

Experience

Ron Friedberg is an accomplished business litigator and trial attorney with a practice focused on construction, surety, contract, real estate, employment, and other business disputes. He handles business and commercial litigation matters before federal and state courts throughout Ohio as well as in mediation and arbitration proceedings. Ron represents individuals and public and privately held companies of all types and sizes, including contractors, sureties and insurance companies, manufacturers, commercial and residential property owners and developers, financial institutions, architects, engineers, and other professional service providers. Ron's paramount objective in representing clients is to obtain the most favorable business results, through settlement where possible and through trial when necessary. When representing plaintiffs, Ron works to maximize recovery, and when representing defendants, he strives to avoid or minimize loss. In all cases, he dedicates himself to achieving the desired results as efficiently and cost-effectively as possible.

Ron's formula for successful resolution of business disputes combines strong oral and written communication and advocacy skills, the determination and drive to know the applicable facts and law sooner and better than the other side, and the ability to objectively assess risk and the strengths and weaknesses of both sides' positions early in the process. He recognizes the need for pragmatic and oftentimes creative thinking and problem-solving to favorably resolve matters. Ron also understands the importance of listening to and communicating with clients, and encouraging clients' active participation from the inception of a matter to its conclusion.

When he is not practicing law, Ron enjoys yoga, running, skiing, seeing movies and live music, and cheering for Cleveland's professional sports teams, even more so when accompanied by family or friends. He also loves to read for pleasure (mysteries and thrillers are his favorites), especially when poolside or on a beach.

Representative Matters

- Defended surety facing more than \$100 million in bond claims in federal multi-district litigation matter involving sub-prime commercial lease pool Ponzi scheme
- Defended mortgage loan company against claims by Federal Deposit Insurance Corporation, as Receiver for failed bank, alleging fraudulent mortgage loans.
- Represented surety for asphalt subcontractor in assertion of claims against State of Ohio Department of Transportation for changed conditions and loss of productivity on interstate highway repaving project.
- Defended limited liability company providing information technology consulting services against claims from former employee asserting rights to senior management distributions and alleging improper tax cash distributions to company members Represented commercial property lessee in assertion of claims against owner for sale of property in derogation of purchase option and rights of first refusal.
- Defended nursing home physician against employer's claims of breach of non-competition covenant in employment agreement.
- Representation of court-appointed receivers in commercial real property receiverships, including shopping centers, mobile home parks, hotels and industrial properties.

Ronald P. Friedberg

Partner



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Practice Areas:

- Surety & Insurance, Chair
- Civil & Commercial Litigation
- Construction
- Creditor's Rights & Bankruptcy

Bar Admissions:

- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Northern and Southern Districts of Ohio
- U.S. Bankruptcy Court, Northern District of Ohio
- All Ohio State Courts

Education:

- The University of Michigan, (B.B.A., *with High Distinction*, 1987)
- Case Western Reserve University School of Law (J.D., *magna cum laude*, 1991)
- Recipient of 100% Merit Scholarship

Representative Matters (continued)

- Defended surety for roofing contractor on college dormitory project against claims by public university for costs to repair and replace allegedly defective standing seam copper and slate dormitory roofs.
- Defended architect in claims by municipality for alleged errors and omissions in design of solid waste transfer facility.
- Represented large supermarket chain in claims against independent grocery stores for inventory supplied pursuant to commercial credit and security agreements.
- Represented metal fabricator in assertion of claims for unpaid piping and defense of product defect claims.
- Represented luxury homeowners in assertion of claims against contractor, architect and engineer for improperly constructing home in 100 year flood zone.

Civic and Professional Involvement

- American Bar Association, Fidelity and Surety Law Committee, Forum on the Construction Industry
- Cleveland Metropolitan Bar Association, Litigation Section
- Defense Research Institute, Fidelity and Surety Committee, Steering Committee
- Park Synagogue Men's Club, Former President and Board Member
- Anti-Defamation League, Former Regional Board Member

Accomplishments

- Ohio Super Lawyer, 2019
- Rated AV Preeminent by Martindale-Hubbell

Presentations

- Meyers, Roman, Friedberg & Lewis Breakfast Briefings:
 - "Building a Wall Around Your Business' Trade Secrets (and How to Get Others to Pay if the Wall is Breached)," March 2017
 - "Going, Going, Gone... Cutting Edge Techniques for Marketing Commercial Real Estate in Today's Market," November 2015
 - "It's the Most Wonderful Time of the Year (to Conduct a Legal Audit and Finalize Year-End Planning)," December 2013
- Cleveland Metropolitan Bar Association, Litigation Section, Commercial and Business Litigation Update, December 2016
- American Bar Association, Fidelity and Surety Law Committee Midwinter Meeting, Construction Program, Plenary Section on Roofing, January 2016
- National Business Institute, "Business Contracts: Top Most Costly Mistakes," Section on "Representations and Warranties: Traps for the Unwary," December 2015
- DRI Fidelity and Surety Roundtable, May 2015
- DRI Fidelity and Surety Roundtable, May 2005

Publications

- “Subcontractor Nuts and Bolts: The Essential and Practical Details and Controlling Law for the Surety and Construction Practitioner, Plenary Section on Roofing, American Bar Association Tort Trial and Insurance Practice Section, Fidelity and Surety Law Committee, January, 2016
- *DRI For the Defense*, “Pay if Paid Contract Provisions; Providing Some Enforcement Consistency and Predictability in an Unsettled Area of Law”, February 2015
- “The Law of Miscellaneous and Commercial Surety Bonds; Fringe Benefit Bonds,” American Bar Association Tort and Insurance Practice Section, Fidelity and Surety Law Committee, January, 2001