



PETER J. KLOCK, II

Partner

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Miami

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Peter practices in the area of complex business litigation, with an emphasis on commercial disputes and the prosecution of director, officer, and fiduciary liability claims. In his commercial disputes practice, Peter prides himself on being an advisor and a problem solver, as well as his ability to deftly avoid unnecessary litigation and obtain favorable results for his clients. In his director and officer liability practice, Peter represents trustees, receivers, and assignees in complex litigation against former fiduciaries of companies in a wide range of industries.

He also serves as outside general counsel to corporate clients and routinely advises clients in a variety of industries regarding compliance with state, national, and international data privacy laws, including various state data protection and breach notification statutes, the Federal Trade Commission Act, and the General Data Protection Regulation. Peter additionally negotiates and drafts vendor agreements, master services agreements, statements of work, and service level agreements on behalf of corporate clients in the technology sector, and actively supports our community by representing, pro bono, a minor in Florida's juvenile dependency courts, serving on committees dedicated to enhancing the practice of law in the state of Florida, and mentoring law students and young attorneys. Peter is a holder of the Certified Information Privacy Professional designation from the International Association of Privacy Professionals, was named as a Rising Star by Florida Super Lawyers Magazine 2019-2023, and was named among Florida Trend's Legal Elite for 2021.

Before joining Bast Amron, Peter served as a career judicial law clerk to the Honorable James Lawrence King in the Southern District of Florida. In that role, he drafted numerous published opinions and enjoyed primary responsibility for all aspects of the odd-numbered civil and criminal cases on Judge King's docket, as well as a multi-district, multi-billion dollar litigation matter involving over thirty national

banks, *In re: Checking Account Overdraft Litigation, MDL No. 2036*. Peter's extensive experience working with the Court has given him a unique insight into federal courtroom procedure, effective legal argumentation, and efficient use of motions and pleadings.

Representative Experience

- Serves as special litigation counsel to the liquidating trustee of *Pareteum Corporation*, a defunct global cloud communications services provider, prosecuting claims against the former directors and officers
- Serves as special litigation counsel to the liquidating trustee of *Modell's Sporting Goods, Inc.*, a defunct retail sporting goods chain with annual revenues in excess of \$500 million, prosecuting claims against the former director and officers and special purpose real estate holding entities
- Serves as special litigation counsel to the liquidating trustee of *Orchids Paper Products Company*, a defunct national supplier of consumer tissue products with annual revenues in excess of \$150 million, prosecuting claims against the former officers and directors
- Represented a global technology company in a post-M&A dispute involving the divestiture of a business unit, claims of violation of a non-competition agreement, and the buyer's subsequent refusal to make an earn-out payment; successfully prosecuted client's breach of contract claims through a three-week bifurcated jury trial; successfully argued and obtained directed verdict on a breach of contract claim following the first phase of trial; secured a jury verdict and judgment for millions in damages and attorneys' fees, while avoiding liability on a slew of counterclaims ranging from breach of contract to fraud; and successfully defended the judgment through an appeal to the Court of Appeals for the Fifth District of Texas at Dallas
- Represented the curator of an estate in litigation against the surety bond for a removed personal representative, resulting in a recovery of \$12 million on behalf of creditors
- Served as counsel to a commercial landlord in an action against a former tenant that abandoned its lease several months into a five-year term, and obtained a judgment for damages through the end of the term and an award

