



## Marc Eric Pasekoff

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Marc Pasekoff, an associate with the Firm's Commercial Litigation Department, dedicates his practice to real estate, business and commercial litigation. In these disputes, he has advised project owners, carriers, developers, contractors, design professionals and individuals. His cases have been featured in *The Washington Post*, *Virginia Lawyers Weekly* and *Mealy's Mold Litigation Report*.

During the past 15 years, Mr. Pasekoff has counseled clients in all phases of contested matters, including construction-related cases, contract disputes, shareholder derivative lawsuits, consumer torts and alleged violations of fiduciary duty and non-compete agreements.

Mr. Pasekoff has successfully litigated and defended numerous Indoor Air Quality cases, including matters involving "toxic mold" and building-related illnesses. Similarly, he has litigated complex cases concerning building design and construction, as well as the health effects of "toxic mold" on building occupants and the impact of mold on building environment and occupants. In addition, Mr. Pasekoff manages cases involving premises liability, mechanic's liens, property rights and real estate and lease disputes. He also handles insurance litigation, including coverage issues and claims of bad faith.

Representative cases include:

### PRACTICE AREAS

Commercial Litigation

### EDUCATION

University of Florida  
College of Law,  
Gainesville, Florida,  
1991, J.D., Law Review:  
Florida Law Review,  
Member, 1989 - 1991

University of Virginia,  
1988, B.A., *Honors*: With  
Honors, Major:  
Psychology

### BAR & COURT ADMISSIONS

District of Columbia

Florida

Maryland

Virginia

### HONORS & AWARDS

The Florida Law Review

Marc Eric Pasekoff (Continued)

- Litigation of multi-party fraud and breach of fiduciary duty case concerning residential real property floodplain classification and misrepresentation.
- Obtained substantial settlement in intentional tort / Americans With Disabilities Act case against national brokerage house.
- Developed interpretation of relationship between real estate contract and land use documents to command favorable settlement for landowner against adjacent landowner and title insurance company.
- Achieved significant arbitration award and successfully defeated subsequent appeal regarding noncompliance with the Virginia Uniform Statewide Building Code.
- Extricated potential purchasers from multi-million dollar sales contract against sellers and real estate agents based on pre-contractual misrepresentations and breach of statutory duties.
- Litigated and secured outstanding settlement in bad faith insurance claim originating from disputed flood loss insurance coverage/policy interpretation.
- Enforced restrictive covenants on behalf of individual homeowners against proposed commercial development by NYSE-listed real estate investment trust.

Mr. Pasekoff is admitted to practice in Maryland, Washington, D.C., Virginia and Florida, as well as various federal courts within those jurisdictions.