



Kaan Ekiner

Member

Wilmington

kekiner@cozen.com | (302) 295-2046

Kaan focuses his practice on litigating corporate and commercial matters in Delaware's state and federal courts. In the Delaware Court of Chancery, Kaan represents companies and individuals in matters involving corporate control, corporate governance, contractual, and other commercial disputes. Kaan's practice includes disputes arising out of mergers and acquisitions, stockholder class actions and derivative lawsuits, and disputes among board of directors and significant stockholders.

Kaan also has significant experience handling complex commercial disputes in state and federal court and before the American Arbitration Association. Kaan routinely represents clients in a wide variety of business tort and contract actions, involving trade secrets, unfair competition, non-competition agreements, lender liability, and professional liability claims. He also represents companies in intellectual property and trademark litigation in the District of Delaware.

In addition to his trial work, Kaan works on appellate matters in state and federal court, with a particular focus on appeals from administrative agencies.

Kaan is active in bar and civic organizations. He served on the Delaware State Bar Association's executive committee for five years, including as a member-at-large and assistant to the president. He also served as chair of the International Law Section for six years. In addition to Kaan's regular practice, he represents *pro bono* clients, to include serving as an attorney guardian ad litem through the Office of the Child Advocate.

Kaan began his career as a judicial law clerk for Judge Charles H. Toliver, IV of the Delaware Superior Court, and prior to joining Cozen O'Connor, practiced in the Litigation Department of a northeastern-based law firm.

Kaan earned his bachelor's degree from the University of Delaware and his law degree, *cum laude*, from the Delaware Law School, Widener University, where he was an articles editor for the Widener Law Review. Kaan is fluent in Turkish.

Experience

Achieved dismissal of an action by the manager of an LLC against a minority member asserting breach of the LLC agreement, violation of the Delaware Uniform Trade Secrets Act, and seeking a temporary restraining order in the Delaware Court of Chancery.

Achieved a favorable resolution of derivative claims for breach of fiduciary duties against the founder, former CEO, and board member of a growing technology company in the Delaware Court of Chancery.

Achieved dismissal of an action before the Delaware Court of Chancery seeking an expedited anti-suit injunction.

Successfully represented a global engineering company in resolving all claims that arose from the breach of a multi-million dollar purchase agreement.

Defeated a motion for a status quo order seeking reinstatement of an LLC manager in the Delaware Court of Chancery on behalf of a real estate investment fund in a dispute with a joint venture partner.

Practice Areas

- Commercial Litigation
- Corporate Governance

Industry Sectors

- Gaming

Education

- Widener University Delaware Law School, J.D., *cum laude*, 2011
- University of Delaware, B.A., 2008

Bar Admissions

- Delaware
- New York
- New Jersey

Court Admissions

- U.S. Court of Appeals for the Third Circuit
- U.S. Bankruptcy Court -- Delaware
- U.S. District Court -- Delaware
- U.S. District Court -- New Jersey
- U.S. District Court -- Southern District of New York
- U.S. Bankruptcy Court -- New Jersey

Affiliations

American Bar Association

American Turkish Society

Delaware State Bar Association

New York State Bar Association

Richard S. Rodney Inn of Court

Awards & Honors

- Delaware Super Lawyers, Business Litigation "Rising Star," 2020-Present. This award is conferred by Super Lawyers. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- Delaware State Bar Association "Superhero," April 2019
- Lawyer on the Fast Track, *The Legal Intelligencer* Professional Excellence Award, 2023

Clerkships

Honorable Charles H. Toliver, IV, Delaware Superior Court

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Represented the founder and chief executive officer of an aerospace defense manufacturer of Uncrewed Aircraft Systems (UAS) before the Delaware Court of Chancery in an \$40 million earnout dispute following the company's sale.

Successfully represented a corporation in a Section 205 action to validate defective corporate acts taken at an annual meeting.

Obtained judgment in favor of a manufacturer of consumer and commercial products in a matter arising out of a breached asset purchase agreement.

Represented the chief executive officer and a director of an oil and gas industry corporation in a breach of fiduciary duty and corporate waste action asserted by post-confirmation trusts.

Served as second chair in a 12-day bench trial, representing a bank in a lawsuit centering on a nearly \$13 million construction loan agreement. The court found for the client on all claims and counterclaims and entered judgment (including attorneys' fees) in the bank's favor.

Successfully narrowed the scope of third-party discovery issued to our client that broadly sought sensitive business information in connection with the company's entry into a SPAC transaction through an initial public offering.

Represented and resolved all underlying claims involving a start-up company in a Section 220 "books and records" action arising out of allegations of stock dilution by a shareholder prior to the company's acquisition.

Achieved a favorable resolution of a COVID-related breach of contract case implicating dozens of lease agreements on behalf of a fast casual restaurant chain.

Represented QuickFrame, a developer of an online video marketing platform, in its sale to MNTN, a provider of online digital advertising software.

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