



Gail Migdal Title, Esq.

Mediator • Arbitrator



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**BREACH OF CONTRACT PROFIT PARTICIPATION,
DISTRIBUTION AGREEMENT DISPUTES WITH
PARTICIPANTS**

- Multiple related state court actions and arbitration arising from alleged breach of pick-up distribution agreement, including claims of fraud, indirect fraud, failure to properly account for gross proceeds, unfair competition, unfair business practices, and breach of fiduciary duty and involving issues of contract interpretation, third party beneficiary theories and output agreements and distribution practices worldwide
- State court claims for fraud, breach of contract, breach of implied covenant of good faith and fair dealing, and improper profit participation accounting, including issues of contract interpretation and industry custom and practice regarding reporting of merchandising, publishing, home video, off network and cable distribution, most favored nations provisions, spin-offs, buyouts, constructive notice and statutes of limitations
- State court action for breach of contract and various tort claims involving issues relating to profit participations, home video accounting and third party beneficiary theories arising from production and distribution of several major motion pictures
- Action for breach of contract, declaratory relief, accounting, and reversion arising from contract for home video distribution in connection with iconic motion picture and involving issues of profit participation accounting, contract interpretation and industry custom and practice
- State court action for breach of contract, involving distribution agreements for various motion pictures
- Contract dispute involving indemnity and contribution claims and contract interpretation of break points and other accounting issues

- Arbitration of claims of major award winning producer with respect to multiple TV series under multiple term deals and series contracts, including issues of determination of fair market value, vertical integration, basic cable and syndicated television license agreements, executive producer fees, and accounting
- Breach of contract re dispute of ownership interests in grocery store chain
- Breach of contract, copyright and fraud regarding music rights
- Breach of contract regarding real estate commissions
- Breach of contract and fraud involving record labels
- Breach of contract against hotel
- Contract and fraud re refinancing representations in connection with 2008 housing crisis
- Declaratory relief action re denial of insurance coverage
- Breach of contract and fraud involving shipments of containers from Mexico and Asia
- Breach of contract and fraud re purchase of delivery of warehouse orders of jeans
- Breach of contract re vintage car
- Breach of contract, breach of implied covenant, fraud, libel, slander, intentional interference, unfair competition, 17200, and trade secrets violations involving the apparel industry
- Breach of contract and breach of oral contracts re tickets refund and commissions
- Breach of contract claim of against screenwriter based on alleged management contract
- Breach of lease agreement/guarantee obligation
- Dispute between sub and contractor re services in connection with school construction
- Breach of contract re non-compete and interference claims against former employee in connection with lighting design and import business