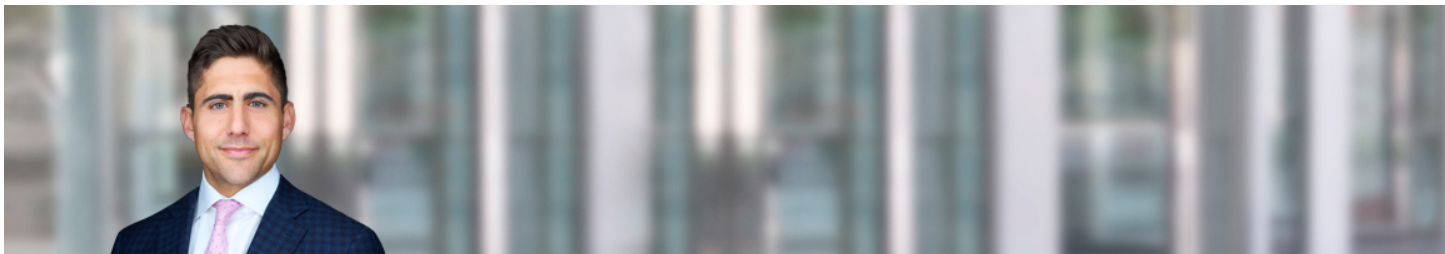


## Albert D. Lichy



Shareholder

Miami Office

alichy@stearnsweaver.com

Phone: 305-789-3428

### PRACTICE AREAS

Litigation & Dispute Resolution

Bankruptcy & Creditor's Rights

### LANGUAGES

Spanish

Hebrew

### OVERVIEW

Albert D. Lichy is a Shareholder in the Litigation group. He represents businesses of all sizes in various stages of litigation and regularly provides transaction-related strategic advice. He also helps businesses assess the risk and opportunities in pursuing and defending a lawsuit, which often involves crafting bespoke transactional solutions.

Prior to joining the firm, Albert was an investment banker at a restructuring advisory boutique in New York City. There he worked on several distressed transactions and corporate restructurings. Albert was also an associate at an international law firm in New York City and has experience as an Assistant County Attorney at the Miami-Dade County Attorney's Office.

Albert clerked for the Honorable Thomas L. Ambro, United States Court of Appeals for the Third Circuit, the Honorable Paul C. Huck, United States District Court for the Southern District of Florida, and was a judicial extern for the Honorable Alex Kozinski, United States Court of Appeals for the Ninth Circuit.

### REPRESENTATIVE EXPERIENCE

Represented golf legend, Jack W. Nicklaus, in several matters adverse to the Nicklaus Companies, LLC, owned by New York businessman Howard P. Milstein. The representation included arbitration (AAA) brought to establish Mr. Nicklaus' right to compete with his former company. After a lengthy evidentiary hearing the Arbitrator ruled in Mr. Nicklaus' favor, establishing termination of his employment-related restrictive covenants. In a separate proceeding brought against Mr. Nicklaus by the Nicklaus Companies in the New York Supreme Court, we obtained a final summary judgment establishing Mr. Nicklaus' ownership of his name, image and likeness and a dismissal of each and every claim the Companies had brought against him.

Represented Perry Ellis International, Inc. and PEI Licensing, LLC as co-plaintiffs in lawsuit alleging breach of a purchase agreement for the sale of the Pro Player® apparel brand, resulting in an \$8.3 million plaintiffs' verdict following a 10-day jury trial in the Complex Business Litigation Division of the Eleventh Judicial Circuit of Florida in which the plaintiffs

prevailed on all claims and legal theories including breach of contract, breach of the implied covenant of good faith and fair dealing, and piercing of the corporate veil.

Represented the ClearSky Funds against its financial sponsor, the largest energy company in the world, which launched an attempted takeover of the Funds after disagreements involving the Principals Directors of the Funds. The Stearns Weaver Miller team secured a complete victory for the ClearSky Funds after a 6-week Final Hearing, which involved testimony from over 25 fact witnesses and numerous experts who opined on complex issues of governance and securities laws.

