



Jenyfer García-Soto

Member

Vice Chair, Commercial Litigation

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Practice Areas

Commercial Litigation

Commercial Collections & Foreclosure
Distribution & Franchising Law
Personal Injury, Product Liability and
Aviation

Education

Interamerican University School of Law,
J.D., 2002

University of Puerto Rico, B.A. in Political
Science, 1999

Bar Admissions

Commonwealth of Puerto Rico
U.S. District Court for the District of
Puerto Rico
U.S. Court of Appeals First Circuit

Jenyfer García-Soto is a Member and Vice-Chair of the firm's Litigation practice where she focuses on civil and commercial litigation. Her principal areas of practice include civil and commercial litigation, with abundant practical and substantive experience with both local and federal laws concerning gasoline distribution and franchising, torts, collection and foreclosure, securities, Puerto Rico's distribution and sales representation statutes, contractual and shareholders' disputes, among others.

Jenyfer has a solid background defending personal injury and property damage claims where she has achieved successful outcomes for plaintiffs, insurance companies and their insureds.

Jenyfer has participated in numerous injunction and trial proceedings in federal and state court involving trademark infringement, unfair competition and petroleum marketing practices claims, to name a few. She works closely with experts, such as economists, accountants and doctors to develop and implement litigation strategies to prosecute and defend contractual disputes, claims of economic, physical or moral damages and price discrimination.

Representative Cases or Transactions

- Total Petroleum Puerto Rico Corporation v. TC Oil, Corp., 2009 WL 702226. Federal trademark and petroleum marketing practices claim for franchisee's violation of lease agreement, sales and supply agreement and franchise agreement for gasoline distribution. Court granted franchisor's request for temporary restraining order and preliminary injunction ordering franchisee to surrender the service station and all equipment owned by franchisor, refrain from using franchisor's trademarks, and to comply with all post-termination covenants of the agreements between the parties during the litigation.

Continued

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Representative Cases or Transactions (continued)

- Total Petroleum Puerto Rico Corporation v. Javier Torres Caraballo, et. al., 2009 WL 5103169. Federal trademark infringement complaint against numerous gasoline franchisees and owners of real estate subject to lease agreements transferred to new franchisor. The District Court ordered the surrender of the gasoline service stations and all equipment for storage and sale of petroleum products.
- Oriental Bank & Trust v. Jose Juan Nieves, 172 D.P.R. 462 (2007). Precedent setting case regarding reimbursement by employees to employers for specialized training after separation. The Supreme Court of Puerto Rico established the applicable criteria to validate such agreements.
- Digno Torres v. Commonwealth of Puerto Rico, 485 F.3d 5 (1st Cir. 2007). Sexual harassment claim brought pursuant Title IX of the 1972 Education Amendments, for sexual harassment by school director against student. Argued case on behalf of plaintiff before the Court of Appeals for the First Circuit. The Court of Appeals confirmed the lower court's reasoning and basis to deny the dispositive motion filed by opposing party as sanction for failure to abide by clearly communicated deadlines.
- Acevedo Reinoso v. Iberia, 449 F.3d 7 (1st Cir. 2006). Case evaluated whether the Warsaw Convention, which governs the liability of international air carriers for passenger injuries occurring on board an aircraft or in the course of any of the operations of embarking or disembarking, preempted plaintiff's state tort claim against airline. The District Court's judgment granting the motion to dismiss filed by defendant was vacated the Court of Appeals and the case was remanded for further proceedings.

Affiliations

- American Bar Association
- Federal Bar Association