

## NICOLETTE CORSO VILMOS

### Partner

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Nicolette Vilmos is a partner on the firm's Dispute Resolution and Business Regulatory Teams and resident in its Orlando and Tampa offices. She focuses her practices in the areas of complex business litigation, including bankruptcy, intellectual property, banking law, lender liability, shareholder and business disputes, real estate workouts, non-compete litigation, and landlord-tenant matters.

Her bankruptcy and creditors' rights practice includes representation of secured lenders, purchasers of assets from troubled companies, fiduciaries, creditors' committees, and other stakeholders in multi-party disputes and reorganizations.

In the area of intellectual property, she has litigation experience in state and federal courts and has represented clients in cases relating to patent infringement, trademark infringement, trade dress infringement, copyright infringement, anti-cybersquatting, theft of trade secrets, unfair competition, the Computer Fraud and Abuse Act, deceptive and unfair trade practices, tortious interference, breach of contract and/or breach of restrictive covenants, and other related claims.

Nicolette counsels clients on various privacy and data security issues from systemwide network intrusions and ransomware attacks to cyber extortion, fraudulent wire transfers, email account compromises, stolen computer hardware, and employee misconduct.

### Bar Admissions

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Florida  
U.S. District Court, Northern, Middle and Southern Districts of Florida  
U.S. Court of Appeals for the Federal Circuit  
U.S. Court of Appeals, Eleventh Circuit  
U.S. Supreme Court

### Practice Teams

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## Practice Areas

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Bankruptcy/Restructuring  
Bankruptcy Litigation  
Construction  
Intellectual Property  
Real Estate

## Representative Matters

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### Intellectual Property and Business Litigation

- *Southeastern Conference Association of Seventh–Day Adventist v. Guilgal Congregation, et al.*: Successfully represented client at trial and on appeal to the Fifth District Court of Appeal against multiple defendants for fraud, conspiracy to commit fraud, conversion, and breach of fiduciary duty
- *Twin River’s Engineering v. Fieldpiece*: Represented patent owner and inventor in the prosecution of action to terminate a Business Agreement regarding the use of patented technology covering infrared leak detectors. Successfully defended against defendant’s mandatory injunction and counterclaim alleging breach and Florida Deceptive and Unfair Trade Practices
- *Skyline USA v. Uniform 4 All*: Defense of patent and trademark infringement action and deceptive and unfair practices act related to a product and design for a Combined Flash Light and Stun Gun
- *Eat Dirt, LLC v. Arribia Films, et. al.*: Counsel for patent owner and inventor in patent infringement lawsuit regarding patented invention iPhone cover with built–in bottle opener
- *Coastal Electronics v. P&L*: Counsel for patent owner and inventor regarding his intellectual property used to access other computers inside of vehicles that control the radio, audio visual devices, navigation devices, and electronic systems in lawsuit for trademark infringement; false designation of origin and false advertising; deceptive and unfair trade practices; violation of the Anti–cybersquatting Consumer Protection Act under; and copyright infringement
- *OSI v. Universal Systems & Technology, Inc.*: Represented military contractor suing competitor to enjoin defendants from using any of OSI’s trade secrets that included source code and software related to OSI’s laser based training system software and hardware
- *MPS v. Siemens Westinghouse*: Defense of one of the world’s largest power plant equipment companies in a \$300 million trade secret misappropriation case
- *PortionPac Chemical Corporation v. Sanitech Systems*: Defense counsel in a trade dress, trademark, trade secret, and copyright infringement action for a distributor of school sanitation chemicals
- *Starbucks v. Yeehaw Travel Center*: Counsel for Starbucks in a trademark infringement and dilution action in Federal Court
- *Trizen Systems v. Software Ag*: Counsel for patent owner and inventor in the prosecution of a patent infringement action, including Markman hearing, regarding a method for managing data stored in a database and a method that provided integration between a mainframe and a computer
- *MLE Restaurant Group, LLC, v. ADL Investments, LLC., and Corral Group, L.P.*: Represented landlord in contested eviction and damages action. Following the presentation of evidence at trial, including expert witness testimony, the court entered a judgment in the landlord’s favor finding that the tenant wrongfully assigned the lease, causing the landlord to incur compensable attorneys’ fees in the bankruptcy action of the improper tenant, in addition to damages

- *Kindred v. Murphy*: Represented plaintiff in case alleging misappropriation of funds in addition to claims under the Racketeer Influenced and Corrupt Organizations Act

## Bankruptcy

- *In re: Land Resource, LLC et. al., Debtors, Leigh Richard Meininger, Chapter 7 Trustee, Plaintiff, v. J. Robert Ward*: Counsel for Chapter 7 Trustee in the administration of 36 bankruptcy entities in addition to multiple multimillion-dollar fraudulent transfer adversaries. Obtained order, affirmed on appeal, approving settlement containing a bar order permanently enjoining the creditors from pursuing any claims against the non-debtor settling parties
- *In re Robb & Stucky Limited, LLLP*: Served as co-counsel to the official committee of unsecured creditors of Robb and Stucky Limited LLLP, a high-end nationwide retailer of interior decorations, which ultimately led to the sale of substantially all of the Debtors' assets and a settlement with the Debtor's Lenders
- *In re: Louis J. Pearlman, et al.*, Represented numerous creditors in counsel in a \$300 million Ponzi fraud case
- *In re: Sarasota Suncoast*: Counsel to secured lender in Chapter 11 in contested confirmation and valuation hearing regarding a debtor that operated a church and leased real estate to a charter school
- *In re: Sun King Apartments, Inc.*: Counsel to institutional lender in Debtor's contested single asset real estate Chapter 11 bankruptcy case
- *In re: EZ Pay Services, Inc.*: Counsel for creditor who purchased dental accounts receivable from the debtor prepetition. Defended creditor in numerous adversary and multistate lawsuits regarding disputes related to ownership claims on the accounts receivable
- *In Re Seminole Walls & Ceilings*: Defended creditor in fraudulent transfer actions, and trials, in which the trustee claimed the assets purchased by the creditor were property of the bankruptcy estate
- *In re Tempus Resorts International, Ltd.*: Served as co-counsel to the official committee of unsecured creditors of Tempus Resorts International, Ltd., a Florida based vacation ownership development, marketing, sales, and management company. Substantially all of the Debtor's assets were sold through the Chapter 11 Plan

