



AUGUST J. MATTEIS, JR.

August J. Matteis, Jr. represents corporate plaintiffs in trials and litigations across the country. Mr. Matteis typically represents companies that have suffered damages from theft of intellectual property, fraud, unfair business practices, and breach of contract. He frequently represents policyholders in complex insurance coverage disputes and bad faith litigation. Mr. Matteis also represents whistleblowers and other individual plaintiffs in cases involving fraud and discrimination.

PARTNER

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EDUCATION

- 2002 — L.L.M., Georgetown University, Labor and Employment, Chetwood Prize (highest average in graduating class)
- 1993 — J.D., Georgetown University (*magna cum laude*), Order of the Coif, John M. Olin Fellowship in Law & Economics
- 1989 — B.A., Yale University (*cum laude*)

BAR AND COURT ADMISSIONS

- Connecticut
- District of Columbia

PRACTICE AREAS

- Complex Litigation

Recent and current representative matters include:

- Serving as lead trial counsel in *In re Outsidewall Tire Litigation*, 09-cv-1217, and obtaining a \$26 million jury verdict on behalf of Alpha Mining Systems, a Florida-based tire designer and distributor. In October 2009, Alpha filed a lawsuit in the Eastern District of Virginia against a tire distributor from Dubai and a tire manufacturer from China for stealing Alpha's intellectual property, including blueprints, related to specialized underground mining tires that were designed and developed by the plaintiff. Just eight months later, a jury found that the defendants were liable for copyright and trademark infringement, conversion and civil conspiracy. The verdict was the largest verdict of any kind in Virginia in 2010, one of the top 100 verdicts in the country, and one of the largest individual copyright infringement awards in U.S. history.
- Lead trial counsel on behalf of a class of individuals with asbestos-related injuries who were exposed to asbestos installed by the Robert A. Keasbey Company. After a four-month trial, a New York trial court found that claims arising out of exposure to asbestos while it was being installed were not subject to aggregate limits under comprehensive general liability policies. The trial victory was described as one of the ten most significant insurance coverage decisions of 2007.
- Serving as lead trial counsel representing whistleblowers in a *qui tam* False Claims Act case against State Farm. The whistleblowers allege that the insurer committed fraud against the U.S. government in the wake of Hurricane Katrina by improperly shifting losses under its homeowner's policies onto government-issued flood policies by mischaracterizing damage caused by wind as flood damage. The whistleblowers prevailed at a summary judgment evidentiary hearing, and are awaiting trial in the Southern District of Mississippi.
- Representing a class of policyholders in a case that survived dismissal and was certified in 2010 in the Northern District of California against a life insurance company for breaching the terms of their so-called vanishing premium life insurance policies.
- Representing the former CEO of a major technology company in a dispute with insurers regarding alleged options backdating.
- Representing realtors in a complex claim under the Internal Revenue Service whistleblower provisions.

AUGUST J. MATTEIS, JR. (CONTINUED)

Mr. Matteis also has an active pro bono practice. He recently represented disability rights groups and individuals with disabilities against a major hotel chain and a nationwide retailer for accessibility barriers that were in violation of the Americans with Disabilities Act. Mr. Matteis received outstanding achievement awards from the Washington Lawyers Committee and the Equal Rights Commission for helping to achieve landmark settlements on those matters.

Prior to joining Gilbert LLP in 2001, Mr. Matteis was a litigation and employment associate in the Washington, DC office of Skadden, Arps, Slate, Meagher & Flom LLP.

NEWS

- *Gilbert LLP Honored by Equal Rights Center*, March 17, 2011
- *Virginia Lawyers Weekly Recognizes Gilbert LLP for Winning Largest 2010 Jury Verdict in the State*, January 20, 2011
- *\$26M Verdict by Virginia Jury is One of the Largest Individual Copyright Infringement Awards in U.S. History*, July 22, 2010
- *\$26M verdict returned in trade-secret case*, Virginia Lawyers Weekly, July 22, 2010
- *U.S. District Court Upholds \$26 Million Jury Award in International Espionage Case Involving Copyright Infringement of Tire Blueprints*, Intellirights, July 21, 2010
- *State Farm Qui Tam Suit Over Flood Claims Survives*, Law360, August 12, 2009
- *Most Of Conseco Class Action Survives Bid To Toss*, Law 360, July 31, 2009
- *Gilbert Randolph Files File-Sharing Class Action Against Comcast*, Legal Times, July 22, 2008
- *Gilbert Randolph LLP Welcomes Returning Litigation Partner*, June 8, 2007
- *On the Move*, Legal Times, January 19, 2004

ARTICLES & PUBLICATIONS

- *Financial Reform Bill Includes Significant New Incentives for Whistleblowers*, September 3, 2010
- *Closing Protection Letters: Important Tools for Protecting Mortgage-backed Assets*, March 2009
- *Court Holds That Insurer Cannot Disclaim Coverage on Grounds Not Included in Its Initial Disclaimer*, March 1, 2009
- *Insurance Coverage for Contractors' Asbestos Liabilities: Key Settlement Issues*, NIA News, January 2008
- *Non-Products Coverage for Contractors' Asbestos Liabilities*, NIA News, August 2007

SEMINARS & EVENTS

- *Mealey's Asbestos Insurance Teleconference: Where We Stand in Light of Keasbey*, August 7, 2007