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The hiring of a lawyer is an important decision that should not be based solely upon advertisements. Before you decide, ask us to send you free written information about our qualifications and experience.

In the Community



On October 6th, 2021, Michael Pike, Managing Partner at Pike & Lustig, spoke to young men between the ages of 10-17 about his personal and professional journey at The South Florida Role Model Foundation in West Palm Beach.

The kids are part of the South Florida Role Model Foundation Ambassadors, a group founded by four deputy sheriffs that all originated from lower income communities in South Florida. One of those officers, Salvatore Cardella, who retired from law enforcement after 22-years, attended high school with Pike at Miami Beach Senior High. The two reconnected and are

teaming up again to help young men and women in our community.

“I was raised in a blue-collar family that instilled hard-work ethic,” said Pike. “The road was not an easy one, and my message to these kids today is simple: You can succeed if you put your mind to it.”

Pike & Lustig is a proud partner of the South Florida Role Model Foundation’s Ambassador Academy, The West Palm Beach program helps mold young men and women into hard working and respectable citizens.

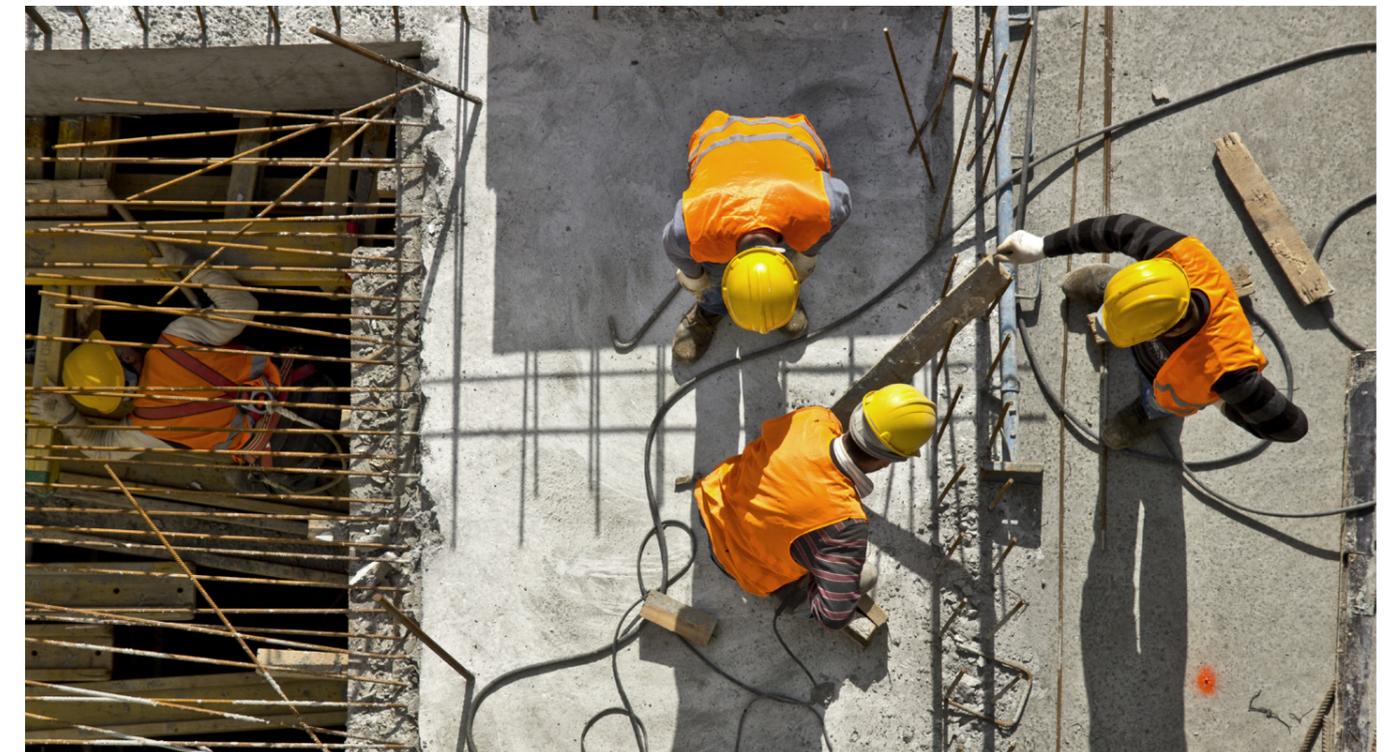
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WINTER
2021