of attorneys' fees following a bench trial

- Served as special litigation counsel to the Assignee of *Miami Perfume Junction, Inc.*, *2851 Investments, LLC*, *Clarus Group, Inc.*, and *Doral International Products, LLC*, a defunct importer, and distributor of perfume and cosmetics with annual revenues in excess of \$200 million, for the purpose of investigating and litigating claims on behalf of the Assignee, resulting in a number of settlements on favorable terms
- Represented the Assignee of *Miami Perfume Junction, Inc.* as respondent to a petition for writ of certiorari, and successfully argued in favor of upholding a trial court order finding that the attorney-client privilege passed from the assignors to the Assignee upon their execution of their assignments for the benefit of creditors
- Served as counsel to a private equity firm in the defense of a claim for breach of contract
- Served as counsel to *Home Depot U.S.A., Inc.* in the prosecution of a breach of contract and fraud claim against a local service provider
- Served as special litigation counsel to the Assignee of *Panelfold, Inc.*, a defunct supplier of interior space division systems, for the purpose of prosecuting breach of fiduciary duty claims against the former officers and directors, resulting in a settlement on favorable terms
- Served as special litigation counsel to the Assignee of *CareSync, Inc.*, a defunct healthcare startup, for the purpose of prosecuting breach of fiduciary duty claims against the former officers and directors, resulting in a multi-million dollar settlement on favorable terms
- Represented a real estate developer in the defense of an action for breach of contract brought by investors, and successfully negotiated a settlement on favorable terms
- Represented a shareholder of a South American freight logistics company in an international arbitration involving claims of breach of contract and fraudulent inducement, resulting in a settlement on favorable terms
- Represented a financial advisory firm in a dispute with a former partner, resulting in a favorable settlement at mediation
- Negotiated and drafted a multi-million dollar master services agreement, service level agreement, and data privacy agreement on behalf of a global technology company client being engaged by a multinational information services company to digitally transform and manage several hundred

proprietary websites

- Advised an international hotel corporation regarding post-data breach obligations under the General Data Protection Regulation, Mexican federal law, and numerous state data protection and breach notice statutes, and prepared breach notices for affected guests
- Advised a global technology company and its North American subsidiaries regarding best management practices for compliance with the General Data Protection Regulation, including preparation of new data privacy policies and new addenda to existing contracts to ensure compliance
- Represented the curator of an estate in litigation against the surety bond for a removed personal representative, resulting in a recovery of \$12 million on behalf of creditors
- Represented an import-export company in a multi-million dollar breach of contract claim arising from melamine contamination of powdered milk
- Advised a multi-national energy corporation on potential Superfund liability issues and potential defenses related to a previously-contaminated facility purchased at a state tax auction
- Represented an industrial corporation affected by *ex post facto* environmental zoning statutes
- Represented a major international sugar farming, manufacturing, and distribution holding company in a ninety-plaintiff labor dispute
- Represented an agricultural cooperative in an Everglades Forever Act discharge permit challenge

Reported Decisions:

- In re Modell's Sporting Goods, Inc., United States Bankruptcy Court, D. New Jersey. April 14, 2023 (2023 WL 2961856)
- Bond v. Luzinski, 313 So. 3d 196, Fla. Dist. Court of Appeals, 2nd Dist. (2021)

Awards and Recognitions

- *Best Lawyers In America Ones to Watch* - Commercial Litigation, 2022
 - *Super Lawyers* - Rising Star, Business Litigation, 2019 & 2021
 - *Florida Trend* - Legal Elite, 2021
 - International Association of Privacy Professionals - CIPP/US, 2019
 - University of Miami School of Law - C.A.L.I. Award for Excellence, Commercial Law, Spring 2012
 - Loyola University Merit Scholarship Recipient
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Publications

- Contributor, *Recent Developments in Business Courts 2022*, A.B.A. Bus. Law Sec., Bus. And Corp. Litig. Comm., 2023. Online.
 - Author, *Evaluating Fraudulent Transfer Liability for Pass-Through Tax Distributions - Start with the F-Squared Opinion*, Commercial Law League of Am., Bankr. Blog, 2022. Online.
 - Contributor, *Recent Developments in Business Courts 2022*, A.B.A. Bus. Law Sec., Bus. And Corp. Litig. Comm., 2022. Online.
 - Contributor, *Recent Developments in Business and Corporate Litigation 2021*, Ch. 3., A.B.A. Bus. Law Sec., Bus. And Corp. Litig. Comm., 2021. Print.
 - Contributor, *Recent Developments in Business and Corporate Litigation 2020*, Ch. 3., A.B.A. Bus. Law Sec., Bus. And Corp. Litig. Comm., 2020. Print.
 - Author, *Pitfalls in the "Third Party" and BFPP Defenses to CERCLA Liability*, A.B.A. J., Sec. of Litig., Env'tl. Litig. E-Newsletter (Summer 2013).
 - Editor, *Break the Business: Declaring Your Independence and Achieving True Success in the Music Industry*. Miami: Corey Klock Publishing, 2016. Print.
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Speaking Engagements

