

People



William W. Sentell

Partner, Litigation

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vCard

William Sentell focuses his practice on franchise dispute resolution and related corporate, regulatory, and compliance matters. His combination of litigation and transactional experience allows him to provide holistic legal representation to brand owners, distributors, licensors, manufacturers and other franchise stakeholders.

Dispute Resolution Experience

With more than a decade of complex commercial litigation experience, including first- and second-chair trial and arbitration experience, William provides support and clear risk assessment in all phases of litigation and/or arbitration. Avoiding risk in the area of franchise sales, and managing relationships throughout the franchise lifecycle, are a practice focus for William. Drawing on his broad knowledge of franchising and other related business forms, he has successfully resolved a number of issues and challenges, including matters related to:

- Inadequate disclosure
- Pre-sale fraud and misrepresentation
- Professional negligence and breach of contract
- Enforcement of trade secrets, trademarks and restrictive covenants
- Inadvertent franchising
- Violations of state and federal franchise statutes and regulations
- Item 19 financial performance representations
- Improper/early termination
- Insurance and indemnity
- Joint employer, officer and vicarious liability

Transactional and Regulatory Experience

Areas of Experience

- Franchise and Licensing
- Litigation
- Commercial Disputes
- M&A and Private Equity
- International Trade and Customs
- Antitrust and Trade Regulation
- Intellectual Property Licensing
- Intellectual Property Litigation
- Intellectual Property Transactions and Due Diligence
- Trade Secrets, Restrictive Covenants, and Unfair Competition
- Trademarks
- Professional Liability
- Restaurant
- International

Education

- J.D., Louisiana State University Paul M. Hebert Law Center, 2008
- B.A., Macalester College, 2002

Admissions

Bars

- Texas
- Colorado
- Louisiana

Courts

- All Texas State Courts
 - All Colorado State Courts
 - All Louisiana State Courts
 - U.S. District Court, Eastern District of Louisiana
 - U.S. District Court, Middle District of Louisiana
 - U.S. District Court, Western District of Louisiana
 - U.S. District Court, District of Colorado
 - U.S. Court of Appeals, Fifth Circuit
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William routinely draws on his deep litigation experience to provide practical, timely and broad-based representation. In addition to helping clients anticipate and avoid costly disputes, he has advised on a number of other transactional and regulatory matters, including the following:

- Advised with respect to multiple franchise M&A matters, including development of templates, processes and procedures to proactively manage franchise due diligence.
- Counseled established and emerging brand owners with respect to structuring and maintaining national franchise, distribution and licensing programs, including assessing the applicability of state and federal franchise exemptions.
- Drafted and revised franchise disclosure documents, domestic and international franchise agreements, and development arrangement.
- Provided ongoing advice related to state-by-state relationship laws and disclosure prohibitions.
- Identified potential disclosure and relationship violations and minimized future risk based on litigation experience.

Thought Leadership

William speaks regularly about issues affecting the franchise community, including before the American Bar Association, International Franchise Association, the Louisiana State Bar Association, and at Tulane University and the University of New Orleans. His written work has appeared in the *Franchise Law Journal*, *The Franchise Lawyer*, *Franchising World*, *Modern Restaurant Management*, *Franchising.com*, and *Law Week Colorado*, among other publications. He recently contributed to the ABA's best-selling *Franchise Deskbook* (3d ed.), and he is a member of the ABA Franchise Forum's Publications Committee.

Notable Work

Litigation & Arbitration

- Lead counsel for international franchisor in "bet the company" arbitration filed by former multi-unit owners. Took and defended all major depositions, directed all discovery and motion practice, and oversaw expert reports. Co-chaired a weeklong trial. The arbitrator issued a sweeping, 28-page ruling dismissing each and every claim against the franchisor, and awarding the franchisor \$444,871.25, representing future lost royalties, attorneys' fees and costs.
- Lead counsel for franchisor in multi-state action filed by franchisees to vacate arbitration award. Obtained dismissal of all claims resulting in confirmation of arbitration award.
- Represented global insurer in sprawling, multi-jurisdictional dispute involving insurance agency, resulting in highly favorable settlement.
- Defended national fitness franchisor in termination dispute. Served as co-counsel in week-long arbitration hearing, examined key witnesses and managed ongoing trial strategy.
- Represented national dine-in franchisor in dispute with former franchisee alleging multiple disclosure violations. Conducted key depositions, developed trial strategy, and obtained highly-favorable settlement.
- Represented international janitorial franchise in dispute between master franchisor and franchisee, resulting in dismissal of

Related Content

Seven Akerman Lawyers Recognized as *Franchise Times* 2024 Legal Eagles
April 02, 2024

Akerman Sponsors the IFA's Franchise Business Network Event
February 29, 2024

William Sentell, Trish MacAskill Earn Prestigious Certified Franchise Executive Designation
January 05, 2024

franchisor.

- Represented international franchisor in connection with highly-contested termination dispute. Directed the filing of new lawsuit seeking emergency relief and directed all out-of-state mediation efforts, resulting in highly favorable settlement.

Dealership

- Advised international car manufacturer with respect to dealership termination issues.

Government Investigations

- Provided timely advice and responded to government investigation related to alleged violations of state and federal franchise laws on behalf of large, multi-brand franchisor.

