



# CORTLAND PUTBRESE

## PARTNER

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Cortland has extensive experience representing and advising corporate clients in multimillion-dollar lawsuits in state and federal courts across the country. He is highly skilled in all aspects of the pretrial and trial stages of litigation, and he has represented various foreign corporations, including companies in Japan, Germany, Canada, and China, and worked with counsel around the globe. Cortland's litigation achievements are many, as he has prevailed in a string of high-profile lawsuits before various federal appellate courts, including a case that Virginia Lawyers Weekly recognized as one of the most important constitutional law opinions in Virginia for the year 2018.

## CONTACT

Call  
804-977-2688

Email  
cputbrese@dbllawyers.com

## PRACTICE AREAS

Intellectual Property  
Litigation & Disputes  
Regulatory & Government

## INDUSTRIES

Alcohol Beverage Law  
Automotive  
Cannabis  
Construction  
Insurance  
Manufacturing  
Retail and Consumer Products

## OFFICES

Richmond, VA  
San Juan, PR

## EDUCATION

- Washington and Lee University School of Law, J.D.
- University of Virginia, B.A., High Distinction

## ADMISSIONS

- Virginia
- West Virginia
- U.S. Supreme Court
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Western District of Arkansas
- U.S. District Court, Southern District of West Virginia
- U.S. District Court, Northern District of West Virginia
- U.S. District Court, Eastern District of Texas
- U.S. District Court, District of Puerto Rico
- U.S. Bankruptcy Court, Eastern District of Virginia
- U.S. Bankruptcy Court, Western District of Virginia
- U.S. Bankruptcy Court, Northern District of West Virginia



## EXPERIENCE

- *Marts v. Republican Party of Virginia, Inc.*, U.S. District Court, Western District of Virginia and U.S. Court of Appeals for the Fourth Circuit: Represented both a statewide political party and a local party that were named as defendants in a lawsuit affecting the constitutional right of political parties to freedom of association. The federal district court granted the defendants' early motion to dismiss, finding that the political parties' actions that gave rise to the case were constitutionally protected. The plaintiffs appealed, and the Fourth Circuit affirmed the district court's ruling. *Virginia Lawyers Weekly* recognized the district court's decision as one of the most important constitutional law opinions in Virginia for the year 2018 based on that opinion's likelihood to have a significant impact on the practice of constitutional law.
- *SwimWays Corp. v. ZURU, Inc.*, U.S. District Court, Eastern District of Virginia: Successfully defended an international toy company based in Asia that was named as a defendant in a multimillion-dollar patent infringement lawsuit. Drafted and filed a motion for summary judgment. Following a lengthy oral argument, the court entered summary judgment in the client's favor, declared the plaintiff's patent invalid in a 71-page opinion, and dismissed the case with prejudice. The judge also denied the plaintiff's motion for partial summary judgment. The plaintiff never appealed the district court's decision dismissing the lawsuit.
- *Income Tax School, Inc. v. Lopez*, U.S. District Court, Eastern District of Virginia: Represented defendants in a copyright infringement case and successfully secured an early dismissal of the lawsuit upon jurisdictional grounds.
- *Ferguson v. Republican Party of Virginia, Inc.*, Campbell County Circuit Court, Virginia: Represented a major statewide political party that was named as a defendant in a lawsuit involving complex constitutional law issues. The action arose out of an internal party dispute. Moved to dismiss the case on behalf of the defendant, and after a lengthy hearing, the court agreed with the statewide political party and entered a rare dismissal with prejudice of the entire lawsuit. In so doing, the judge noted that courts should not wade into internal political party disputes, particularly where, as here, the dispute centered on the party's fundamental First Amendment association right. The action was never appealed.
- *In the Matter of Rave Cinemas, LLC, Virginia Alcoholic Beverage Control Board*: Successfully defended the nation's fifth largest cinema circuit against charges brought by the enforcement division of the Virginia Department of Alcoholic Beverage Control (ABC). The ABC alleged the client violated certain state alcoholic beverage control laws. Tried and won the case before an ABC administrative law judge. After the judge dismissed all charges against the client, the ABC Board upheld the judge's decision.
- *Hinkle v. ABB Process Analytics, Inc.*, U.S. District Court, Southern District of West Virginia: Represented a corporate defendant in an ERISA class action lawsuit. Moved to dismiss the case on the grounds that plaintiffs had failed to exhaust their administrative remedies. The court granted the motion and dismissed the case.
- *Maricco v. Meco Corp.*, U.S. District Court, Eastern District of Michigan: Served as national counsel for a prominent step stool and grill manufacturer. Handled this manufacturer's defense in a complex products liability action pending in a Michigan federal district court. Conducted significant fact and expert discovery. Argued a motion for summary judgment and an accompanying motion in limine to exclude plaintiff's expert's testimony. The court granted the summary judgment motion and dismissed the case with prejudice. The court also granted in part the manufacturer's motion to exclude plaintiff's expert.
- *Fluor Corporation v. American International Specialty Lines Insurance Co.*, U.S. District Court, Central District of California: Successfully represented an international insurance company named as a defendant in a complex coverage action filed by an insured. The case arose out of the alleged failure of a gold mine processing facility constructed by the insured in the Andes Mountains of Chile. After the mine processing facility prevailed in an arbitration against the insured, the insured, which was represented by one of the largest law firms in the world, filed suit against the carrier, seeking coverage and claiming tens of millions of dollars in damages. The insured also alleged claims for bad faith and punitive damages in the coverage action. Handled significant international discovery matters in defending the client, retained and worked with foreign counsel in multiple countries, engaged in extensive motion



practice, and successfully compelled the insured and the mine owner to produce hundreds of thousands of relevant documents located in Chile and Canada. After drafting and filing multiple summary judgment motions based on the insurer's coverage defenses, the case settled favorably for the client.

