

Jason M. Murray

Partner

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Jason M. Murray practices in the area of franchise and distribution law and provides counsel and assistance with creating, managing, licensing, protecting, and enforcing franchised business relationships, product distribution systems, and dealership networks. His franchise and distribution law practice specifically relates to licensing and development, regulation and compliance, and dispute resolution through mediation, arbitration, and litigation.

Jason provides full-service franchise legal compliance programs that include the structuring, registration, and updating of franchise offering documents throughout the United States. He oversees the preparation of all the required federal and state-specific disclosure provisions and drafts all contracts necessary to establish, protect, and enforce franchised business relationships. Jason also maintains the ongoing disclosure, reporting, and registration renewal needs of clients in strict compliance with all federal and state laws that govern their franchise, distributor, and dealer relationships.

Additionally, Jason has extensive experience in the area of franchise, distributor, and dealership dispute resolution, which includes negotiation, mediation, arbitration, and litigation in matters involving disputes over termination, covenants not to compete, trademark infringement, wrongful use and/or theft of intellectual property, breach of contract, and statutory violations.

Often times in resolving these disputes, Jason handles demands for injunctive relief. He represents franchisors in actions in both state and federal courts to enforce post-termination provisions of franchise agreements, to prevent disclosure of confidential information, and to stop the wrongful use of trademarks and intellectual property by terminated franchisees. Jason also represents sub-franchisors, master franchisees, area developers, area representatives, and multi-unit franchisees seeking to prevent a franchisor from wrongfully terminating a franchise relationship. In representing manufacturers/distributors, he has litigated complex antitrust issues regarding the termination of distribution arrangements.

Education

University of Virginia School of Law, JD (1991)

Duke University, BA (1988)

Admissions

Florida

District of Columbia

Supreme Court of the United States

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court for the Northern District of Florida

U.S. District Court for the Middle District of Florida

U.S. District Court for the Southern District of Florida

Clerkships

Federal Law Clerk, The Honorable Joseph W. Hatchett, Eleventh Circuit Court of Appeals

Practice Areas

[Commercial Litigation & Business Torts](#)

[Dispute Resolution Solutions](#)

[False Advertising & Unfair Trade Practices](#)

Jason's litigation experience consists of general commercial litigation in state and federal courts, including franchise and distribution law, intellectual property, real property, securities, and insurance matters. Specifically, he also practices in the areas of securities and insurance sales practice litigation involving the representation of investment and insurance institutions, brokers, dealers, and agents. He has litigated many claims, including breach of fiduciary duty, suitability, churning, twisting, fraud, and misrepresentation. His practice also includes the representation of developers, mortgage lenders, and title companies in litigation involving disputes over real property. Jason also serves as an arbitrator and is a member of the American Arbitration Association Commercial Arbitrator Panel.

Jason is a frequent lecturer and author both in the substantive areas of law in which he practices, as well as in areas related to promoting equal opportunities in the legal profession for minority lawyers and the economic empowerment of minority communities. He served as the Diversity Chair for an Am Law 200 law firm for 10 years and received Diversity Best Practices' 2008 Diversity Officer Leadership Award. He also is the recipient of The Florida Bar Young Lawyers Division's 2003 Diversity and Gender Sensitivity Award. Jason has served as a mentor for many minority lawyers and members of South Florida's diverse legal community.

He is active in his local community and is a former member of Miami-Dade County's Black Affairs Advisory Board. He served as president of Miami Midnight Basketball League, Inc., which was a not-for-profit social service program that used basketball as a way of reaching out to at-risk youth in Overtown and Miami's inner city. Currently, Jason serves as an ordained minister and pastor in Opa-locka's inner city at Soul Saving Station Church, where his father, Bishop James M. Murray, Th.D., is the senior pastor. He is a Twelve Good Men 2001 Ronald McDonald House Honoree and is a recipient of both the 1999 and 1995 Pro Bono Service Award from "Put Something Back," a joint pro bono project of the Eleventh Judicial Circuit and the Dade County Bar Association.

Experience

The following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

Representative Matters

- Representation of beauty salon franchisor in successfully defending an arbitration brought by an area representative asserting claims primarily for breach of the area representative agreement and the wrongful termination of the area representative.
- Representation of a construction material installation franchisor in an action brought by a former franchisee seeking a

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Industries

[Consumer Products & Retail](#)

[Food & Beverage](#)

declaration that the arbitration provision and restrictive covenants in the franchise agreement were unenforceable in Georgia. The franchisor moved to compel arbitration in Florida in accordance with the arbitration provision contained in the franchise agreement.

