

# Fisher Broyles

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**Practice Areas:** Litigation — Appellate; Litigation — Civil Pretrial and Trial Services; Litigation & Risk Mgmt; Financial Services & Lending; Commercial Litigation

**Bar Admissions:** California; West Virginia; Pennsylvania

**Education:** Georgetown University Law Center, JD, 2009; University of Pittsburgh, BA, 2004

**Experience:** Vice President, Morgan Stanley Smith Barney LLC, Legal and Compliance Division; Reed Smith LLP, Senior Associate

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Timothy (Tim) Moore is a trial and litigation partner based in the Bay Area. Tim represents people and businesses involved in disputes in state and federal courts and arbitrations across the country. Tim represents commercial, securities, healthcare, tech, and industrial clients in contract claims, business torts, consumer protection claims, and broker-dealer matters. Tim has also litigated significant tort matters involving the mining and railroad industries. Tim's experience includes

- Contract claims involving asset sales, licensing agreements, shareholder agreements, consumer lending, broker-dealers, securities
- Tort claims involving tortious interference, negligence, fraud, fiduciary duties, unjust enrichment, investment suitability
- Consumer protection in healthcare, securities, and lending
- Catastrophic accidents

In his healthcare litigation practice, Tim defends individual patients against balance bill claims brought by medical providers and debt collectors, protecting patient rights under consumer protection laws, deceptive trade practices laws, the Fair Debt Collection Practices Act (FDCPA), and the Fair Credit Reporting Act (FCRA).

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Tim represents registered representative in securities-related matters in court, FINRA customer arbitration, and in state and federal regulatory inquiries.

### Representative Matters

- Defend alleged \$20 million breach of asset sale agreement and prosecuted breach of contract counterclaims resulting in favorable settlement.
- \$3 million jury verdict for plaintiff in catastrophic train derailment after establishing liability on summary judgment.
- Dismissal of \$500,000+ claim against brokerage.
- Member of trial team in multi-million-dollar jury verdict in 15+ year Caperton v. A.T. Massey Co. business tort case.
- Fourth Circuit appeal establishing new standard of railroad liability. See *Harris v. Norfolk Southern Railway Corp.*, 784 F.3d 954 (4th Cir. 2015).
- Defended energy start-up and prosecuted multi-million-dollar trade secret counterclaims arising from asset sale agreement.
- Defended USCIS-regulated LLC in multi-million-dollar shareholder dispute.

Tim is licensed in California, Pennsylvania, and West Virginia. He is a member of the Association of Business Trial Lawyers, Northern California Chapter, and the Bar Association of San Francisco.