



## Paul D. Gamez

*Member*

### *Contact*

Direct: (319) 896-4060

Location: Cedar Rapids

Fax: (319) 366-1917

Email: [pgamez@spmblaw.com](mailto:pgamez@spmblaw.com)

### **PRACTICE AREAS**

Business and Commercial  
Litigation

Labor and Employment Law

Employment Litigation

Antitrust and Trade Regulation

Appellate Advocacy

Banking Litigation

Paul Gamez is a litigation attorney with 30 years of experience serving as a business advisor and legal counsel. Mr. Gamez has accumulated extensive business and complex business litigation experience, with a majority of those years being dedicated almost entirely to business and employment litigation. Mr. Gamez litigates business and employment cases in federal and state court and also represents clients in arbitrated disputes. Most recently, he has represented clients in securities, shareholder, contract, intellectual property, trade secret and non-compete disputes. Mr. Gamez currently serves on the Iowa Supreme Court Advisory Committee, the US District Court for the Northern District of Iowa Federal Practice Committee and is a Fellow of the Iowa Academy of Trial Lawyers.

Prior to joining the firm, Mr. Gamez worked as a business unit leader where he was responsible for business unit financial results and business litigation for a large national equipment financing firm.

Place of birth: Minneapolis, Minnesota

Additional Language: German

### **Bar Admissions**

- State of Iowa, 1991

### **Court Admissions**

- US District Court
  - Northern & Southern Districts of Iowa, 2010
- US Court of Appeals
  - 8th Circuit, 1992
- Iowa Supreme Court, 1991

## Education

- University of Iowa College of Law, JD, with distinction, 1991
- University of Iowa, BA, 1988
  - Political Science and German
  - Phi Beta Kappa

## Representative Experience

### **CRST Expedited, Inc. v. Swift Transportation Co. of Arizona, LLC, No. 17-cv-25 (N.D. Iowa 2019)**

- A federal jury returned a \$15,500,000 verdict on the business tort and unjust enrichment claims of a company which invested in training and qualifying drivers against a competitor which elected to misappropriate the use of 246 drivers' labor prior to the expiration of their ten month agreement to refrain from driving for companies which neither paid for their qualification nor a liquidated sum which would satisfy the obligation.

### **Tina Haskenhoff v. Homeland Energy Solutions, LLC, No. LACV003218 (Ia. Dist. Ct. 2019)**

- On remand from the Iowa Supreme Court, a Chickasaw County jury found, upon admission of liability for an underlying hostile work environment, that an ethanol plant's officers had not constructively discharged a complaining lab manager.

### **Parker v. Platinum Services Inc. n/k/a Platinum Supplemental insurance, Inc. (May 2, 2019)**

- Represented Defendant and obtained full defense verdict on Plaintiff's claim while the jury awarded the client \$981,907.59 in damages on Defendant's counterclaim with additional exemplary damages and attorney's fees in favor of the Defendant to be decided by the Court after the verdict.

**Busse, et al. v. Busse, et al., No. LACV083022 (Ia. Dist. Bus. Ct. 2017)**

- Jury rejects 14 theory Petition by disappointed shareholders and beneficiaries and court orders return of voting control of commercial real estate firm to its benefactor and managing director.

**Berthel Fisher & Company Financial Services, Inc. v. Anderson Properties, Inc., et al., 14-01439 FINRA Office of Dispute Resolution (February 27, 2018)**

- Successfully defended a claim by investors against an independent broker/dealer alleging in excess of \$12 million in damages. The investor alleged that several real estate related investments, which later failed, were misrepresented to him and were unsuitable. After a one week hearing before a FINRA arbitration panel, the claims were denied in their entirety.

**February 2017**

- Successfully defended a multimillion-dollar business dispute, including shareholder oppression, fiduciary duty and related business tort claims.

**Steere et al. v. DFI, Inc. et al., EQCV054166 Fayette County (August 1, 2016)**

- Successfully defended a minority shareholder oppression claim that resulted in a dismissal of the claim by the court after trial.

**Berthel Fisher & Company Financial Services, Inc., et al. v. Craig Larmon et al., 695 F.3d 749 (8th Cir. 2012); Scarborough v. Berthel Fisher & Company Financial Services, Inc. et al., 478 Fed. Appx. 393 (9th Cir. 2012)**

- Successfully defended a FINRA member broker dealer from a multi-million dollar claim in FINRA arbitration matter.

**Richard A. Primmer et al. v. Lillibridge Transportation, Inc., et al. LACV00717, Iowa District Court in and for Benton County (February 14, 2012)**

- Obtained dismissal of trade secret claim seeking in excess of \$1,000,000 in damages via summary judgment in an Iowa state court matter.

**Deghedy v. Cyber Anatomy Corporation et al., No. 3:12-CV-00048-HCA (S.D. Iowa 2014)**

- Successfully defended multimillion-dollar breach of contract claim and obtained \$600,000+ jury award against plaintiff on trade secrets, unfair competition, copyright and infringement.

#### **Branimir Catipovic v. Mark Turley, No. C11-3074 (N.D. Iowa 2014)**

- Jury verdict in favor of promoter of first American-style ethanol plant in Europe for unjust enrichment in the amount of \$2,000,000.

## Honors & Awards

- Included in the Best Lawyers in America® list for Cedar Rapids
  - Commercial Litigation, Securities Litigation, Antitrust Law, Litigation – Labor & Employment, Appellate Practice, 2022
- Included in the Great Plains Super Lawyers list, 2016-2021
  - Business Litigation

## Professional & Community Affiliations

### **Professional Memberships**

- Iowa Supreme Court
  - Advisory Committee on Rules of Civil Procedure
- US District Court for the Northern District of Iowa
  - Federal Practice Committee
- Iowa Academy of Trial Lawyers
- Iowa State Bar Association
  - Labor & Employment Law Section
  - Litigation Law Section
- Linn County Bar Association

### **Community Involvement**

- St. John of the Cross Catholic Worker House Homeless Shelter, Board of Directors, 2012-Present
- Youth Basketball Coach, Cedar Rapids

## Presentations

### **2019 Presentations**

- Is the Standard Advice on Documenting Performance Issues and Performance Improvement Plans Correct? Lessons from the Courtroom and the Manager's Office, SPMB Employment Law Risk Management Seminar, 10/19

#### **2016 Presentation**

- Protecting the Record for Appeal/Objections and Impeachment, SPMB CLE, 1/16

#### **2014 Presentations**

- Non-Compete/Non-Solicitation Agreements, Benefit Solutions Seminar, 5/14
- Recent Trends Limiting the Availability of (Duplicative) Quasi-Contract Claims, USLAW Networking Client Conference, 9/14
- Reviewing Complaints/Preparing Answer and Affirmative Defenses, SPMB CLE, 12/14

## **News & Events**

#### **2021**

- Best Lawyers® 2022, 08/19/2021

#### **2020**

- Paul Gamez Appointed to Iowa Supreme Court Advisory Committee, 10/07/2020
- Best Lawyers In America Recognizes 37 SPMB Attorneys, 08/20/2020
- 2020 Great Plains Super Lawyers Announced, 07/31/2020