

Karl Geercken

Partner

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Karl Geercken is the national co-leader of Alston & Bird's 300-plus member Litigation Department. Like the attorneys he leads, Karl has experience representing clients across the U.S. and the world in a broad range of complex, high-stakes commercial litigation and arbitration. Karl is fluent in German and is co-leader of the firm's German Practice Team and is a member of the Global Business Strategies Team. ([CV auf Deutsch](#))

Karl focuses on the business goal of the client and works with his team to devise a strategy that supports it. He emphasizes early, thorough case assessment as a tool to reduce uncertainty in litigation.

In addition to his work for U.S. clients in manufacturing, financial services, technology, life sciences, pharmaceuticals, real estate and other industries, Karl has represented a number of ultra-high net worth individuals in a variety of business disputes and art law matters. He frequently manages parallel U.S. and foreign litigation and has extensive experience in cross-border litigation and jurisdictional issues and has been called upon to represent foreign governments or their agencies in U.S. courts. As a result, he has developed insight into handling issues common to international dispute resolution, including those relating to the Foreign Sovereign Immunities Act (FSIA), the Act of State Doctrine and obtaining discovery abroad.

Representative Experience

- Defended a Northern District of New York trial court ruling at the Second Circuit.
- Defended a summary judgment ruling before the Third Circuit (decision pending).
- Substantial appellate practice in multiple jurisdictions, including the Eleventh Circuit, D.C. Circuit, and New York's Appellate Divisions, and petition for certiorari to the U.S. Supreme Court.
- Defended a major consumer products company in an alleged breach of contract arbitration and parallel injunction proceedings in New York.
- Represented a major telecommunications company in complex FRAND-related litigation in U.S. courts.
- Represented a U.S. manufacturer of thermal remediation plants in connection with International Chamber of Commerce (ICC) arbitration against a European remediation/construction company resulting, after mediation, in the withdrawal of multimillion-dollar damage claims against our client.
- Represented manufacturing companies in various commercial litigation matters throughout the U.S.
- Adviser to private equity funds on various risk avoidance/adversarial matters.
- Represented foreign banks in various bankruptcy litigation matters.
- Defended a major pharmaceutical company in products liability litigation seeking wrongful death damages in New York.
- Represented various technology and life sciences/pharmaceutical companies in trade secret and breach of contract litigation.

- Defended breach of contract, breach of fiduciary duty and usurpation of corporate opportunity claims of more than \$10 million asserted against a major U.S. life sciences corporation and its subsidiaries.
- Represented private equity funds in real estate-related litigation in various jurisdictions.
- Represented real estate investors and their investment companies in complex federal litigation in the Middle District of Florida and AAA arbitration involving claims of usurpation of corporate opportunity, fraud, civil RICO and breach of contract.
- Defended a national bank of a foreign state in a multimillion-dollar federal turnover proceeding.
- Represented the U.S. subsidiary of a foreign government-owned broadcast company in connection with significant antitrust litigation.
- Recovered a multimillion-dollar artwork through federal litigation on behalf of a foreign estate.
- Represented foreign sovereigns or their agencies in various international litigation matters.
- Represented the German Treuhandanstalt (Trust Authority) in connection with complex federal litigation in New York that arose out of the reunification of Germany.
- Obtained a favorable business resolution for a German corporation after bringing breach of contract litigation on its behalf in the Southern District of New York against a major U.S. licensor of movie DVDs.

Publications & Presentations

Publications

- “‘RJR Nabisco’: Supreme Court Rules on RICO Extraterritoriality,” *New York Law Journal*, Vol. 256, No. 14, July 21, 2016.
- “Using U.S. Discovery Procedures in International Arbitration,” *New York Law Journal*, March 14, 2016.

Professional & Community Engagement

- Cultural Vistas, Board Chair
- American Council on Germany

Education

- The George Washington University (J.D., 1992)
- University of Rochester (B.A., 1987)

Languages

- German

Admitted to Practice

- New Jersey
- New York

Related Services

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