- Representation of former star athlete and business partners in extensive negotiations and federal litigation concerning multiple franchises and ownership interests in franchisor's parent holding company.
- Representation of multi-state licensor and its president in state court action brought by licensee claiming that the licensor's business arrangement constituted a franchise and that the licensor failed to comply with state and federal franchise laws.
- Representation of foreign-owned franchisee in state court action brought against franchisor seeking to rescind the franchise agreement and to recover damages due to various violations of the Florida Deceptive and Unfair Trade Practices Act and the Florida Franchise Act, negligent misrepresentation, and fraudulent inducement.
- Representation of restoration services franchisee in intra-franchise arbitration against a sister franchisee which continually infringed upon the client's protected territory.
- Representation of a domestic clothing manufacturer in a state court action brought by a distributor claiming that the manufacturer's decision to cease selling its merchandise to the distributor following the request of another distributor that the manufacturer deal only with one distributor in a certain geographical area constituted an unreasonable vertical restraint on competition in violation of Florida's antitrust laws.
- Representation of a foreign manufacturer in state and federal court actions arising out of dispute over the termination of a distribution arrangement for home security systems.
- Represented home improvement franchisor and chief executive officer in an arbitration action filed by a franchisee. Following termination of their franchise agreement, claimant brought an arbitration action seeking to rescind the franchise agreement they entered into, and to recover damages by alleging (1) respondents provided false and misleading information concerning historical and projected revenue and profitability of a franchise, and (2) respondents breached the franchise agreement. The franchisor filed counterclaims in the arbitration action against its former franchisees for unpaid invoices, unpaid royalties, and breach of contract.
- Representation of home improvement franchisor in an arbitration action brought by franchisee seeking to rescind the franchise agreement and to recover damages by alleging: (1) franchisor failed to provide franchisee a Uniform Franchise Offering Circular, (2) franchisor provided false and misleading information concerning historical and projected revenue and profitability of franchise, and (3) franchisor breached the franchise agreement.
- Representation of licensor and its president in federal court action brought by licensee claiming that the licensor's business arrangement constituted a franchise and that the licensor failed to comply with state and federal franchise laws.
- Representation of a business consulting franchisor in federal

court action brought by franchisee alleging that the franchisor's failure to take action against certain franchisees that were in noncompliance with franchise system standards constituted breach of contract, breach of the duty of good faith and fair dealing, and supported other claims because the franchisor failed to fulfill its obligations contained in the franchise agreement.

- Representation of a packaging and shipping franchisor in state court action against franchisee related to the franchisee's breach of its franchise agreement by failing to pay royalties and the franchisor's decision to terminate the franchise agreement. Despite termination of the franchise agreement, the franchisee continued to operate and use trademarks, service marks, trade names, and trade dress, which infringed upon the rights of the franchisor in violation of law. The action involved claims for trademark infringement, false designation of origin, injury to business reputation and dilution, deceptive and unfair trade practices, misappropriation of trade secrets, and injunctive relief.
- Representation of master franchisee for an office supply system in resolving disputes with Florida franchisees over issues involving system standards, training, system support, and royalties.
- Representation of foreign national in negotiating a multi-unit area development agreement for quick-service restaurant franchise concept.
- Representation of casual-dining restaurant franchisee in the purchase of a franchise unit and the acquisition of real estate for the franchise business.
- Representation of a home improvement franchisor in the preparation of asset purchase and sale agreement to acquire assets of a franchisee.
- Representation of a startup quick service restaurant franchisor in the preparation of all state-specific disclosure provisions and the drafting of all the contracts necessary to establish, protect, and enforce the franchised business relationship.
- Representation of an investment company in the acquisition of a restaurant franchise system.
- Representation of retail pharmacy franchisor in providing a full-service franchise legal compliance program that included the structuring, registration, and updating of franchise offering and disclosure documents throughout the United States.

Previous Professional Experience

- Partner, Miami office of Global Law Firm (2020–2024)
- Shareholder, Miami office of Florida Law Firm (2018–2020)
- Shareholder, Miami office of Florida Law Firm (2012–2018)
- Shareholder, Miami office of Regional Law Firm (1997–2012)
- Associate, Miami office of International Law Firm (1992–1997)

Recognitions

The bar rules of some states require that the standards for an attorney's inclusion in certain public accolades or recognitions be provided. When such accolades or recognitions are listed, a hyperlink is provided that leads to a description of the respective selection methodology.