- Panelist, "Socialism vs Economic Freedom" hosted by The [Federated Republican Women of North Dade](#), April 2021
- Panelist, *Cybersecurity Luncheon: How to Protect Your Law Firm From*

Internal and External Threats (Miami, Fla. Feb. 2020).

- Panelist, *Young Lawyers Panel*, Practicing with Professionalism CLE (Miami, Fla., Dec. 2017)
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Professional & Community Activities

- The Florida Bar, Judicial Nominating Procedures Committee, *Co-Chair of the Voluntary Bar Associations Liaison Subcommittee, and Liaison to the Judicial Nominating Commission for the Third District Court of Appeals*
 - Dade Legal Aid, *Put Something Back, Pro Bono Volunteer*
 - Legal Services of Greater Miami, Young Professionals Council, *Member*
 - Miami-Dade Trial Lawyers Association, *Member*
 - International Association of Privacy Professionals, *Member*
 - Federal Bar Association, South Florida Chapter, *Member*
 - Mentorship Program, *Volunteer*
 - Securities Industry and Financial Management Association, Compliance and Legal Society, *Member*
 - The Florida Bar, Business Law Section, *Member*
 - Business Litigation Committee, *Member*
 - Business Litigation CLE Committee, *Member*
 - Dade County Bar Association, *Member*
 - Civil Litigation Committee, *Member*
 - Federal Court Committee, *Member*
 - Pro Bono/Community Service Committee, *Member*
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In The News

- [ATTORNEYS FROM BAST AMRON, LLP NEGOTIATE \\$22.7 MILLION GLOBAL SETTLEMENT WITH FORMER CEO OF MODELL'S SPORTING GOODS, INC.](#)
- [PETER J. KLOCK, II PUBLISHED "GENUINE ISSUE OR GENUINE DISPUTE](#)

- WHAT'S THE DIFFERENCE?" BY MIAMI DADE BAR

- 8 BAST AMRON ATTORNEYS INCLUDED IN 2024 BEST LAWYERS IN AMERICA® "BEST LAWYERS"
 - TEN BAST AMRON ATTORNEYS RECOGNIZED IN 2023 EDITION OF FLORIDA SUPER LAWYERS
 - BRETT M. AMRON AND PETER J. KLOCK, II CO-AUTHOR RECENT DEVELOPMENTS IN BUSINESS COURTS 2023 ABA BUSINESS LAW TODAY
 - BAST AMRON PARTNER PETER J. KLOCK, II, RE-APPOINTED TO SERVE ON FLORIDA BAR'S JUDICIAL NOMINATING PROCEDURES COMMITTEE
 - ATTORNEYS FROM BAST AMRON, LLP NEGOTIATE \$2.8 MILLION SETTLEMENT WITH FORMER CFO OF MODELL'S SPORTING GOODS, INC.; CLAIMS AGAINST OTHERS CONTINUE
 - PETER J. KLOCK, II PUBLISHED- EVALUATING FRAUDULENT TRANSFER LIABILITY FOR PASS-THROUGH TAX DISTRIBUTIONS - START WITH THE F-SQUARED OPINION | CLLA BANKRUPTCY BLOG
 - 5 BAST AMRON ATTORNEYS INCLUDED IN 2023 BEST LAWYERS IN AMERICA® "ONES TO WATCH"
 - BAST AMRON ATTORNEYS RECOGNIZED IN 2022 EDITION OF FLORIDA SUPER LAWYERS
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