



DORIAN N. DAGGS

PARTNER

Dorian has spent the past 20 years litigating high stakes matters on behalf of individuals and corporations both in large law firms and as in-house counsel. As a lawyer in private practice, Dorian has defended manufacturers of automobiles, pharmaceuticals, and tobacco products in personal injury and wrongful death matters throughout the United States. He also maintained a robust commercial litigation practice representing individuals and small to mid-size businesses in contract matters, commercial landlord-tenant disputes, commercial foreclosure cases, and difficult business divorces.

As in-house counsel, Dorian represented the largest developer, owner and operator of renewable energy installations in North America, NextEra Energy Resources, in all phases of acquisition, development and construction of renewable energy facilities, challenges relating to environmental and other permitting issues, commercial and contract claims with stakeholders, energy marketing and trading issues, and warranty and negligence claims with vendors. He also spent time as a Senior Director in the company's competitive transmission business, further bolstering his understanding of regulatory issues, P&L Statements, accounting, balance sheets, and the intersection of business and law.

Dorian's unique blend of roughly equal time in private practice and as in-house counsel provides a special benefit to corporate clients and individual clients alike. For his corporate clients, Dorian is able to drill down on particular issues that are most relevant to the bottom line and craft solutions that provide the least disruption possible to ongoing operations while delivering the timely and cost-effective result that the client needs. For individuals and small businesses, Dorian knows the pressure points of their often larger, better-financed corporate adversaries because he has been there. He uses that knowledge to find and exploit whatever angle best achieves the desired outcome for his client. A problem-solver by nature, Dorian prepares each case as though it will go to trial so that every strategic and tactical option remains on the table throughout the litigation.

Significant matters include:

- Lead trial counsel in defending the foreclosure of a commercial development parcel where plaintiff alleged that errors in the foreclosure process led to a lower foreclosure sale price. Obtained a directed verdict at close of plaintiff's case in chief.
- Co-trial counsel in matter involving professional negligence in the construction of a condominium building that flooded with raw sewage in heavy rains rendering portions of the building unusable. Jury rendered a verdict in favor of the condominium owners for redress of loss of value of the properties.

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CONTACT

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EDUCATION

Georgetown University Law Center, J.D.

- Winner, William W. Greenhalgh Mock Trial Competition
- Barrister's Council
- American College of Trial Lawyers National Trial Team
- Quarterfinalist, American College of Trial Lawyers National Trial Competition

Howard University, B.A., *summa cum laude*,
Communications

- Dean's List (4 years)
- Golden Key National Honor Society
- Captain, American Mock Trial Association ("AMTA") National Championship Trial Team
- Best Attorney, AMTA National Championship Trial Team
- Varsity Tennis Team



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PRACTICE AREAS

- Complex Commercial Litigation
- Products Liability Litigation
- Catastrophic Injury and Wrongful Death Litigation
- Commercial Landlord-Tenant and Foreclosure Litigation
- Energy Litigation
- Renewable Project Development Litigation

AWARDS AND ASSOCIATIONS

- Board of Directors, Children's Home Society of Florida, Palm Beach Division (2011-2020)
- Board of Directors, Suncoast Community High School Foundation
- Sigma Pi Phi Fraternity

ADMISSIONS

BARS

- Florida
- Maryland
- District of Columbia
- Georgia

COURTS

- U.S. Court of Appeals: Eleventh Circuit
- U.S. District Court: Southern District of Florida
- U.S. District Court: Northern District of Georgia

- Counsel to tobacco company in a matter involving an alleged wrongful death and seeking punitive damages. The matter was referred to the Supreme Court of Georgia, which ruled that punitive damages in all such cases were barred due to a prior settlement entered into by the State of Georgia and the tobacco company—a significant victory for the company. *Brown and Williamson Tobacco Corporation v. Gault et. al*, 627 S.E.2d 549 (2006); 280 Ga. 420.
- Represented minority owner against majority owner and operator in a business dispute; obtained an injunction to enjoin waste of corporate assets and had receiver appointed to operate the business while the dispute was litigated. Matter ultimately settled on terms favorable to minority owner.
- Provided counsel on numerous matters brought by Native American tribes and Labor Unions relating to the siting and construction of utility scale solar and wind energy projects in state and federal courts in California. Cases alleged violations of the National Environmental Policy Act, the National Historic Preservation Act, the Religious Freedom Restoration Act, the Endangered Species Act and state analogues such as the California Environmental Quality Act and sought to prevent construction of the projects through injunction. In all cases, the injunctions were denied, and the projects were timely completed in accordance with the company's contractual obligations.
- Provided counsel in matters where gas providers claimed *force majeure* where weather-related events (hurricanes) allegedly blocked production and transport of natural gas in the southeastern United States. After protracted litigation, the company was able to demonstrate that natural gas remained available for purchase and delivery during the weather event and recovered a significant portion of its losses.
- Provided counsel in obtaining Special Use Permits, Conditional Use Permits and other land use and zoning relief for the siting and construction of wind and solar installations in mixed use areas throughout the country. These efforts also regularly involved close collaboration with Federal agencies, such as the FAA, FCC and DOD.
- In addition, Dorian has litigated numerous trade secret and misappropriation cases, as well as trade dress cases under the Lanham Act.

Dorian has been involved in numerous initiatives in his community wherever he has lived. While in Georgia, he served as his law firm's liaison to the Juvenile Diabetes Research Foundation (JDRF), helping to raise money for this worthy cause through the JDRF One Walk event.

In Palm Beach County, Dorian served on the Board of Directors of the Children's Home Society of Florida, Palm Beach Division (CHS) from 2011 to 2020 when he timed out of service under the CHS by-laws. CHS provides service and support to at risk children throughout the state. It also functions as the largest adoption agency in the State of Florida. Dorian will be eligible to rejoin the Board in 2021. He also serves on the Board of the Suncoast Community High School Foundation, which focuses on raising money and marshaling other resources for one of the top public high schools in the state.

Dorian also remains active in his fraternity, Sigma Pi Phi, where he participates in the Boule Scholars program that assists Black boys and young men at every stage of their personal and educational development, helping to prepare them for college and beyond. Additionally, Dorian was a founding member of the management council of the African-American Professional Employee Group (AAPEG) Employee Resource Group during his time at NextEra Energy/Florida Power & Light. The council's focus is on enhancing the employment experience for African-American employees within the company.