- AV Preeminent rating as independently determined by Martindale-Hubbell® (2001–2024)
- Franchise Times, Legal Eagle (2011–2024)
- [The Best Lawyers in America®](#), Commercial Litigation, Franchise Law (2007–2026)
- Best Lawyers®, Franchise Law Lawyer of the Year – Miami (2013, 2019)
- Florida Super Lawyers (2006, 2013–2025)
- Florida Trend, Legal Elite (2004)
- Franchise Times, Legal Eagle, Hall of Fame honoree (2020)
- 1851 Franchise Magazine, Top Franchise Legal Player (2018–2021)
- Recommended by Who's Who Legal in the area of Franchise (2020–2021)
- The Wilkie D. Ferguson, Jr. Bar Foundation, Distinguished Honoree Award (2016)
- Diversity Best Practices, Diversity Officer Leadership Award (2008)
- Florida Bar, Young Lawyers Division, Diversity and Gender Sensitivity Award (2003)
- Ronald McDonald House, Twelve Good Men (2001)

Professional Activities

- Member, American Bar Association
 - Member, ABA Franchising Forum
 - Franchise Law Journal, Topic and Article Editor (2013–2016)
 - The Franchise Lawyer, Associate Editor (2005–2008)
 - Diversity Caucus Steering Committee (2010–2013)
 - Member, ABA Litigation Section
 - Litigation Magazine, Associate Editor (2000–2006)
- Member, Florida Bar
 - Equal Opportunities Law Section
 - Trial Lawyers Section
 - Business law section
 - Executive Council Member (2002–2012)
 - Antitrust, franchise and trade regulations

committee, chair (2003–2004, 2009–2011)

- Diversity committee, chair (2009–2012)

- Fellow, American Bar Foundation
- Member, American Law Institute (2005—Present)
- Member, National Bar Association
- Member, Dade County Bar Association
 - President (2015–2016)
 - President-Elect (2014–2015)
 - Vice-President (2013–2014)
 - Secretary (2012–2013)
 - Treasurer (2011–2012)
- Member, Wilkie D. Ferguson, Jr. Bar Association
 - President (2000–2001)
 - President-elect (1999–2000)
- American Arbitration Association, Commercial Arbitrator Panel Member (2008–Present)
- Florida Supreme Court Task Force on Management of Cases Involving Complex Litigation (2006–2009)
- Eleventh Judicial Circuit Grievance Committee “B”
 - Chairman (2010–2012)
 - Member (2009–2010)
- Eleventh Judicial Circuit Ad Hoc Committee on Complex Business Litigation Section (2006–2008)
- U.S. District Court for the Southern District of Florida
 - Federal Magistrate Judge Merit Selection Panel (2010)
 - Ad Hoc Committee on Attorney Admissions, Peer Review and Attorney Grievance (2003–2005)

Community

- Pastor and COO, The Soul Saving Station of Christ's Crusaders of Florida
- Chairman of the Board of Elders, Soul Saving Station for Every Nation of C.C.A. International
- Duke University, Alumni Admissions Advisory Committee, Miami
- Kappa Alpha Psi Fraternity

Leadership

- Greater Miami Chamber of Commerce, Leadership Miami

Articles & Speeches

Insights

“The Importance of Materiality in Franchise Disputes,” presented to the ABA Forum on Franchising 46th Annual Forum on Franchising Meeting in Dallas, Texas - Co-Author (Nov. 1-3, 2023)

Franchising in the Age of Digitization, Robotics and Automation presented to the International Franchise Association's 55th Annual Legal Symposium, Washington, D.C. - Co-Author (May 7-9, 2023)

Co-Author of ABA Monograph, Florida Chapter, Covenants Against Competition in Franchise Agreements, Fourth Edition, 2023 ABA Forum on Franchising Publication (2023)

Events/Speaking Engagements

Co-Presenter, Minorities in Franchising: Learn How to Profit as a Franchisee or a Franchisor (September 9, 2023)

Panelist, Tackling System Change and Enforcement (April 12, 2023)

Speaker, Contract and Franchise Law and its Impact on Wine Sales in the United States (And Other Interesting Legal issues!) (May 13, 2022)

Panelist, Challenges Continue: Problems, Solutions for the Distressed Franchisee (April 6, 2022)

Panelist, Talking Franchise Terminations and Litigation (June 10, 2021)

Roundtable Facilitator, Royalties and Territory Protections in the Age of Third-Party Delivery (May 4, 2021)