FDA Menu Labeling

- Advised large, global quick-service restaurant in connection with acquisition of existing quick-service chain; assessed applicability of FDA menu labeling requirements.

Supply Chain

- Represented international industrial manufacturer in negotiations with third-party logistics (3PL) provider; structured, drafted and revised 3PL agreement and obtained highly favorable terms related to indemnities, dispute resolution and other matters.
- Represented regional coffee chain in negotiations with global supplier; revised existing agreement and negotiated highly favorable terms.

Transactions & Advice

- Represented multinational consumer goods manufacturer and licensor in connection with assessment and rollout of national franchise program.
- Advised national franchisor with respect to deployment of proprietary point-of-sale software system; revised and updated software license agreements and provided ongoing counsel with respect to data security issues and PCI compliance.
- Advised large, multi-national pharmaceutical distributor in connection with ongoing franchise regulatory matters.
- Represented regional franchisor in negotiations with international airport concessionaire.

Mergers & Acquisitions

- Represented large, global quick-service restaurant franchisor in connection with acquisition of additional global brand; led franchise due diligence efforts and provided timely advice related to transactional and regulatory risks.

International Franchising

- Represented large, global quick-service restaurant in connection with its acquisition of various international units in China.
- Represented international commercial real estate franchisor in connection with expansion into Australia; structured, revised and finalized master franchise agreement and related agreements.

Pro Bono

- Obtained release of 18-year-old immigration detainee who sought asylum and who was separated from her family at the border.

Published Work and Lectures

- 2022 Denver Franchise Business Network Conference, Moderator, “Utilizing Affirmative Litigation Strategies to Reduce Franchise Litigation Risk,” July 14, 2022
- *The Franchise Lawyer*, Co-Author, “Regulators Take a Hard Look at Franchise Questionnaires,” Fall 2021, Vol. 24, No. 04
- “*Franchise Times*, Quoted, “How Employers Can Prepare for Rise in Pandemic Related Lawsuits,” October 2020
- ABA Annual Forum on Franchising, Author & Speaker, “More Units, More Problems: Drafting and Negotiating Challenges in Multi-Unit Agreements,” October 2020
- Thompson Reuters *Practical Law*, Co-Author, “Critical Franchise Agreement Provisions,” October 2019
- *Franchising.com*, Author, “Global Franchisors and Suppliers Don’t Be an Accidental Franchisor,” July 2019
- ABA Franchise Desk Book, Co-Editor, June 2019
- Business Law Institute, Speaker, Global Franchise & Supply Network Update, June 2019
- *FTC Franchise Regulatory Review*, Author, Comment Letter, 16 CFR Part 436, May 2019
- *Franchise Law Journal*, Co-Author, “Drawing Lines in Franchisor Support - Is It Necessary and Where Are the Lines to Draw in Today’s Joint-Employment Environment,” Winter 2019
- Association of Corporate Counsel, Speaker, “The Accidental Franchise: What Every In-House Lawyer Should Know About Franchise Law,” February 2019
- IFA Annual Convention, Host, Business Solutions Roundtable, February 2019
- International Comparative Legal Guide to Franchise 2019, Co-Author. “Global Supply Chains Supporting International Franchise Expansion: The Impact of Blockchain Technology,” September 2018
- *Franchising.com*, Co-Author, “The Blockchain Is Real’ Understanding Blockchain and its Role in Global Supply Networks,” July 2018
- NASAA’s Proposed New State Cover Sheets, Author, Comment Letter, July 2018
- Franchise Business Network, Speaker, “Best Practices for Enforcing Your Franchise Agreement,” July 2018
- *Modern Restaurant Management*, Author, “Five Common Questions on the New Menu Labeling Requirements,” June 2018
- *Law Week Colorado*, Author, “Menu Labeling is Now the Law,” May 2018
- *Franchising.com*, Author, “Menu Labeling Law Now in Place,” May 2018
- IFA Legal Symposium, Author and Speaker, “Our Officers and Employees Have Liability?” May 2018
- IFA Legal Symposium, Co-Author, “Some Key Ways Officers and Employees Become Personally Liable in the Corporate Context,” May 2018
- *The Franchise Lawyer*, Author, “Having it Both Ways: Can a Franchisor Insist on Arbitration and Litigation,” Winter 2018
- Tulane University, School of Professional Advancement, Speaker, “Franchise Law: A Historical Legal Perspective,” December 2017

- *Franchise Law Journal*, Co-Author, “Turning an Occasional Blind Eye: Selective Enforcement of Franchisee Post-Term Non-Compete Covenants,” Fall 2017
- *Franchising World*, Author, “A Deeper Dive into Franchise Due Diligence,” March 2017
- *Franchise Management for Dummies*, Co-Editor, Spring 2017
- IFA Annual Convention, Host, Business Solution Roundtable, February 2017

Affiliations

- American Bar Association Forum on Franchising, Publications Committee, Member
- International Franchise Association, Member
- Franchise Business Network, Member

Honors and Distinctions

- ABA Forum on Franchising, Chair’s Award for Substantial Written Work or Presentation
- *The Best Lawyers in America*, 2024, Listed in Texas for Franchise Law
- *Franchise Times* Magazine, 2021-2024, Recognized as Legal Eagle
- *Super Lawyers* Magazine, Listed in Louisiana as a “Rising Star” for Franchise & Dealership