At the Florida law firm of Pike & Lustig, LLP, we have the ability and focus to provide the kind of personalized attention that you may not receive from other firms, where you’re only a number. We have the experience and resources necessary to provide the highest quality of representation so that our business and personal injury clients feel our team is fighting for them. Our aggressive and sophisticated-litigation style will assist clients in achieving their goals.



\$10.45 Million Arbitration Verdict

Pike & Lustig, LLP represented an individual who was injured on a construction site when he was pinned underneath the bucket of a New Holland Skid Steer. On August 2nd, 2021, attorneys Robert Johnson and Michael Pike obtained a \$10.45 million arbitration verdict issued by a panel of 3 arbitrators. The arbitration panel found two of the defendants 75% responsible, issuing a \$7.83 million award against them. The remainder of the case is set for a jury trial in Broward County Circuit Court in February 2022.

IN THIS ISSUE:

Physician Wins Arbitration with Pike & Lustig, LLP

New Additions to Pike & Lustig

The Importance of Valuation Planning in a Limited Liability Company Planning

Physician Wins Arbitration with Pike & Lustig, LLP

After being prohibited from working in almost every hospital in Palm Beach County and certain Assisted Living Facilities as a result of a non-competition agreement, a physician hired Pike & Lustig to litigate the matter. The complexity of the case was significant, and the odds of turning the case around were as good as swimming against the current in a rough ocean. However, the Physician prevailed after the arbitrator heard all the testimony of several fact witnesses.

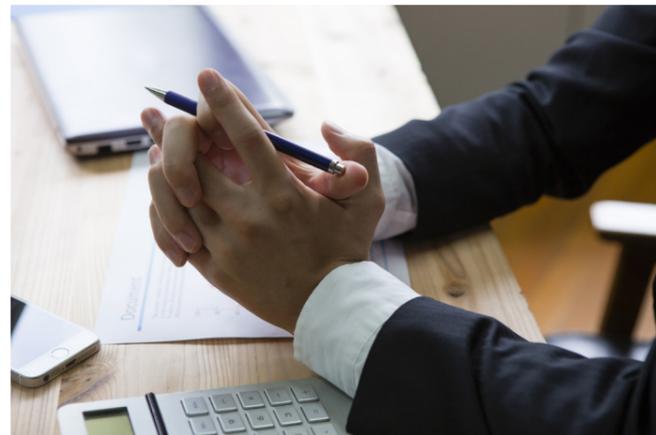
After a substantial amount of work, including briefing and gathering all of the necessary evidence to show that the bond assigned to the injunction was not sufficient and showing an absence of a legitimate business interest, Pike & Lustig, LLP demonstrated the bond had to be increased 7 times the initial amount ordered, and that the injunction was wrongfully issued due to the lack of compliance with the necessary elements to have the right to seek such relief.

The result was a reversal of the injunction by the arbitrator with an order delineating how the presentation of evidence demonstrated the injunction was wrongful. The proceedings continue as to damages.



The Importance of Valuation Planning in a Limited Liability Company

By Timothy O'Neill, Senior Associate and Trial Attorney, Pike & Lustig, LLP



With any new business venture, the members enter into a relationship with great hope and excitement. Often, this exuberance leads members of a Limited Liability Company or LLC to overlook the eventual end of the relationship. A member may pass away, be physically or mentally unable to continue, or decide to leave the business. What occurs next is often a fight over the value of the withdrawing member's interest and a fair purchase price for the same.

