Eric S. Koenig

Shareholder

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Overview

Eric Koenig is Board Certified in Business Litigation through The Florida Bar, a designation earned by fewer than 250 out of over 65,000 attorneys (less than .3%) statewide. He is a Co-Leader of the Litigtion and Dispute Resolution Group, and also works with the firm's Construction and Professional Liability practices.

Eric serves as a counselor and advisor to business owners and executives, helping them navigate and resolve complex legal matters and disputes. He specializes incomplex commercial litigation, estate litigation, construction litigation, landlord/tenant litigation, and employment litigation in state and federal courts throughout the entire state of Florida. Eric represents commercial property owners in connection with a variety of litigation matters, including disputes concerning Title III of the Americans with Disabilities Act and compliance with federal, state, and local regulations. He also represents residential and commercial property owners involved in disputes with adjacent property owners involving easement rights, boundary lines, adverse possession, construction liens, and rainwater runoff/drainage. In employment matters, Eric represents both employers and employees in disputes related to back pay, benefits, and covenants not to compete, including litigation of same to obtain or resist temporary and permanent injunctions.

Eric previously served in the United States Marine Corps and is a former police officer. In his free time, Eric competes in professional barbeque competitions under the name *Habeas Porkus*, and has won the Hillsborough County Bar Association's Annual Judicial Pig Roast/Food Festival seven times, most recently in 2018. Eric has taken the top award Grand Champion for the Tampa Pig-Jig three out of the last four years.

Eric is also an accomplished beer brew-master, with over 25 styles in his unique set of homebrews and having won over 300 brewing medals in the past 20 years.

Representative Matters

Trade Secrets/Complex Litigation

- Represented international investment-services company in a federal lawsuit involving trade secret and breach of fiduciary allegations; obtained favorable settlement for client, drastically increasing business opportunities and profitability on the heels of the adverse party's multiple attempts to delay the trial.
- Represented commercial music services provider in federal lawsuit involving claims of intentional interference, false representations, trade secrets, and conspiracy; obtained favorable settlement for client, which included a full release of all claims.
- Represented non-profit special needs trust-administration company in a lawsuit involving information technology issues through trial; obtained favorable judgment for client, far exceeding the client's expectations after the multi-day trial.

Alternate Contact

Becky J. Anctil
Legal Assistant
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RAnctil@trenam.com

Practice Areas

- Litigation and Dispute Resolution
- Construction
- Professional Liability
- Insurance

Education

- J.D., *magna cum laude,* Stetson University College of Law, 2005
  - Law Review
  - Moot Court
  - E. Harris Drew Memorial Award for excellence in written and oral advocacy
  - Victor O. Wehle Award for trial advocacy
- M.S., Criminal Justice, Radford University, 2000
- B.S., Criminal Justice, Radford University, 1996

Admissions

Florida
United States District Court, Northern, Middle, and Southern Districts of Florida

- Represented seller of a multi-million dollar home healthcare business in a federal lawsuit involving fraud, negligence, and breach of contract allegations; obtained extremely favorable settlement for client after successfully deposing opposing party.
- Represented marketing and research/development firm in international commercial arbitration lawsuit involving breach of contract and substantial damages; obtained judgment in client's favor after multi-day arbitration proceedings.
- Represented medical company in a lawsuit against vendor in possession of client's records; obtained injunction in client's favor to require the return of all information.
- Represented animal rescue nonprofit in lawsuit to retain possession of dogs confiscated from puppy mill; obtained settlement whereby client obtained ownership of every dog.
- Represented client in lawsuit filed by the Federal Trade Commission involving disputes over ill-gotten gains, resulting favorably for client in settlement after extensive negotiation.

Contract Disputes

- Represented trucking company in a federal lawsuit involving complex breach of contract issues; obtained favorable settlement for client after successful mediation with the parties.
- Represented seller of insurance business in lawsuit involving claims of fraud and breach of contract; obtained injunction in client's favor, which ultimately led to the transfer of the business back to client.
- Represented condominium association in a lawsuit involving breach of contract and counterclaim by adverse party through trial and appeal; obtained judgment in client's favor, including denial of the opposing party's counterclaim, and further obtained judgment for all attorneys' fees and costs of the action.
- Represented business owner in contract dispute resulting in dissolution of a previously-entered injunction against client.

Construction Disputes

- Represented general contractor in dispute with owner, resulting in an extremely favorable settlement for client reached on the last day of a jury trial.
- Represented various general contractors, subcontractors, and suppliers in construction disputes resulting in favorable settlements for the client after negotiations and settlement discussions in lieu of litigation.
- Represented stucco contractor in dispute over quality of work, resulting in a quick and favorable settlement for the client.
- Represented various homeowners in disputes with contractors resulting in favorable settlements and completion of the contracted work.

