

Zac Foster

PARTNER

Tampa Office Managing Partner

Tampa

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About Zac

Navigating companies through high-stakes, complex commercial disputes

Zac Foster assists clients with complex commercial litigation for a variety of clients in industries such as:

- **Franchise and distribution**
- **Network marketing and direct selling**
- **Beverage manufacturing**
- **Medical benefits**
- **Financial services**

While he is a skilled tactician and tenacious advocate, Zac's strength as a litigator stems from his ability to quickly and efficiently master the nuances of a client's business and factual issues in dispute. Never a reactive litigator, Zac's overriding goal is to position clients for early and cost-efficient success. When matters proceed deeper into litigation, Zac leverages his strategic prowess to lead substantial litigation teams and ensure absolute lockstep between client goals and external litigation efforts. Zac's deep knowledge of his client's business objectives and industry pressures allows him to cut through the unproductive noise and craft practical, business-oriented litigation strategies that advance a client's core objectives.

Zac is co-chair of the firm's Class Action Defense team.

Education and Honors

University of Florida College of Law (J.D., *magna cum laude*, 2014)

- Executive Forum Editor - *Florida Law Review*
- Order of the Coif
- Florida Blue Key
- Chairman - Honor Code Committee

University of Florida (B.A., *cum laude*, 2010)

Bar Admissions

Florida

Court Admissions

U.S. District Court, Southern District of Florida

U.S. District Court, Middle District of Florida

U.S. District Court, Northern District of Florida

U.S. District Court, Western District of Tennessee

U.S. Bankruptcy Court, Middle District of Florida

U.S. Court of Appeals, 11th Circuit





Experience in Action

- **Represents franchisors in contract disputes, enforcement of non-competition agreements and restrictive covenants**, and actions to protect intellectual property and confidential information.
- **Defends clients against high-stakes class action and multi-district litigation**, including claims arising under RICO, the Magnuson-Moss Warranty Act, TCPA, FDCPA, FCCPA and various state deceptive and unfair trade practices acts.
- **Proactively crafts client policies, procedures and best practices** aimed at minimizing future litigation risk.

Recent Success

- Obtained dismissal of putative class action aiding and abetting fraud and conspiracy claims in multi-district litigation against a consulting firm.
- Obtained dismissal of putative class action RICO, conspiracy and state law consumer protection claims against network marketing entrepreneurs.
- Obtained dismissal of a putative class action TCPA telemarketing claims alleged against telemedicine company.
- Obtained dismissal with prejudice of former distributor's breach of contract claims seeking enhanced contractual termination buyout payment.
- Obtained jurisdictional dismissal of breach of contract claims brought by foreign inventor against medical device manufacturer and successful defending dismissal on appeal.
- Defeated a motion for class certification in a proposed consumer class action alleging violations of state and federal debt collection statutes against a mortgage servicer.
- Obtained judgment following trial on behalf of a franchisor for tortious interference and trade secret misappropriation claims brought against a third party that misappropriated a franchise location.

Capabilities

Litigation & Dispute Resolution

Class Action Defense

Franchise and Distribution

Franchise, Distribution & Direct Sales

Professional Recognitions

- *Best Lawyers in America*® "Ones to Watch," Commercial Litigation, 2021, 2022, 2023
- Florida Super Lawyers®-Rising Stars, Business Litigation, 2017-present
- Selected for The Tampa Connection, Class of 2017-2018

Professional & Civic Activities

- American Bar Association





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- Hillsborough County Bar Association
 - Phi Gamma Delta, chapter advisor
 - Emerging Leaders of Tampa Bay, membership committee
 - The Tampa Connection: Alumni Committee, member
 - Tampa Theatre: WineFest Committee, member