The operating agreement should address how the LLC will be valued as to any member withdrawal. Whether the company employs the market value method, the income method, or some other valuation, the members should confer with the company accountant to make the formula as detailed as possible. Further, this formula needs to be incorporated directly into the operating agreement. (Please note that an amendment to an operating agreement requires unanimous consent of all of the members under Florida Statute Fla. Stat. §605.04073 (d) and (e) unless your existing operating agreement opts out of the statutory requirement.)

Even with an exact formula on valuation, the operating agreement should also provide for alternative dispute resolution. The operating agreement can require mediation amongst the parties before any arbitration or lawsuit is filed. In addition, a yearly appraisal of the LLC's value can alleviate time and hassle in the future. By supplying a valuation history to an heir or other individual who is not educated about the LLC: the members may have an easier time convincing the offeree that the buyout of a member's share is a fair one.

NEW ADDITIONS TO PIKE & LUSTIG, LLP Timothy O'Neill



Pike & Lustig is pleased to announce the addition of Timothy O'Neill as senior associate and trial attorney at Pike & Lustig, LLP. Timothy O'Neill practices in the areas of business litigation, partnership disputes, real estate litigation, estate, and trust litigation, and intellectual property litigation. Timothy received his Bachelor of Science Degree from the University of Evansville and graduated from the University of Missouri-Columbia School of Law in 1997. Following law school, Timothy clerked for two years in the State of Florida's Fifteenth Judicial Circuit in Palm Beach County, and served as a law clerk in the United States District Court for the Southern District of Florida. Timothy serves as an executive board member of the Busch Wildlife Sanctuary, a non-profit entity dedicated to preserving Florida's wildlife through rehabilitation and education.

Timothy is admitted to practice before all of the state courts of Florida as well as The Supreme Court of the United States; United States Court of Appeals, Eleventh Circuit; United States Court of Appeals, Ninth Circuit; United States District Court, Southern District of Florida; United States District Court for the Middle District of Florida; and United States District Court of Colorado. He is a member of the Palm Beach County, Florida, and Federal Bar Associations.

Stuart L. Hartstone



Stuart Hartstone joined Pike & Lustig in 2021 as an attorney in the firm's complex-commercial litigation division, where he applies his knowledge representing individuals and entities accused of quasi-criminal conduct in the civil divisions

of Florida's state and federal courts, including patient brokering, anti-kickback violations, FDUTPA claims, civil RICO claims, False Claims Act violations, allegations of fraud, and other causes of action.

Prior to joining Pike & Lustig, Stuart served as the Senior Supervising Trial Court Law Clerk for the Fifteenth Judicial Circuit. Stuart earned his law degree from Florida International University College of Law in 2010 and began his career in Miami helping launch the Florida Capital Resource Center ("FCRC"), a nonprofit organization dedicated to the defense and mitigation of death penalty cases. Stuart is a member of The Florida Bar, The Massachusetts Bar, and The Bar of the Supreme Court of the United States.

Pike & Lustig Gives Back



In September 2021, Michael Pike and members of the Pike & Lustig team delivered lunch to the entire staff at Palms West Hospital, a full-service emergency care facility located in Loxahatchee. More than 300 healthcare workers were treated to the complimentary lunches as a small thank you for the work they have been doing throughout the pandemic.

"It's the least that we can do to say thanks and show our support to the entire team at Palms West, which has gone above and beyond during the past 18 months to help the community," said Michael Pike.

Nurses, first responders and hospital staff at Palms West Hospital enjoyed free box lunches delivered by Pike & Lustig as a small token of gratitude for their hard work during the COVID-19 crisis.

"We just want to thank them for all their hard work during COVID and the pandemic," added Pike. "They're pressed for time and sleep and we're just trying to do something right to bring their day up."