Non-Competition Disputes

- Represented prior employee of company in dispute over a non-competition agreement lawsuit, resulting in a judgment in favor of client.
- Represented business in dispute relating to non-competition and non-solicitation agreements, resulting in the court entering an injunction against a prior employee.
- Represented prior employees of a pest control company in dispute over alleged theft of trade secrets, non-competition agreement, and unfair competition, resulting by a defeat of the employer's request for injunction.
- Represented company in a non-competition dispute over the hiring of an employee with a non-competition agreement that resulted in a favorable outcome at an injunction hearing and ultimate dismissal of the lawsuit.

Business/Partnership/Shareholder Disputes

- Represented business owner in an injunction lawsuit involving complex corporate and partnership issues; successfully dissolved injunction previously entered against client, which allowed client to continue operating its business.
- Represented medical practitioner in a lawsuit involving intricate shareholder issues and fiduciary claims; obtained settlement that forced the early buy-out of client on favorable terms.

- Represented various shareholders/owners of companies in disputes with the other owner or owners of those companies that resulted in favorable settlements in lieu of litigation.

Commercial Landlord/Tenant Disputes

- Represented commercial landlord in an eviction and breach of lease action involving intricate leasehold issues; obtained settlement in landlord's favor resulting in tenant vacating the rental space.
- Represented commercial landlord in eviction/damages lawsuit; obtained multi-million dollar judgment and possession of the rental space.
- Represented over 50 commercial landlords in over 100 eviction/damages lawsuits; obtained over 100 possession and damages judgments, usually within 3 months.
- Represented multiple retirement mobile home park owners in over 100 eviction/damages lawsuits; obtained over 100 possession and damages judgments, usually within 3 months.

Real Property Disputes

- Represented property owner in real estate dispute over property boundaries and easement access rights, which resulted in favorable settlement after winning injunction hearing.
- Represented international convenience store chain in a lawsuit involving claim to require the adverse party to sell real property to client; obtained judgment in client's favor, which not only mandated the conveyance of the property, but also required the payment of the client's attorneys' fees and costs.
- Represented seller of real property in a lawsuit involving claims of fraud and negligence related to the sale of residential property; obtained favorable settlement for client within months of the filing of the lawsuit.
- Represented property owner in easement/adverse possession/boundary dispute lawsuit resulting in a result entirely in the client's favor after an injunction hearing.
- Represented several condominium developers in disputes with purchasers of condominiums who failed to ultimately close on the sale of the units, which ended in settlements favorable to the clients.

Representative Clients

- Businesses of all sizes involved in contract, real estate, construction, and business disputes.
- Commercial property owners in connection with a variety of litigation matters such as disputes concerning Title III of the Americans with Disabilities Act, landlord/tenant disputes, and compliance with federal, state, and local regulations.
- Residential and commercial property owners involved in disputes with adjacent property owners involving easement rights, boundary lines, adverse possession, construction liens, and rainwater runoff/drainage.
- Employers and employees in disputes related to back pay, benefits, and covenants not to compete, including litigation of same to obtain or resist temporary and permanent injunctions.
- Developers, contractors, subcontractors, material suppliers and other entities involving various construction disputes, such as design issues, contract claims/defenses, construction liens, construction defects, and professional negligence.

Honors and Distinctions

- *Tampa Magazine's Top Lawyers List*, 2022 - 2023
- *Florida Super Lawyers,*2021-2022
  - *Florida Super Lawyers*, Rising Star, 2009, 2011-2015
- Board Certified in Business Litigation by The Florida Bar
- AV Preeminent Peer Review Rated by Martindale-Hubbell
- *Florida Trend's Legal Elite*, 2016-2020, 2022
  - *Florida Legal Elite*, Up & Comer, 2012, 2013
- *The Best Lawyers in America,*Construction Law; Commercial Litigation, 2020-2023

Professional Involvement

- Hillsborough County Bar Association
- The Florida Bar
- American Bar Association

Community Involvement

- Voices for Children, Board Member (2015-present)
- Leadership Tampa Bay, Class of 2014
- Tampa Connection, Class of 2009

Thought Leadership

- "What the Zoom?! Navigating the Virtual Courtroom," Speaker, St. Petersburg Bar Association Webinar, September 2020.
- Enforcing Your Judgment, Judgment Enforcement Seminar, Lorman Education Services, Tampa, 2011, 2013.
- Ethics in Debt Collection Fair Debt Collection Practices, Judgment Enforcement Seminar, Lorman Education Services, Tampa, 2011, 2013.
- The Interstate Land Sales Full Disclosure Act and Enforceability of Preconstruction Condominium Contracts, *Trenam Kemker Legal Update*, November 2007.