## Community Activities / Associations

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- Board of Directors, The Central Florida Bankruptcy Law Association (2012-2022)
- President, International Women's Insolvency & Restructuring Confederation (IWIRC) Board of Directors (2022–2024)
  - Vice President (2019–2021)
  - Board Member, IWIRC Florida Network (2016–Present)
- Member, UCC Committee
  - UCC Committee
  - Judicial Liaison Committee
  - Computer and Technology Committee
  - Florida Business Law Section
- Member and Former Board Member (2012–2017), Central Florida Bankruptcy Law Association (2006-2023)
- Member, OCBA IP Committee
- Member, American Bankruptcy Institute
- Member, ABI Southwest Advisory Board
- Member, American Intellectual Property Law Association
- Member, Federal Bar Association in Orlando

- Graduate, Leadership Orlando
- Member and Mentor, Central Florida Inns of Court
- Visiting Bankruptcy law professor at the FAMU School of Law
- Real Property Adjunct Professor Valencia Community College
- Member, Past Board of Directors and President's Society, March of Dimes Central Florida Chapter
- Former Board Member, Harbor House

## Awards & Honors

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- *The Best Lawyers in America*®, 2021-2024
- *Chambers & Partners USA, America's Leading Business Lawyers*
  - Bankruptcy/Restructuring, 2021-2024
  - Bankruptcy/Litigation, 2023-2024
  - Business for Bankruptcy, 2014-2015
- Lawdragon 500 U.S. Bankruptcy and Restructuring Lawyers, 2022-2024
- *National Law Review*, Go-To Thought Leader, 2022
- *America's Most Honored Lawyers*, 2022
- *Florida Trend Magazine*, Florida's Legal Elite, 2021-2022
- *Martindale-Hubbell*, AV® Preeminent™ rated
- *Florida Super Lawyer*, 2014–2024
- *Women's Executive Council of Orlando*, Women of Achievement Award
- *Litigation Counsel of America*(LCA), Fellow, 2015 - 2024
- *Orlando Business Journal*, "40 Under 40", 2009
- *Orlando Business Journal*, "Women Who Mean Business", 2013

## Publications

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- Health Care Companies Face Financial Strain from Data Breaches, *American Bankruptcy Institute*, Co-Author (August 2021)
- How to Protect Your Domain Name, *Law360*, Author (2012)

## In the News

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Law360 Features Nicolette Vilmos in "Berger Singerman Adds Nelson Mullins Attorney To Expand In Florida"  
July 6, 2023

Daily Business Review Features Nicolette Vilmos in, "Berger Singerman, Eyeing Central Florida's 'Unmet' Potential, Lands Nelson Mullins Bankruptcy Co-Chair"  
July 6, 2023

Berger Singerman Welcomes Nicolette Vilmos to Lead Central Florida Expansion  
July 5, 2023

Today.com Quotes Nicolette Vilmos in, "Senator Tammy Duckworth shares her remote working fail in Democratic caucus call"  
March 26, 2020

## Events & Speaking Engagements

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Speaker, Central States Bankruptcy Workshop, Remote Work Is Here to Stay: Are You Meeting Your Cybersecurity (and Ethical) Obligations? American Bankruptcy Institute and the Central States Advisory Board  
June 18, 2021

Panelist, Remote Work Is Here to Stay: Are You Meeting Your Cybersecurity (and Ethical) Obligations?, ABI Central States Bankruptcy Workshop  
June 18, 2021

Panelist, Virtual Trials and Depositions: A Panel Discussion, Central Florida Bankruptcy Law Association  
October 15, 2020

Co-Presenter, Case Law Update: Landlord/Tenant Issues in Bankruptcy  
June 18, 2020

Speaker, IWIRC Florida Annual Meeting: Protecting Client Confidences  
November 6, 2019

Panelist, Why Bankruptcy Matters in Civil Litigation  
May 16, 2019

Speaker, 43rd Annual Alexander L. Paskay Memorial Bankruptcy Seminar, American Bankruptcy Institute  
February 6, 2019

Speaker, You're going to make them an offer they can't refuse: Construction risk allocation through strategic contract negotiation, Association of Corporate Counsel Central Florida Monthly CLE Seminar  
June 20, 2018

Speaker, Protecting Client Confidences: Ethical Obligations and Best Data Security Practices, Annual Central Florida Bankruptcy Law Association Seminar & State of the District  
May 1, 2018

Panelist, Cybersecurity and Your Ethical Duties, American Bankruptcy Institute Annual Spring Meeting  
April 1, 2018

Speaker, Hot Topics Chapter 11, ABI Alexander Paskay Seminar  
January 5, 2017

Speaker, Ipod II: Essential Tools and Tricks for Insolvency Professionals, ABI Winter Leadership Conference  
June 15, 2016