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PRACTICE AREAS

Franchise & Dealership
Terminations

Franchise & Distribution
Noncompete Agreements

General Business & Complex
Commercial Litigation

Franchise & Distribution

Franchise Litigation & Dispute
Resolution

Litigation

Investigations & White-Collar
Defense

INDUSTRIES

Restaurant, Food & Beverage

COURT MEMBERSHIPS

- District of Columbia
- New York
- U.S. Court of Appeals for the Fifth
Circuit

Frank J. Sciremammano

Partner | frank.sciremammano@lathropgpm.com

Frank Sciremammano is the Partner in Charge of the Washington, D.C. office for Lathrop GPM. Frank is a diligent problem-solver, tackling the toughest litigation issues faced by his clients. Working primarily with businesses, he recognizes that each client's ideal resolution will differ — whether that means a win in the courtroom, a well-crafted settlement, or a sizable arbitration award. No matter the desired outcome, Frank provides thorough and efficient representation in service of his clients' business objectives.

Frank focuses on franchise, distribution, and other business litigation and white collar defense matters. He advises some of the nation's largest franchisors and regularly defends and prosecutes cases on their behalf in matters involving breaches of contract, encroachment, system standards enforcement, fraud, tortious interference with contract, unfair trade practices, trademark infringement, disclosure violations, violations of little FTC Acts, violations of consumer protection acts, the enforcement of covenants not to compete, and vicarious liability. Frank's experience also includes representing clients in commercial contract disputes and defending individuals in connection with various fraud and trade secret disputes. He represents clients ranging from individuals and small employers to public entities and international corporations.

Before attending law school, Frank worked as a radio personality in top 40 and alternative rock radio, and also as an afternoon traffic reporter for CBS Radio in Rochester, NY.

Representative Experience

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the Eastern District of Michigan

EDUCATION

Syracuse University College of Law, J.D., *summa cum laude*, 2012

Rochester Institute of Technology, B.A., with highest honors, 2009, Business Marketing

Franchise Litigation

- Obtained verdict and judgment in favor of national temporary staffing franchisor following a five-day bench trial against franchisee in federal court. The judge enforced a non-compete and non-solicitation provision against the franchisee defendant and conspiring co-defendants, awarded damages, attorney's fees, and costs in favor of the franchisor, and dismissed the franchisee's counterclaims.
- Prosecuted claims on behalf of national quick service restaurant franchisor against 15-unit franchisee who was committing pervasive employment eligibility verification violations. The case settled on terms favorable to the client.
- Prosecuted claims on behalf of national quick service restaurant franchisor against 14-unit franchisee who was committing pervasive health and safety violations. The case settled on terms favorable to the client.
- Obtained dismissal in favor of individual arbitration of wage and hour claims brought by 36 franchisees and franchisees' employees against national janitorial franchisor.
- Defended national quick service restaurant franchisor against fraud, consumer protection act, and various related claims brought by 26 franchisees. The case settled on terms favorable to the client.
- Secured numerous preliminary injunctions and temporary restraining orders on behalf of franchisor clients seeking to enjoin franchisees' continued use of the franchisor's trademarks and business systems following termination of a franchise agreement.

Investigations & White-Collar Defense

- Represented a former FBI lawyer in connection with a bar investigation into allegations that he falsified information filed with the Foreign Intelligence Surveillance Court relating to a Foreign Intelligence Surveillance Application concerning a foreign policy advisor to a presidential candidate.
- Defended a Chinese-American engineer formerly employed by a Fortune 25 multinational conglomerate accused of stealing trade secrets.
- Defended a Chinese-American regulatory affairs professional formerly employed by a Fortune 250 multinational pharmaceutical company accused of stealing trade secrets.

- Represented the D.C. office of an international law firm in multiple inquiries by the District of Columbia Committee on Unauthorized Practice of Law.

Business Litigation

- Represented publicly traded agricultural company and minority owner of joint venture in international arbitration involving claims of breach of fiduciary duty and member control agreement. The case was settled on terms favorable to the client.
- Obtained award in favor of national commercial real estate firm in commercial arbitration involving claims of breach of contract and breach of fiduciary duty.

