



# 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 acts as the primary legal advisor to clients in a variety of industries. Additionally, Peter 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 in 2019-2024, was named among the Ones to Watch by Best Lawyers In America in 2022-2024, and was named among Florida Trend's Legal Elite for 2020 & 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, which he leverages to obtain outstanding results for his clients.

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## Representative Experience

- Pareteum Corporation (Chapter 11, Southern District of New York); Special Litigation Counsel to Liquidation Trustee of the TEUM Liquidating Trust, retained to prosecute claims against former officers and directors, as well as third parties
- Modell's Sporting Goods, Inc., et al. (Jointly administered Chapter 11, District of New Jersey); Special Litigation Counsel to the Liquidation Trustee of the MSGI Liquidation Trust, investigating and prosecuting claims against former directors and officers, as well as non-debtor affiliated entities and parties, resulting in recoveries to date of \$25.5 million
- Orchids Paper Products, et al. (Jointly administered Chapter 11, District of Delaware); Special Litigation Counsel to the Liquidating Trustee of OPP Liquidating Company, Inc., retained to investigate and prosecute breach of fiduciary duty 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 medical marijuana dispensary tenant that abandoned its lease several months into a five-year lease due to a change in the applicable zoning law, and obtained a judgment for damages through the end of the term and an award of attorneys' fees following a bench trial
- Miami Perfume Junction, Inc., 2851 Investments, LLC, Clarus Group, Inc.,

and Doral International Products, LLC (Assignment for the Benefit of Creditors, jointly administered, Miami-Dade Circuit Court, Florida); Special Litigation Counsel to Assignee, retained to investigate and prosecute claims against directors and officers, as well as third parties, resulting in excess of \$3.2 million in recoveries for 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
- Panelfold, Inc. (Assignment for the Benefit of Creditors, Miami-Dade County Circuit Court, Florida); Special Litigation Counsel to Assignee, retained to investigate and prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a settlement and recovery for creditors
- CareSync, Inc. (Assignment for the Benefit of Creditors, Hillsborough County Circuit Court, Florida); Special Litigation Counsel to Assignee, retained to investigate and prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a \$1.4 million recovery for creditors
- 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:

- *Peyton v. Grant*, No. 24-CV-21649, 2024 WL 5264270 (S.D. Fla. Dec. 31, 2024) (granting motion to appoint receiver)
- *Tundidor v. Hernandez*, No. 23-CV-22747-RKA, 2024 WL 4678925 (S.D. Fla. Nov. 5, 2024) (denying defendants' motions to dismiss complaint)
- *Landfall 2, Inc. v. Datascore-AI, LLC*, No. 22-CV-80801-DMM, 2024 WL 1203273 (S.D. Fla. Mar. 21, 2024) (granting motion to compel discovery)
- *MSGI Liquidation Trust v. Modell (In re Modell's Sporting Goods, Inc.)*, No. 22-1076 (VFP), 2023 WL 2961856 (Bankr. D.N.J. Apr. 14, 2023) (denying defendants' motions to dismiss complaint)
- *Buchwald Capital Advisors, LLC v. Schoen (In re: OPP Liquidating Company, Inc.)*, No. 21-50431 (MFW), 2022 WL 774063 (Bankr. D. Del. Mar. 14, 2022) (denying defendants' motions to dismiss complaint)
- *Bond v. Luzinski*, 313 So. 3d 196 (Fla. 2d DCA 2021) (affirming denial of motion to dismiss for improper venue)
- *Assignment for Benefit of Creditors of Miami Perfume Junction, Inc. v. Osborne*, 314 So. 3d 604 (Fla. 3d DCA 2020) (affirming determination that

attorney-client privilege of assignor passed to assignee for the benefit of creditors)

- Visual Technology and Extrusions, LLC v. Home Depot, U.S.A., Inc., 305 So.3d 701 (Fla. 3d DCA 2020)
  - Home Depot U.S.A., Inc. v. Air Pros, LLC, No. 21-CV-02053, 2021 WL 5038830 (N.D. Ga. Oct. 28, 2021) (granting motion to supplement complaint)
  - Kahuna Group, LLC v. Bunker Capital, LLC, No. 19-CV-552-GCM, 2020 WL 4194843 (W.D.N.C. July 21, 2020) (granting motion to compel arbitration)
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## Awards and Recognitions

- *Best Lawyers In America Ones to Watch* - Commercial Litigation, 2022-2024
  - *Super Lawyers* - Rising Star, Business Litigation, 2019 -2024
  - *Florida Trend* - Legal Elite, 2020 & 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 2024, A.B.A. Bus. Law Sec., Bus. And Corp. Litig. Comm., 2024. Online Author, *Genuine Issue or Genuine Dispute - What's the Difference?* Miami Dade Bar, 2023. Online.
- Contributor, *Recent Developments in Business Courts 2023*, 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., Envtl. 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

- 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

- [BAST AMRON FORCES PRE-TRIAL SETTLEMENT IN BREACH OF CONTRACT CASE](#)
- [BAST AMRON ATTORNEYS INCLUDED IN 2025 BEST LAWYERS IN AMERICA® “BEST LAWYERS”](#)
- [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](#)

