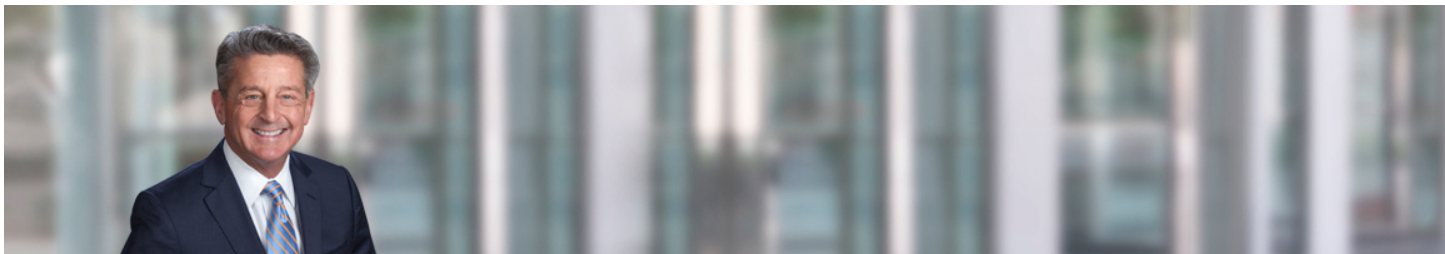


## Alan H. Fein



Shareholder

Miami Office

afein@stearnsweaver.com

Phone: 305-789-3416

### PRACTICE AREAS

Litigation & Dispute Resolution

Arts, Sports & Culture

Construction

Education Law

Election & Political Law

Government & Administrative

Antitrust

Appellate

Class Actions

Product Liability

Professional Liability Defense

### OVERVIEW

Alan Fein is a Shareholder in the Litigation Department and a member of the Firm's Board of Directors. For over three decades, Alan has successfully handled complex business litigation in South Florida and in the leading business courts in the nation, including the Delaware Court of Chancery, the Delaware Supreme Court, the U.S. District Court for the Southern District of New York and the U.S. Courts of Appeals for the Second Circuit, Eleventh Circuit and the District of Columbia. At the same time, he has developed one of the region's most vibrant sports law practices, and brought vision and leadership to a number of community leadership roles.

In particular, Alan focuses his practice on complex civil litigation, professional sports representation and litigation, defamation and libel law, corporate governance disputes, directors' and officers' liability, accountant malpractice, architect malpractice and banking litigation.

Prior to joining Stearns Weaver Miller, Alan was Assistant to the White House Domestic Policy Staff, and Aide to the Special Assistant to President Carter for Government Reorganization. Alan also served as Legislative Assistant to the Speaker of the Florida House of Representatives. He has been a proud member and shareholder of Stearns Weaver Miller, joining the firm as its tenth lawyer in 1979, and helping guide the firm's growth over the next decades.

### REPRESENTATIVE EXPERIENCE

Represented the World Champion Miami Heat basketball team from its inception, including day-to-day advice and counsel, several cutting-edge litigation matters and the negotiation of some of the largest player contracts in the history of professional sports.

Has advised sports franchises on issues regarding the building of new arenas and stadiums, additions of premium seating and promotional contracts.

Has represented both venues and sponsors regarding some of the nations' largest naming rights agreements for both sports and performing arts venues.

Negotiated television and radio rights agreements on behalf of and involving professional sports teams.

Successfully prosecuted professional negligence claims against arena architects.

Successfully defended Benihana, Inc., which owns and operates approximately 70 restaurants in the United States, the Caribbean, and Latin America, in more than 10 cases and appeals brought by Benihana of Tokyo (BOT) from 2012 through 2018. Also prevailed in numerous counterclaims and contempt proceedings against BOT, and obtained judgments for nearly \$3 million in attorneys' fees to date for the client.

Successfully defended corporate investor in a major governance trial in Delaware Chancery Court, and on appeal in the Delaware Supreme Court.

Successfully defended nationwide restaurant chain in major corporate valuation dispute in the U.S. District Court for the Southern District of New York and the Second Circuit Court of Appeals.

Successfully represented the family of one of the world's top ranked tennis professionals in an emancipation proceeding, allowing the player to enter into lucrative endorsement contracts while still a minor.

Successfully represented world-class performing arts center in both major rights litigation and day-to-day operations.

Tried one of the nation's most important libel cases against a prime-time network news magazine.

Co-counsel in one of the nation's largest Dalkon Shield jury awards.

Obtained dismissals of major securities fraud claims and successfully prosecuted a multi-million dollar securities fraud jury verdict.

Successfully represented Presidential candidate and parties in complex and emergency voting rights cases.

Advised and represented a parents' group against the Board of Directors of a leading regional private school with regard to governance and integrity issues at the institution.

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## **PROFESSIONAL & COMMUNITY INVOLVEMENT**

Foundation for New Education Initiatives, Inc., Board Member

Miami-Dade County Cultural Affairs Council, Former Chair

Adrienne Arsht Center for the Performing Arts

Trust Executive Board, 2007-Present

Chair-Elect, 2013-2015

Key Biscayne Village Council

Elected member, 1998-2002

Key Biscayne Village Vision Committee, Vice-Chair, 2005-2006

Arts & Business Council/Miami, Founding Chair

City Theatre, Inc., Founding Chair

Colony Theatre, Inc., Founding Chair

Sport Alumni Chair, University of Pennsylvania Department of Intercollegiate Athletics

