



LITIGATION

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Comerford
John B. Consevage
Jerry R. DeSiderato
Honorable Nelson A. Diaz
Marie-Theres DiFillippo
Nicholas M. Donzuso
Patrick J. Dwyer
Marc A. Feller
Taylor P. Festa
Scott J. Freedman
Claire Blewitt Ghormoz
Ira N. Glauber
Catherine D. Glenn
Mark W. Halderman
J. Nelson Happy
Patrick M. Harrington
Katharine Virginia Hartman
Thomas E. Hastings
James W. Hennessey
Renardo (Rick) Hicks
John J. Higson
Linda Dale Hoffa
C. Lawrence Holmes

Dilworth's Litigation Department lawyers are skilled strategic thinkers who provide strong and effective representation to their clients to help them meet their business objectives. We represent clients throughout the United States in federal and state courts, trial and appellate courts, and before numerous administrative and regulatory agencies.

Before entering the courtroom, our 60+ litigation attorneys counsel clients in preventive measures to avoid problems which might give rise to litigation and alternative methods for resolving their disputes, such as negotiation, mediation, or settlement, to avoid the expense of lengthy trials. If the path to litigation is established, our attorneys aggressively engage their seasoned trial skills to best represent their clients' interests. Dilworth's Litigation partners include two fellows of the American College of Trial Lawyers, a prestigious organization whose invitation only membership is limited by charter to less than 1% of lawyers. Our litigators regularly handle complex cases involving:

- antitrust
- securities
- commercial transactions
- tax controversy
- intellectual property
- insurance
- products liability
- construction accidents
- real estate
- labor and employment issues
- white-collar criminal defense
- personal injury
- sovereign immunity issues

In each representation undertaken by members of the Department, we strive to first understand a client's particular business concerns and objectives, believing that such an understanding is essential to representing a client effectively.

Peter C. Hughes
 Jay E. Kagan
 Anne Marie P. Kelley
 Anthony Kyriakakis
 James H. Landgraf
 Judge Samuel M. Lehrer
 Joseph R. Loverdi
 Jennifer L. Maleski
 Francis P. Maneri
 William E. McGrath, Jr.
 Lawrence G. McMichael
 Eric B. Meyer
 Christopher C. Nana-Sinkam
 Patrick M. Northen
 Marjorie McMahon Obod
 Richard J. Orr
 Kimberly M. Parson
 Margaret Spitzer Persico
 Catherine Pratsinakis
 William E. Quackenboss, Jr.
 James J. Rodgers
 David Rodkey
 Mark A. Schiavo
 Thomas E. Schorr
 Jesse N. Silverman
 Jennifer Platzkere Snyder
 Benjamin W. Spang
 John A. Squires
 Thaddeus J. Weaver
 Martin J. Weis
 Brett Wiltsey
 Gerald D. Wixted
 Joshua D. Wolson

Related Practices

Antitrust
 Intellectual Property
 Labor & Employment
 Real Estate
 Securities
 White Collar/Government
 Investigations

Representative Matters

Recent Cases

- Representation of the Chairman and Vice Chairman of a Fortune 500, public company in defense of multiple class actions on federal court, damages alleged exceed \$1 billion.
- Representation of New Jersey aluminum company in various matters, including business tort litigation.
- Representation of Sanjay Kumar, former Chairman and CEO of Computer Associates in connection with the Computer Associates securities litigation.
- Representation of multiple Commonwealth of Pennsylvania counties to recover 911 fees due from various phone companies who are alleged to have under-billed, under-collected and under-remitted 911 fees to counties throughout Pennsylvania. *See, e.g., County of Berks v. Verizon Pennsylvania, Inc., et al.* No. 15-15867 (Ct. Common Pleas, Berks County, PA) (Civil Division).
- Representation of a technology company in multi-patent litigation against major cell phone manufacturers involving network connectivity and Local Area Networks.
- Representation of various Commonwealth of Pennsylvania agencies and departments in litigation ranging from right-to-know issues (*Eiseman v. Department of Public Welfare*, 124 A.3d 1214 (Pa. 2015) and 125 A.3d 19 (Pa. 2015)) to services provided by the Commonwealth under the federal Medical Assistance statute, Title XIX of the Social Security Act. (*St. John, et al. v. Department of Human Services of the Commonwealth of Pennsylvania*, Civil Action No. 14-CV-6712 (E.D. Pa.) (voluntary dismissal); *Mendez, et al. v. Beverly D. Mackereth, Secretary of the Pennsylvania Department of Human Services*, Civil Action No. 14-CV-7199 (E.D. Pa.) (voluntary dismissal); *Marston v. Department of Human Services of the Commonwealth of Pennsylvania*, *Smith v. Department of Human Services of the Commonwealth of Pennsylvania*, Civil Action No. 13-CV-5670 (E.D. Pa.) (voluntary dismissal); *Leonard v. Department of Public Welfare of the Commonwealth of Pennsylvania*, Civil Action No. 11-CV-7418 (E.D. Pa.) (pending).
- Representation of various Bankruptcy Trustees in litigations to recover monies paid in violation of established fiduciary duties, professional duties and/or provisions of the Bankruptcy Code.
- Various civil trial victories including a jury verdict award in excess of \$2.6 million against New Jersey Department of Transportation in a condemnation suit.
- Successful representation of a national bank in a family trust matter. Plaintiff alleged damages in excess of \$2 billion. Defense verdict was obtained and affirmed on appeal after a 15-day Orphan's Court bench trial. *In re: Estate of Clarence A. Warden, No. 405 of 1958* (Ct. Common Pleas, Delaware County, PA, Orphan's Court Division).
- Successful representation of not-for-profit organization in several litigations raising civil rights, defamation, invasion of privacy and/or conspiracy claims. *Smith v. Main Line Animal*

Rescue, Case No. 12-CV-4739 (Ct. Common Pleas, Dauphin County, PA) (dismissal with prejudice granted); *Blank v. The Pennsylvania Society for the Prevention of Cruelty to Animals, et al.*, Civil Action No. 10-CV-3222 (E.D. Pa. and 3d Cir.) (dismissal granted; judgment affirmed by Third Circuit Court of Appeals); *Myer v. The Pennsylvania Society for the Prevention of Cruelty to Animals, et al.*, Case No. 10-04144 (Ct. Common Pleas, Lancaster County, PA) (voluntary dismissal days before trial).