- State of West Virginia ex rel. One-Gateway Assocs., LLC v. Hon. Gary L. Johnson, Supreme Court of Appeals of West Virginia: Represented a company that sought a writ of prohibition in the West Virginia supreme court to prohibit the enforcement of a state court's order granting injunctive relief to a landowner. The supreme court granted the writ of prohibition, finding the state court erred as a matter of law in granting injunctive relief.

## PUBLICATIONS & PRESENTATIONS

- "Virginia Election Law" (Continuing Legal Education course), Presenter, RNLA, 2021
- "Patent Venue Primer for 2019: The Patent Venue Landscape after TC Heartland," Presenter, Greater Richmond Intellectual Property Law Association, 2019
- "Alcohol Licensing: Virginia Laws, the First Amendment, Litigation, and Tennessee Wine and Spirits" (Continuing Legal Education course), Presenter and Panelist, RNLA, 2019
- "Conflicts of Interest When Representing Businesses: One Enterprise, Many Persons" (Continuing Legal Education course), Presenter, Dunlap Bennett & Ludwig, 2019
- Best's Insurance Law Digest, Reviser, A.M. Best, 2018-present
- Advanced Winery and Vineyard Law (Continuing Legal Education course), Presenter and Author: "Complex State and Federal Licensing and Permitting Issues," National Business Institute, 2016
- "2014 Virginia Election Law Training: Update Regarding Legislative and Regulatory Changes" (Continuing Legal Education course), Presenter, RNLA, 2014
- "Promised Wages: Strategies that Work in Wage Collection," Panelist, National Association of Government Labor Officials Annual Conference (Baltimore, Maryland), 2012
- "Collection of Unpaid Wages under Virginia's Payment of Wage Act," Guest Commentator, Central Virginia Legal Aid Radio Show, WRIR 97.3 FM, 2012
- Tort Law Desk Reference: A Fifty-State Compendium, Contributing Editor, Aspen Law & Business, 2000 edition
- Virginia State Bar Environmental Law News, Co-Author: "Virginia's Title V Operating Permit Program," 1998
- Washington and Lee Race and Ethnic Ancestry Law Journal, Articles Editor, 1997-98

## PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

- Virginia State Claims Association, Secretary (2021-present), Legislative Committee Co-Chair (2021-present), Membership Committee Chair (2020-21)
- Richmond Claims Association, Directory Committee Chair (2018-19), Member (2018-present)
- Lewis F. Powell, Jr. American Inn of Court, Executive Committee (2009-13), Member (2007-present)
- First Presbyterian Church, Richmond, Virginia, Elected Deacon (2022-present)
- National Association of Alcoholic Beverage Licensing Attorneys, Member (2014-17)
- OPUS Performing Arts Society, Inc., General Counsel (2007-08)
- Washington and Lee Alumni Association of Richmond, Chapter Advisory Board Member (2014-2016), Co-President (2007-08), Vice President (2007), Secretary (2005-07), Treasurer (2004-05)
- The James Monroe Memorial Foundation, Development and Fundraising Committee (2006-08)
- Defense Research Institute, Member (2001-05)
- West Virginia State Bar, Young Lawyers Executive Committee, Elected Delegate (1999-2000)
- Charleston Regional Chamber of Commerce, Selected for Leadership Charleston (2000)
- Kanawha County Bar Association, Member (1999-2000)



## HONORS & AWARDS

- Selected for inclusion in The Best Lawyers in America, 2020, 2021
- Selected for inclusion in Virginia Super Lawyers, 2021, 2022
- Substitute Judge, City of Richmond General District Court (13th Judicial District of Virginia), 2018-19
- Rated “Superb” (10.0 out of 10.0) by Avvo (the highest level for this lawyer rating service)
- Selected for inclusion in Who’s Who in American Law, Marquis Who’s Who, 2017
- Selected for inclusion in Who’s Who in America, Marquis Who’s Who, 2016
- University of Richmond School of Law, Adjunct Associate Professor of Law, Lawyering Skills Program, 2005-13
- Virginia Department of Corrections, Board of Corrections Member (Appointed by the Governor of Virginia), 2013-14
- Virginia Department of Labor and Industry, Special Counsel (Appointed by the Commissioner of the Virginia Department of Labor and Industry), 2012-13
- Capitol Square Preservation Council, Member-at-Large (Appointed by the Governor of Virginia), 2011-14
- Office of the Attorney General of Virginia, Special Counsel (Appointed by the Attorney General of Virginia), 2007-08
- Phi Delta Phi Legal Honor Society, Washington and Lee University School of Law, Tucker Inn, President (1997-98)



## FULL BIO

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Cortland is also the recipient of a number of prestigious appointments. In 2018, he was appointed as a substitute judge for the City of Richmond General District Court (13th Judicial District of Virginia). Also, in 2013, the Governor of Virginia appointed Cortland to the Board of Corrections, which oversees the Virginia Department of Corrections. And in 2007, the Attorney General of Virginia selected him to serve as special counsel to represent the state in certain cases.

In addition, Cortland served as an adjunct professor at the University of Richmond School of Law for almost eight years, where he taught first-year students. He has also authored various publications, including serving as a contributor to the Tort Law Desk Reference: A Fifty-State Compendium and A.M. Best's Insurance Law Digest. Moreover, he has contributed to POLITICO, and his observations on national and state politics have appeared in the Daily Telegraph (London, England), Aamulehti (Finland), Washington Examiner, and Richmond Times-Dispatch newspapers. As a result of his many achievements, Cortland has been repeatedly selected for inclusion in *The Best Lawyers in America* and *Virginia Super Lawyers*.