Alumni Advisory Board Member, Wharton Sports Business Initiative

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## RECOGNITION

*The Best Lawyers in America*®, 2003-2021

*Miami-Dade Public Schools Alumni Hall of Fame*, Inductee

*South Florida Legal Guide*, Top Lawyers in South Florida - Civil Litigation, 2006-2018, Commercial Litigation 2019-2021

*Chambers USA: America's Leading Lawyers for Business*: Recognized Practitioner in Litigation, 2008-2010, 2016-2017

*Benchmark Litigation*, selected as a Local Litigation Star, 2010-2021

*The Best Lawyers in America*®, 2003-2019

*Florida Super Lawyers*, 2006-2011, 2017-2020

AV Rated by Martindale-Hubbell

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## PUBLICATIONS & PRESENTATIONS

**Events:** Virtual Webinar - CARES Act

| April 2020

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**Events:** There's No 'I' in Team: Sports Law with the Heat, Dolphins, and Panthers

Dade County Bar Association 2016 Bench & Bar Conference | | February 2016

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**Publications:** [Arsht Center is Building a Community](#)

Miami Herald | January 2016

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**Events:** [Wharton Sports Innovation Conference](#)

Wharton School of Finance and Commerce of the University of Pennsylvania | | April 2011

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**Publications:** [Contributor, The Huffington Post](#)

| December 2008

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**Publications:** [Contributor, The Miami Herald- Op Ed Page](#)

| December 2008

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**Events:** [Communications Law](#)

American Bar Association | | January 2000

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## NEWSROOM

**In the Media:** [Heat's general counsel shares excitement over team's playoff success](#)

Islander News | | September 2020

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**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in 2020 Florida Super Lawyers](#)

| June 2020

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**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in Florida Super Lawyers 2019](#)

| June 2019

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**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in Florida Super Lawyers 2018](#)

| June 2018

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**Firm Announcements:** [Stearns Weaver Miller Receives Top Ranking in Benchmark Litigation 2018](#)

| October 2017

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**Firm Announcements:** [Stearns Weaver Miller Lawyers Recognized in Florida Super Lawyers 2017](#)

| June 2017

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**Firm Announcements:** [19 Stearns Weaver Miller Lawyers, 8 Practice Areas Ranked In Chambers USA 2017](#)

| May 2017

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**Firm Announcements:** [Stearns Weaver Miller Receives Top Ranking in Benchmark Litigation 2017](#)

| October 2016

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**Firm Announcements:** [17 Stearns Weaver Miller Lawyers, 7 Practice Areas Ranked In Chambers USA 2016](#)

| May 2016

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**In the Media:** [6 Theatre Workers You Should Know](#)

American Theatre | | March 2016

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**In the Media:** [Arsht Center backers envision broad new plaza, parking garage as I-395 rebuilding looms](#)

The Miami Herald | | January 2016

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**Firm Announcements:** [Stearns Weaver Miller Attorneys Recognized by South Florida Legal Guide 2016](#)

| January 2016

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**In the Media:** [The Instigators: Alan Fein & Susi Westfall](#)

Indulge Magazine | | November 2015

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**Firm Announcements:** [Stearns Weaver Miller Attorneys Recognized in Benchmark Litigation 2016](#)

| October 2015

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**Firm Announcements: Alan H. Fein Elected Chair of Adrienne Arsht Performing Arts Center Trust Board of Directors**

| October 2015

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**In the Media: 3rd Circ. Won't Revive Row Over Benihana Trademark Apps**

Law360 | | August 2015

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**In the Media: 3rd Circ. Urged To Revive Benihana Foreign Trademark Row**

Law360 | | June 2015

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**Firm Announcements: Adrienne Arsht Center for the Performing Arts of Miami-Dade County, City Theatre & Miami Marlins Partner Up To Promote 2015 Summer Shorts Festival**

| June 2015

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**In the Media: Manilow Wows Audience at Adrienne Arsht Center Annual Gala**

Haute Living | | May 2015

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**Firm Announcements: Stearns Weaver Miller Attorneys Recognized by South Florida Legal Guide 2015**

| January 2015

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**Firm Announcements: Stearns Weaver Miller Receives Top Rankings in Benchmark Litigation 2015**

| December 2014

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**In the Media: Benihana Scores Double Win In Trademark, Libel Suits**

Law360 | | July 2014

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**Firm Announcements: Stearns Weaver Miller Proud To Support Adrienne Arsht Center For The Performing Arts of Miami-Dade County**

| June 2014

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**In the Media: Arsht Center's Carnival Studio stage to be named for City Theatre's Susan Westfall**

Miami Herald | | June 2014

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**Firm Announcements: Stearns Weaver Miller Recognized by South Florida Legal Guide 2014**

| January 2014

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**Firm Announcements: Sixteen Stearns Weaver Miller Shareholders recognized by South Florida's Best Lawyers 2012**

| November 2011

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**Firm Announcements: Ten Attorneys and Six Practice Groups Ranked in Chambers USA**

| June 2010

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**Firm Announcements: Twelve Attorneys and Seven Practice Groups Ranked in Chambers USA**

| June 2009

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**Firm Announcements: Twenty-Three Attorneys from Nine Practice Groups Selected for Inclusion in The Best**

## Lawyers in America

| June 2009

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## Firm Announcements: Stearns Weaver Miller Receives Top Rankings in Chambers

| June 2008

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## EDUCATION

J.D., with honors, Georgetown University Law Center, 1979

B.S., with honors, University of Pennsylvania, 1976

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## ADMISSIONS

Florida

United States District Court for the Northern, Middle and Southern Districts of Florida

United States Court of Appeals for the District of Columbia, Second and Eleventh Circuits

The Supreme Court of the United States