- Successful dismissal, with prejudice, of claims against a large financial institution in RICO class action initiated in federal court in Indiana relating to the institution's lending relationships. *Crissen v. Gupta, et al.*, Civil Action No. 12-CV-0355 (S.D. Ind.).
- Multiple representations as lead counsel for Special Litigation Committees formed within publicly-traded companies to evaluate transactions ranging from \$1 billion to \$4 billion.

Notable Decisions

- Our attorneys successfully represented the American Financial Services Association in a series of cases around the country striking down local laws attempting to improperly regulate sub-prime lending.
- Dilworth's environmental litigation lawyers successfully obtained a \$23 million settlement for SEPTA on environmental contribution claims arising from the contamination of the Paoli Rail Yard. We proved through a process known as chemical fingerprinting that the vast majority of the environmental contamination of the Paoli Rail Yard occurred prior to 1976, when the Yard was owned by Penn Central Railway Company. After extensive discovery and motion practice, during which SEPTA's legal team obtained summary judgment against American Premier Underwriters Inc., the successor corporation to the bankrupt Penn Central Railway Company, Dilworth's environmental litigation team was able to obtain the multi-million dollar settlement by proving that SEPTA did not cause the majority of the contamination of the Rail Yard which the EPA declared a Superfund Site in 1986.

For questions or additional information, please contact [Thomas Biemer](#), Chair of the Litigation Department, [Gregory Cirillo](#), Co-Chair of the Litigation Department

Client Successes

- The Supreme Court of Pennsylvania
- Successful Defense of Class Certification
- D'Anastasio Corp. v. Township of Pennsauken
- Defense of Alter Ego/Single Employer Liability
- Philadelphia Inquirer, Daily News and Philly.com Acquisition

NEWS / EVENTS

Press Releases

- Dilworth Partner Appointed as Disciplinary Board Hearing Committee Member
- Allentown Financings Win Bond Buyer Northeast Deal of the Year
- Dilworth Partners Thomas Biemer and Gregory Cirillo will Lead Litigation Department, Succeeding Lawrence G. McMichael
- Named One of U.S. News – Best Lawyers® "Best Law Firms" in 2015
- Nine Dilworth Lawyers named Best in America
- Dilworth Paxson LLP Named One of U.S. News – Best Lawyers® "Best Law Firms" in 2016
- Dilworth Paxson LLP Counsel on Behalf of Dauphin County in Landmark Telco Case
- Dilworth Attorneys Named 2016 New Jersey Super Lawyers And Rising Stars
- Dilworth Attorneys Named 2016 Pennsylvania Super Lawyers And Rising Stars
- Dilworth Paxson LLP Welcomes New Associate
- Dilworth Paxson LLP Welcomes Ira N. Glauber to the Firm's New York Office
- Dilworth Paxson LLP Welcomes Margaret Persico and Nicholas M. Donzuso to Firm
- Dilworth Paxson's Jerry R. DeSiderato Named to The Legal Intelligencer's 2017 Lawyers on the Fast Track
- Twelve Dilworth Attorneys Named to 2018 The Best Lawyers in America® List
- Dilworth Paxson LLP Named One of U.S. News – Best Lawyers® "Best Law Firms" in 2018
- Renardo Hicks Joins Dilworth Paxson as a Partner in its Corporate and Business Department
- Catherine Pratsinakis Joins Dilworth Paxson's Litigation Group
- Sixteen Dilworth Paxson Attorneys Named to 2019 The Best Lawyers in America® List
- Dilworth Paxson LLP Again Named One of the "Best Law Firms" by U.S. News & World Report and Best Lawyers®

Media Coverage

- Federal judge refuses to block Gov. Corbett's Medicaid overhaul

- Delco Lawsuit Accuses Telephone Companies of Cutting 911 Fees
- Dauphin County looking to recoup potentially millions in unpaid 911 fees
- State law may play crucial role in Delco lawsuit
- Delco sues telecom providers over withheld fees
- Cumberland County could be missing out on millions from uncollected 911 fees
- Phone companies could have underpaid nearly \$4M a year in 911 taxes to Lancaster County
- York County to sue phone companies to recover millions
- Margate to get its day in court

Articles

- The Responsible Corporate Officer Doctrine and the BP Oil Spill
- A Court's Chance To Limit Law Of Unintended Consequences
- NJ Class Action Revived Over Progressive's Auto Policies
- SJ Magazine: 2017 Top Attorneys Industry Icons

E-Alerts

- Josh Wolson Writes on Why The SCOTUS Was Right To Take Samsung V. Apple
- James Landgraf Moderating 'Ethical Red Flags for Commercial Litigators'
- Leading Edge Logistics, LLC Seeks to Recover Payments From Creditors
- Dilworth Paxson's Jerry R. DeSiderato Named to The Legal Intelligencer's 2017 Lawyers on the Fast Track
- Dilworth Paxson Attorneys Patrick Harrington and Dean Shauger to Provide Legal Advice for Wharton MBA Negotiation Class
- Employers and Employees, Are You Compliant?

Events

- Jim Landgraf Speaking at the National Business Institute Program Construction Defect Litigation: From A to Z