets claim, obtaining judgment against the competitor.

Musicland Holding Corp.: Represented two former directors of a large music and video retailer (annual revenues in excess of \$1 billion) at trial against claims that they breached fiduciary duties and authorized an illegal dividend by allowing the company to make a substantial payment to a former shareholder, purportedly in satisfaction of an intercompany debt.

Sun Capital Partners: Represented a large private equity firm (over \$9 billion under management) against claims that management fees

Areas of Experience

Commercial Disputes
Construction Litigation and Dispute Resolution
Financial Services
Litigation
Private Equity Litigation
Preference and Fraudulent Transfer Litigation
Real Estate Litigation
Restaurant
Securities Litigation
Trade Secrets, Restrictive Covenants, and Unfair Competition

Education

J.D., University of Miami School of Law, 1986, *cum laude*, *University of Miami Law Review*, Associate Editor, 1985-1986
B.A., State University of New York at Albany, 1983, *magna cum laude*

Admissions

Bars

Florida
Maine

Courts

U.S. Bankruptcy Court, Southern District of Florida
U.S. Court of Appeals, Eleventh Circuit
U.S. Tax Court
U.S. District Court, Northern District of Florida
U.S. District Court, Middle District of Florida
U.S. District Court, Southern District of Florida

Related Content

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October 17, 2024

and expenses paid by a portfolio company constituted preferential and fraudulent transfers under state and federal law.

Large Private Home Builder: Represented one of the largest private home builders in the nation against multiple claims of construction defects resulting in mold growth, purportedly rendering homes uninhabitable.

Wickes Furniture: Represented a large furniture retailer in a claim against a national consulting firm for the failed design and implementation of a complex information technology system intended to run point of sale transactions, warehouse, inventory, distribution, and financial reporting.

Oracle Flexible Packaging: Represented an industry leader of aluminum manufactured flexible packaging in claims arising out of the acquisition of a flexible packaging and metal casting business.

Florida Based Private Equity Company: Represented a private equity sponsored portfolio company against claims seeking indemnification for fraud and breaches of contractual representations and warranties arising out of the sale of a nutritional supplement manufacturer and distributor.

International Yacht Training: Represented the shareholders and directors of an international organization in a dispute alleging breaches of fiduciary duty and breach of contract arising out of the operation and spin off of an international professional yachting organization authorized to issue professional licenses on behalf of numerous governmental entities.

Large Private Equity Company: Represented a private equity sponsored portfolio company in connection with claims of breach of fiduciary duties, breach of contract and fraud relating to the acquisition and operation of an offshore oil rig support company.

Medical Network: Represented the sellers of a medical practice and related physician network in connection with claims for indemnification and fraud arising out of alleged breaches of representations and warranties.

Physician Management Company: Represented a physician and a large physician management group against claims for misappropriation of trade secrets, including client lists, and violations of restrictive covenants, including non-competition, and non-solicitation agreements.

Air Charter Company: Represented an air charter company at trial against the manufacturer for destruction of business after the negligent repair of a jet aircraft.

Private Equity Company: Represented a private equity sponsored portfolio company against claims for breach of contract and misrepresentation concerning the post-acquisition termination of the former company president.

Large Private Equity Company: Represented a large private equity firm against claims of excessive control, alter ego, and vicarious liability after a billboard manufactured by a portfolio company associated with the private equity firm collapsed resulting in the death of two men.

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October 03, 2023

Record Number of Akerman Lawyers Named to *The
Best Lawyers in America* 2024 Guide
August 22, 2023

Roofing Contractor: Represented a commercial roofing contractor in disputes with multiple condominium or homeowner associations.

Luxury Golf Resort: Represented board members of a luxury golf club and related community against claims from certain owners and members asserting breaches of fiduciary duties and conspiracy relating to the sale of club facilities.

Large Private Equity Firm: Represented a large private equity firm against claims that it violated the “WARN” act when a portfolio company authorized the closing of a plant.

