

C. LAWRENCE ORLANSKY

Member

New Orleans

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OVERVIEW

Larry Orlandsky, Chair of the firm's Gaming Practice Group, concentrates his practice in the areas of business litigation, gaming law, and professional liability and ethics. He also serves as the firm's loss prevention and ethics counsel.

REPRESENTATIVE MATTERS

- Represented a national casino company as Louisiana gaming regulatory counsel in its acquisition of a riverboat casino, including required Louisiana Gaming Control Board approvals and findings of suitability.
- Defense of community bank and its officers in a series of lawsuits asserting racketeering and negligence claims arising from a third party's operation of a Ponzi scheme that defrauded investors, and related representation of a bank in claims against insurers.
- Provided legal and regulatory research, counsel, and contributions to Spectrum Gaming Group in connection with its Comprehensive Gaming Industry Analysis prepared in 2019.
- Represented a succession representative and beneficiaries in disputes with a prior business partner of decedent, see *Skannal v. Bamburg*, 33 So. 2d 227 (La. App. 2d Cir. 2010), and in invalidating unlawful contingency fee option with prior law firm representing succession, *Skannal v. Jones Odom Davis & Politz, LLP*, 124 So. 3d 500 (La. App. 2d Cir. 2013).
- Representation of a riverboat casino owner, operator, and developer and its licensed subsidiaries in regulatory matters before the Louisiana Gaming Control Board in a variety of administrative proceedings and litigation matters.
- Defense of a national law firm in a legal malpractice claim involving alleged failure to pursue claims in connection with a real estate project and defaulted bonds.
- Defense of casino owner, operator, and developer in federal and state court litigation relating to the licensing of riverboat gaming in Louisiana, obtaining dismissal of the federal claims and thereafter favorably settling the remaining state law claims. *Astoria Entertainment, Inc. v. Edwards*, 159 F.Supp. 2d 303 (E.D.La. 2001).
- Consultation and advice regarding licensing and permitting and compliance issues under the Louisiana Gaming Control Law and Regulations, including representation of riverboat and video poker operators, suppliers, and lenders before, and in coordination with, Louisiana State Police, Attorney General's office, and Gaming Control Board.
- Successful defense of a law firm and its client against malicious prosecution claim in federal court, including dismissal in district court and argument of a case on appeal, upholding dismissal. *Production Supply Co., Inc. v. Fry Steel, Inc., et al.*, 74 F.3d 76 (5th Cir. 1996).
- Representation of lawyers in proceedings before the Louisiana Office of Disciplinary Counsel and in defending legal malpractice claims.

PRACTICE AREAS

Business Litigation

Gaming

Fiduciary Litigation

Securities Litigation

INDUSTRIES

Gaming

BAR ADMISSIONS

United States Supreme Court

United States Fifth Circuit Court of Appeals

Louisiana Federal and State Courts

EDUCATION

Paul M. Hebert Law Center at Louisiana State University, J.D., 1983

- Phi Kappa Phi
- Omicron Delta Kappa
- Order of the Coif
- Associate Editor of the *Louisiana Law Review*, 1982-83

Louisiana State University, graduating from the Honors Division of the College of Arts and Science, 1980

CLERKSHIPS

Law clerk to the Honorable Adrian G. Duplantier, U.S. District Court for the Eastern District of Louisiana, 1983-84.

- Representation of corporate shareholders and directors in claims alleging breach of fiduciary duties and related matters.
- Representation of brokers and financial advisors in defense of customer claims of breach of fiduciary duty and securities law violations asserted in arbitration and litigation.
- Consultation and advice regarding matters arising under the Louisiana Code of Governmental Ethics, and representation of respondents in investigations by, and proceedings before, the Louisiana Board of Ethics.
- Representation of succession representatives, beneficiaries, and legatees in contested proceedings involving will contests, trust disputes, and fiduciary litigation.
- Representation of a large national bank and its trust department in federal court litigation alleging breach of duties as trustee of a charitable remainder trust. *Morse v. Bank One Trust Co.*, No. 03-2638 (E.D.La.).
- Defense of a community bank against claims of mismanagement and breach of fiduciary duty arising from its service as trustee of a school board retirement plan, in lawsuits alleging losses of up to \$10 million, including a class action brought on behalf of plan participants. *Adams v. Continental Community Bank & Trust Co. c/w Jefferson Parish School Bd. Master Retirement Plan v. Tower Square Securities, Inc.* (24th Judicial Dist. Ct., State of La.).
- Representation of a co-owner of a condominium unit in partition action and related disputes.
- Representation of employers and employees in significant disputes regarding noncompetition, nonsolicitation, and confidentiality agreements.
- Representation of a national behavioral health company in its administrative protest and subsequent civil action for injunctive relief arising from a bid dispute with the State of Louisiana.
- Successful defense of Papa John's® slogan in a federal appeal from an adverse district court judgment in a case alleging that the advertising slogan violated the false advertising laws. The lower court judgment finding violations of the Lanham Act and other false advertising claims was reversed. *Pizza Hut, Inc. v. Papa John's Int'l, Inc.*, 227 F.3d 489 (5th Cir. 2000), *cert. denied*, 532 U.S. 920 (2001)
- Represented liability insurer on appeal of action brought by construction contractor regarding coverage for damage caused by defective work. *Riley Stoker Corporation v. Fidelity & Guaranty Insurance Underwriters, Inc.*, 26 F.3d 581 (5th Cir. 1994).
- Obtained summary judgment in federal district court in favor of claimant to an industrial site utility refund, and successfully argued on appeal upholding that judgment. *Class of Electric Ratepayers v. Lone Star Industries and OKC Liquidating Trust*, No. 89-3600 (5th Cir. 1990).
- Representation of a producer in a major gas contract termination dispute involving prolific long-term oil and gas production platforms located in outer-continental shelf waters of the Gulf of Mexico.

