

Scott McIntosh

Partner

Scott McIntosh, Washington, D.C. office chair of the Litigation & Dispute Resolution group, is a franchise law attorney possessing significant experience dealing with the most complex cases among the business, litigation, and regulatory issues that confront franchising companies and automotive manufacturers. He certainly and routinely helps to resolve common, discrete disputes between franchisors and franchisees, but when issues rise to the level of class actions, multiparty disputes, and matters spanning litigation and binding arbitration at the same time, Scott is an invaluable resource. He manages all the logistics, maintains consistency across all the actions pertaining to the matter, and retains control of the costs while pursuing the best possible outcomes for his clients.

In his practice, Scott represents franchisors and manufacturers in a wide range of industries in matters involving franchise, distributor, and dealer relations, terminations, transfers, and regulatory compliance. He advises clients on changes and updates to their systems, transitioning to new forms of franchise or dealership agreements, enforcement of system standards, and the preparation of various transactional documents. Scott's litigation and dispute resolution practice also encompasses complex commercial litigation of non-franchise disputes, including putative class actions, throughout the Mid-Atlantic States and the District of Columbia.

Within the automotive industry, Scott counsels clients on large-scale dealer network initiatives. He has experience handling dealer improvement programs, incentive programs, and standards and policy implementation.

Scott deeply values long-term, comprehensive relationships with his clients; he participates in their day-to-day and year-to-year operations, understanding and adding to the texture of their businesses and enhancing the decision-making processes that underlie informed judgments.

Scott's experience includes:

- Obtaining dismissal of a putative class action brought by franchisees asserting claims for breach of contract and fraud.
- Defeating antitrust claims for alleged monopolization or attempted monopolization of the private club software market.
- Enforcing a post-term non-competition provision from the date of the injunction, rather than the date of termination of the franchise agreement containing the provision.
- Defeating a motion for preliminary injunction to preclude the termination of a U.S. distributor of a medical device.
- Obtaining an injunction to preclude a franchisee's efforts to



scott.mcintosh@quarles.com

Washington, D.C. Office

Tel: (202) 372-9512

Fax: (202) 372-9596

- unilaterally terminate its franchise agreement.
- Recovering an award of royalties for the remaining term of the franchise agreement, as well as attorneys' fees and interest, when a franchisee abandoned its business.

Legal Services

- Franchise & Distribution
- Litigation & Dispute Resolution
- Class Action Defense
- Health Litigation
- Automotive Industry

Education and Honors

- University of Notre Dame, Mendoza College of Business (Certificate of Executive Management, 2013)
- Georgetown University Law Center (J.D., *cum laude*, 1998)
 - Georgetown International Environmental Law Journal (Articles Editor)
 - Legal Research & Writing Program (Law Fellow)
- Georgetown University (M.S., 1998)
- University of California, Los Angeles (B.A., *magna cum laude*, 1993)
 - Phi Beta Kappa

Bar Admissions

- District of Columbia
- Virginia

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, 4th Circuit
- U.S. Court of Appeals, 8th Circuit
- U.S. Court of Appeals, 9th Circuit
- U.S. Court of Appeals, 11th Circuit
- U.S. Court of Appeals, D.C. Circuit
- U.S. District Court, Western District of Virginia
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, District of Columbia

Professional and Civic Activities

- American Bar Association (Member)
- ABA Forum on Franchising, Publications Committee (2016-2020)
- International Franchise Association Legal Legislative Committee

Professional Recognition

- Selected for Chambers USA® (2017–present: Franchising)
- Selected in “Who’s Who of Franchise Lawyers” by the International Who’s Who of Business Lawyers (2013–present)
- Selected for inclusion in the 2013–present Washington, D.C. Super Lawyers® lists (Franchise/Dealership)
- *Franchise Times*, Legal Eagle, 2021
- Certified Franchise Executive by the Institute of Certified Franchise Executives (2012)
- Listed in *The Best Lawyers in America*® (2009–present: Franchise Law)
- Profiled as one of the up-and-coming attorneys in the franchise bar by Franchise Times magazine, June/July 2001