Specialty Construction Contractor: Represented nationwide specialty construction contractor against a competitor and its former national director sales for misappropriation of trade secrets and related claims.

High-Rise Building Collapse: Represented receiver for condominium association in construction defect litigation after collapse of high-rise building in Surfside, Florida.

Published Work and Lectures

- ACG Florida Capital Connection Conference, Moderator, “Common Misconceptions About Officer and Director Liability Can Get You Sued: Key Law You Should Know to Minimize Your Risk,” Amelia Island, FL, November 2012
- Association of Florida Community Developers, Inc., Speaker, “Chinese Drywall-The Essentials,” Orlando, Florida, August 2009
- Chinese Drywall, Arbitration Clauses and Jury Trial Waivers, Akerman, Fort Lauderdale, Florida, June 2009
- National Business Institute, “Understand What Mold is All About,” Miami, Florida, June 2008
- National Business Institute, “Unravel the Insurance Coverage Implications of Mold Claims,” Miami, Florida, June 2008
- National Business Institute, “A Walk Through a Mold Infestation Scenario,” West Palm Beach, Florida, June 2008
- National Business Institute, “Minimize the Risk of Mold Claims,” West Palm Beach, Florida, June 2008
- The International Builders’ Show, Speaker, “Significant Issues in Mold and Related Construction,” Orlando, Florida, 2007
- *Daily Business Review*, “Unrepaired, Unprepared Special Report: Construction Law,” Miami, Florida, June 15, 2006
- *New York Real Estate Journal*, Author, “Insurance Options: Alternative dispute resolution can help control mold litigation risks,” May 2006
- AEI-Brookings Judicial Education Program, Speaker, “Management of Complex Construction Defect Cases,” Washington D.C., March 2006
- Web Seminar hosted by RSM McGladrey, Speaker, “Learn how to protect your construction company from rising mold-related claims,” February 2006
- The International Builder’s Show-NAHB, Speaker, “Staying Out of Court,” Orlando, Florida, January 2006
- Aon Construction Law Seminar, Speaker, “Update on Mold Case Law and Regulation Efforts,” Miami, Florida, 2004
- Mealy’s National Construction Defect and Mold Litigation Conference, Speaker, “Mediation, Arbitration and Settlement Strategies in Mold Related Construction Disputes,” Las Vegas, Nevada, 2003

- 39.4 *University of Miami Law Review*, p. 757, Author, “The Strong Arm Clause Out-Muscles the Constructive Trust: In re: General Coffee Corp.,” July 1985

Affiliations

- Certified by the Florida Supreme Court as a Circuit Civil Mediator
- American Arbitration Association Commercial Panel of Arbitrators, Member
- The Florida Bar Federal Court Practice Committee, Member, 2017-2018
- The Florida Bar, Rules of Civil Procedure Committee, Past Member
- Cancer Research Network, Inc., Board Member, 1998-2013
- Broward County Jewish Federation, Attorney’s Division, Past Chair

Honors and Distinctions

- *Best Lawyers*, 2020, Listed as “Lawyer of the Year” in Fort Lauderdale for Litigation - Real Estate
- *Best Lawyers*, 2010-2025, Listed in Florida for Commercial Litigation and Litigation - Real Estate
- *Benchmark Litigation*, 2020-2025, Listed in Florida as a “Local Litigation Star” for General Commercial
- *Super Lawyers* Magazine, 2019-2022, Listed in Florida for Business Litigation
- *The Best Lawyers in America*, 2010-2013, Listed in Florida for Leveraged Buyouts and Private Equity Law
- *Florida Trend’s* Legal Elite, 2004-2007, 2009-2011, 2013, 2017, Listed for Commercial Litigation
- *South Florida Legal Guide* Top Lawyers, 2004-2011, Listed for Complex Commercial Litigation
- *Super Lawyers* Magazine, 2007, 2014-2018, Listed in Florida for Business Litigation
- *South Florida Business Journal*, 2006, Finalist for the “Key Partner Award”
- *South Florida Business Journal*, 2005, Listed in “The Best of the Bar”
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