

## DAVID M. WYAND



**Title:** Partner

**Phone:** 410.727.6600

**Email:** [dwyand@rosenbergmartin.com](mailto:dwyand@rosenbergmartin.com)

### Bar Admissions

- Maryland
- U.S. District Court, District of Maryland
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, District of Columbia Circuit

### Practice Groups

- Litigation
- Commercial Lending

### Education

- University of Maryland School of Law, J.D. (1994)
- Cedarville College, B.A. (1991)

### Bio

David M. Wyand focuses his practice on complex commercial litigation. He has represented individuals and businesses in cases involving a wide variety of issues, including commercial disputes, real estate disputes, lender liability, executive employment contracts, non-competition agreements, director liability, shareholder disputes, partnership disputes, business torts, intellectual property infringement and insurance coverage. David regularly handles litigation in Maryland state and federal courts, and also handles arbitrations.

### Experience

- On March 28, 2018, the United States Court of Appeals for the Fourth Circuit affirmed the decision of the United States District Court for the District of Maryland in *White Marlin Open, Inc. v. Phillip Heasley*, Case No. 17-1901. In the District Court, the Honorable Richard D. Bennett ruled that White Marlin Open properly applied the rules of the 2016 tournament. Phillip Heasley, one of the anglers in the 2016 tournament, and his crew members aboard the Kallianassa, did not pass polygraph examinations, which were required under the rules of the tournament. Based on the polygraph examination results, White Marlin Open did not pay the prize money of Two Million Eight Hundred Eighteen Thousand Dollars (\$2,818, 000.00) to Mr. Heasley. Instead, to protect the integrity of the tournament and to act in fairness to all participants, White Marlin Open filed an interpleader action in court and asked the Court to determine whether the White Marlin Open directors had acted appropriately in withholding the money from Mr. Heasley. In a two-week trial, White

Marlin Open put on evidence of the appropriateness of the polygraph examinations, and the reasonableness of its actions in withholding the prize money under the tournament rules. The court verified that White Marlin Open had applied its rules in a fair manner, had the authority to impose the polygraph upon its participants as a way to verify that rules of the tournament were not violated by the winning anglers. Rosenberg Martin Greenberg partner David Wyand represented White Marlin Open at trial and on appeal, along with Joseph Moore from Ocean City, Maryland.

- In *Redox Power Systems LLC v. Citrin, et al.* (February 22, 2018), David Wyand and Jamar Brown represented two directors in an LLC to defend against an attempt by the LLC to remove them from the management of the company and to force them to sell their shares at a discount. During the trial of the case, the Circuit Court for Howard County entered judgment in favor of RMG's clients, holding that the Operating Agreement did not give the other directors of the company the power to remove RMG's clients as directors and did not permit the forced buyout of shares.