



JUNE 13, 2007

PFC's Jack Sartore and Josh Carver Successfully Defend Client Against \$1.2 Million Lawsuit

PFC litigators Jack Sartore and Josh Carver successfully defended Excel Motorsports, LLC and its principal shareholder in a lawsuit resulting from the break up of a multiline Denver motorcycle dealership in 2004.

Plaintiffs Titan of the Rockies, Inc. and its principal Dan Delehoy sued Excel American, LLC and its parent Excel Motorsports, LLC and the parents principal member for \$1.2 million in damages alleging fraud and breach of contract among other claims.

In 2006 Sartore and former PFC associate Erin Turner obtained summary judgment on plaintiffs claims of fraud and unenforceable contract.

In a six day jury trial that started on June 4, 2007 Sartore and recent PFC addition Josh Carver, formerly of Wilmer, Cutler, Hale & Dorr, obtained a court ruling dismissing plaintiff's "veil piercing" claims against Excel Motorsports, LLC and the principal shareholder.

On June 13, 2007 the Arapahoe County District Court jury returned a verdict limiting damages against the subsidiary, Excel American, LLC to \$38,000, roughly the amount on the table when the plaintiff walked away from negotiations to settle accounts and filed suit in 2005.