Represented Fragomen, Del Rey, Bernsen & Loewy LLP and a member of the Firm's executive committee in a malpractice action in the 11th Judicial Circuit Court in and for Miami-Dade County. The Stearns Weaver Miller team secured a rare dismissal of all malpractice claims brought against Fragomen and the member of the Firm's executive committee.

Represented KGH International Development against The Trillist Companies (and its principal) in a web of lawsuits in the Southern District of Florida, Florida state court and the Bankruptcy Court for the Northern District of Georgia. The Stearns Weaver Miller team secured a very favorable monetary settlement that was approved by the bankruptcy court.

Represented Perry Ellis International in a licensing dispute against a Fortune 500 company that sought to cancel the parties' license agreement after Perry Ellis' 2018 going-private transaction. The Stearns Weaver Miller team secured a settlement on terms favorable to Perry Ellis shortly before trial.

Represented Perry Ellis International in *Perry Ellis International, Inc. v. BCIM Strategic Value Master Fund, LP*, a hotly contested appraisal litigation arising out of the Company's \$476 million take-private transaction, involving five hedge funds also known as appraisal arbitrageurs. The Stearns Weaver Miller team helped Perry Ellis achieve a landmark victory in the complex business division of the Eleventh Judicial Circuit (Miami-Dade County, Florida), persuading the Court that Burford Capital Investment Management lacked standing under Florida's appraisal statute to assert appraisal rights. Perry Ellis obtained a complete dismissal of Burford Capital's claims on summary judgment.

Achieved a full dismissal of RICO claims brought against Bluegreen Vacations Unlimited, Inc. in federal court in *Fittipaldi v. Bluegreen Vacations Unlimited, et al.*, 18-61414 (S.D. Fla.).

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## RECOGNITION

*Best Lawyers: Ones to Watch, 2024-Present*

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## PUBLICATIONS & PRESENTATIONS

**Publications:** [Nudging Judges to Issue Decisions Can Pay off](#)

Daily Business Review | February 2016

**Publications:** [New York City's Annual Income and Expenses Statement Filing Requirement—a Land Mine for the Unwary Purchaser or Owner of Real Property](#)

Cornell Real Estate Review | July 2014

**Publications:** [The 'Too Big to Jail' Effect and the Impact on the DOJ's Corporate Charging Policy](#)

Hastings Law Journal | June 2014

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**Publications: DOJ's Shift in Corporate Prosecutions: Too Big to Ignore**

Daily Business Review | December 2013

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**Publications: The Availability of Performance-Based Fee Enhancements After *in re Pilgrim's Pride***

American Bankruptcy Institute Journal | January 2012

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**Publications: 11 U.S.C. § 365(d)(3)'s Creation of the Dueling 'Billing Date' and 'Proration' Approaches, and a Simple Fix**

Real Estate Law Journal | January 2011

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## NEWSROOM

**In the Media: 'Golden Bear' Roars Back: Golfer Wins Legal Fight for His Identity**

Law.com | | March 2025

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**In the Media: Miami-Dade Jury Award \$8.3 Million to Perry Ellis in Breach-of-Contract Litigation**

Daily Business Review | | August 2024

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**In the Media: Fla. Jury Awards \$8.3M In Spat Over Sale Of Pro Player Brand**

Law360 | | July 2024

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**Firm Announcements: Stearns Weaver Miller Team Secures \$8.3 Million Jury Verdict for Perry Ellis International Against United Legwear Company LLC**

| July 2024

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**Firm Announcements: Stearns Weaver Miller Names Four New Shareholders**

| September 2020

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## EDUCATION

J.D., *magna cum laude*, University of Pennsylvania Law School, 2011

Order of the Coif

Wharton School Richard Frost Memorial Award

Frank H. Gelman Prize

Blank Rome Alvin Ackerman Prize

B.S., University of Maryland-College Park, 2008

Robert H. Smith School Outstanding Hispanic Scholar Award

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## ADMISSIONS

Florida

New York

United States Court of Appeals for the Third Circuit