Events

- Trade Secrets Forum
December 6, 2018
- Trade Secrets and Franchising Webinar
September 25, 2018

Presentations

- Moderator, "Frequently Arising Issues in Arbitration," 2023 IFA Legal Symposium, May 8, 2023
- Moderator, "Properly Documenting Franchise Support Activities," International Franchise Association Annual Convention, February 28, 2022
- Featured, "Top Franchise Legal Players" 1851 Franchise Podcast, November 24, 2021
- Moderator, "Mental Health and Substance Abuse Awareness in the Legal Profession," American Bar Association Forum on Franchising, 44th Annual Meeting, Atlanta, Georgia, October 14, 2021
- Moderator, "To Terminate or Not to Terminate, That is the Question: Enforcing System Standards in a Post-Covid World," IFA 2021 Legal Symposium, May 6, 2021
- Presenter, "Pandemics, Natural Disasters, Unrest: Litigating Force Majeure Clauses in Franchise Agreements," American Bar Association Forum on Franchising, Webinar, March 25, 2021
- Presenter, "When is a Lie Actionable? Litigating Misrepresentation Claims and the Requirement of Reasonable Reliance," American Bar Association Forum on Franchising, 41st Annual Meeting,

Nashville, Tennessee, October 11, 2018

Publications

- Co-author, "The North American Securities Administrators Association's Statement of Policy Regarding the Use of Franchise Questionnaires and Acknowledgments," *Franchise Law Journal*, Vol. 42, No.4, Fall 2023
- Author, "Incorporation of Arbitration Rules in an Arbitration Provision - Intent to Delegate Questions of Arbitrability?," *The Franchise Lawyer*, January 19, 2023
- Co-author, "When 'Shall' Is Not Mandatory - Scrutinizing Forum Selection Clauses," *The Franchise Lawyer*, May 28, 2021
- Author, "A Litigator's Perspective on Precision in Drafting: Choice-of-Law Clauses," *The Franchise Lawyer*, January 1, 2019
- Co-author, "When Is a Lie Actionable? Litigating Misrepresentation Claims and the Requirement of Reasonable Reliance," American Bar Association, October 10, 2018
- Co-author, "Triggering a Franchise Termination Based on an Incurable Default," *The Franchise Lawyer*, April 1, 2018
- Co-author, "A Proposed Mandatory Summary Franchise Disclosure Document: A Solution in Search of a Problem," *Franchise Law Journal*, Vol. 36, No. 3, May 5, 2017

Client Alerts And Blog Posts

- California Federal Court Grants Summary Judgment to Distributor for Breach of Exclusivity Provision by Supplier
April 11, 2024
- Fifth Circuit Affirms Enforcement of Jury Trial Waiver in Franchise Transfer Agreement
October 5, 2023
- California Court of Appeals Denies Manufacturer's Motion to Compel Arbitration Under Sales Contract to Which It Was Not a Party
August 10, 2023
- Delaware Court Rules Tesla Cannot Bypass Distribution Regulations by Using Direct-to-Consumer Business Model
December 8, 2022
- California Enacts Significant Changes to the California Franchise Relations Act and Franchise Investment Law
October 6, 2022

- NASAA Adopts Franchise Acknowledgment Policy That is Harmful to Franchisors
September 27, 2022
- Franchise Law Alert: GPM Lawyers Argue Against Adding Summary and 12 New Disclosures to FDDs
April 4, 2017

In The News

- Law360 Features New D.C. and Los Angeles Partners In Charge Frank Sciremammano, Laura Reathafor
January 10, 2023
- 1851 Franchise Interviews Frank Sciremammano on his Franchise Law Practice
November 24, 2021

News Releases

- Washington, D.C. Super Lawyers Recognizes 4 Lathrop GPM Attorneys
May 2023
- Nine Lathrop GPM Attorneys Recognized as Franchise Legal Eagles
April 3, 2023
- Lathrop GPM LLP Names Frank Sciremammano Partner in Charge of D.C. Office
January 10, 2023
- Five Attorneys Named 2022 Washington, D.C. Super Lawyers and Rising Stars
May 3, 2022
- Lathrop GPM Promotes Seven Attorneys to Partnership
January 2, 2020

Professional Affiliations

- American Bar Association, Forum on Franchising; Steering Committee member, Litigation and Dispute Resolution Committee

Honors

- "Legal Eagle," *Franchise Times*, 2023
- Washington D.C. *Super Lawyers*, "Rising Star," 2022-2023