

NICHE LAWYERS

# Welcome TO TERMITE WORLD

by PAUL ABERCROMBIE

## You think bugs are bad? Pete Cardillo takes on some really bad exterminators

**Y**ou could call Pete Cardillo the Anti-Orkin Man. A couple of years ago, the Tampa attorney founded what is likely the only firm in America devoted exclusively to suits involving termites. He left his post as head of litigation for Buchanan Ingersoll's Tampa office, determined to wipe out what he sees as widespread fraud and deception in one of Florida's biggest industries. Today, he plans to expand his practice as a swarm of complaints against pest-control companies continues around the state.

Starting a solo shop wasn't a cakewalk. For one thing, learning about the bugs themselves, never mind the industry, was a time-consuming task — and it gave him nightmares. "They've infested my life," he says with a laugh. "I live in an old wood-frame house in Hyde Park — and I know the way they work. They're evil and ferocious."

He even subscribes to *Pest Control Magazine* and has a headline from the trade journal taped to his computer keyboard: Termite World.

Cardillo, 48, never dreamed he'd be known as the Bug Lawyer. After high school, he earned an Army ROTC scholarship at the University of South Florida and went on to Columbia Law School. For three years he worked criminal courts martial in Germany, and then moved on to appellate defense in Washington, D.C. He soon made his way back to Tampa, signing on with Chicago-based Rudnick & Wolfe (now DLA Piper Rudnick Gray Cary US). "We specialized in commercial litigation that included a fair amount of construction and real estate," he says.

Cardillo's foray into the termite world started in 1996 after a former client, a developer, called about a possible case. "They had termite problems on several of their Bay-area properties, and it turned out they had contracts with Orkin on all of them," he says. "The things my client told me led me to believe there was some form of malfeasance, some hint of misconduct or at least significant neglect that seemed to be systemic and possibly intentional." That turned out to be true.

After that case, more like it started flowing in, following a similar chain of events.

"A termite contract typically includes an annual reinspection," Cardillo explains, "and the law requires that the pest control company prepare a written report upon reinspection that is then given to the customer." In many of these cases, former and current Orkin sales reps testified that they routinely forged clients' signatures on reinspection reports, forgoing a return trip

"They've infested my life," says the so-called Bug Lawyer, of his winged adversaries.



to the property to make sure that it was, indeed, termite-free.

"Even as a former prosecutor, I was shocked," says Cardillo.

In each case, Orkin insisted the forgeries were isolated incidents perpetrated by rogue employees, but internal memos among high-level executives exposed concern about widespread fraud and theft — including the forging of reinspection reports.

Orkin isn't the only pest-control giant in Cardillo's sights. A later filed case against Terminix alleges false advertising. And insurance companies are fair game, as well. "We can separately pursue claims against insurance companies based on their commercial policies," he says, "so we have two sources of recovery." Cardillo has a couple dozen active cases — most are multimillion-dollar suits on behalf of developers and condominium associations, as well as a growing number of cases for individual homeowners.

While most of Cardillo's cases are in Florida — where extermination is big business — he plans to expand farther into the "termite belt," which snakes south from Virginia to Texas to Southern California. "You think termites are tough characters," he says. "Well, they're nothing compared to how mean termite exterminators can be to their own clients." ❖