PROFESSIONAL AND CIVIC ACTIVITIES

- International Association of Gaming Advisors' Board of Trustees.
- Master in the American Inns of Court.
- Louisiana Bar Foundation Fellow.
- Larry has served as an arbitrator for the National Association of Securities Dealers (now FINRA).
- He previously served on the Noncompetition Legislation Task Force of the Louisiana Association for Business and Industry.
- American Bar Association member.
- Federal Bar Association member.
- Larry has served in various capacities on the Louisiana State Bar Association Continuing Legal Education Committee, and has served as a member of the LSBA Committee on Bar Admissions as an Assistant Examiner in Federal Jurisdiction and Procedure.
- New Orleans Bar Association member.

- South-Central Region of the Anti-Defamation League Past Board Chair.
- URJ Henry S. Jacobs Camp Past Board Chair.
- Larry has served as a member of the Executive Committee and the Board of Trustees of Touro Synagogue in New Orleans, and he has served on the boards of the Jewish Federation of Greater New Orleans, the Jewish Children's Regional Service, and Congregation Gates of Prayer.

HONORS & AWARDS

- *Best Lawyers in America* 2006 - 2023.
 - "Lawyer of the Year" New Orleans for Gaming Law 2013, 2016, 2018, and 2020.
- Chambers and Partners 2007 - 2019 and 2021- 2022.
- *Louisiana Super Lawyers* 2007 - 2023.
- *New Orleans Magazine* "Top Lawyer" 2012 - 2022.
- Benchmark Litigation 2020 Local Litigation Star.
- *New Orleans CityBusiness* 2007, 2015, and 2021 Leadership in Law honoree.

PRESENTATIONS

Panelist, "Wheel of Procedure: A Lawyer's Game," New Orleans Bar Association Bench Bar Conference, April 2018.

Moderator, "When Does Zealous Advocacy Go Too Far: Handling Defamation Cases Against Lawyers," American Bar Association National Legal Malpractice Conference, April 2016.

Speaker, "Oral Argument Gone Wrong," American Bar Association Section of Litigation Annual Conference, April 2015.

Speaker, "Ethics: Documenting Client Communications from Intake to Closure," New Orleans Bar Association Procrastinators' Program, December 2014.

Panelist, "What Are the Ethical Limits of Zealous Advocacy in Preparing and Presenting Witnesses?" American Bar Association Equal Employment Opportunity Commission Liaison Committee Meeting, December 2014.

Panelist, "What Are the Ethical Limits of Zealous Advocacy in Preparing and Presenting Witnesses," Federal Bar Association, New Orleans Chapter's 22nd Annual Judge Alvin B. Rubin Symposium, April 2014.

Speaker, "Ethics: Is There a Problem with That? Identifying and Addressing Conflicts of Interest," New Orleans Bar Association Procrastinators' Program, December 2013.

Speaker, "To Boldly Go Where No Man Has Gone Before -- Preparing Your Witness, Taking and Defending Depositions," Louisiana State Bar Association Discovery and Depositions seminar, December 2013.

Speaker, "Professionalism," LSU Law Center Recent Developments, December 2008.

Speaker, "A Practical Approach to Professionalism," New Orleans Bar Association Procrastinators' Seminar, December 2003.

Seminar Chair, "Jazzing Up Your Techniques," Louisiana State Bar Association Jazz Fest Seminar, May 2001.

Panelist, "A Colloquy on Discovery," Louisiana State Bar Association Summer School, June 1995.

PUBLICATIONS

- Author, "Defamation on the Internet," *Commercial & Business Litigation Journal*, Section of Litigation of the American Bar Association (Summer 2002).
- Author, "Consider Non-Compete Clauses in Protecting Business Interests," *Baton Rouge Business Report* (1996).
- Author, "Termination of the Community," *42 Louisiana Law Review* 783 (1983).