



# LITIGATION

## Group Chairs

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## Related Lawyers

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Honorable Nelson A. Diaz  
Nicholas M. Donzuso  
Spencer Dreier  
Patrick J. Dwyer  
Marc A. Feller  
Timothy J. Ford  
Scott J. Freedman  
Claire Blewitt Ghormoz  
Ira N. Glauber  
Patrick Hamlet  
J. Nelson Happy  
Patrick M. Harrington  
Katharine Virginia Hartman  
Thomas E. Hastings  
John J. Higson  
Linda Dale Hoffa  
C. Lawrence Holmes  
Peter C. Hughes  
Anne Marie P. Kelley  
James H. Landgraf  
Andrew Leven

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.

Joseph R. Loverdi  
 Jennifer L. Maleski  
 Francis P. Maneri  
 William E. McGrath, Jr.  
 Lawrence G. McMichael  
 Christopher C. Nana-Sinkam  
 Patrick M. Northen  
 Marjorie McMahon Obod  
 Richard J. Orr  
 Margaret Spitzer Persico  
 Catherine Pratsinakis  
 James J. Rodgers  
 David Rodkey  
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 Thomas E. Schorr  
 Lorraine Marie Simonis  
 Jennifer Platzkere Snyder  
 Benjamin W. Spang  
 John A. Squires  
 Benjamin S. Teris  
 Jessica L. Titler-Lingle  
 Silvio A. Trentalange  
 Thaddeus J. Weaver  
 Martin J. Weis  
 Brett Wiltsey  
 Gerald D. Wixted

## 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*, 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
- 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®
- Dilworth Paxson Adds Litigation Attorney Timothy J. Ford
- Dilworth Adds Litigation Attorney Silvio Trentalange
- Dilworth Adds Litigation Attorney Jessica Titler-Lingle

- Dilworth Adds Andrew Leven to White Collar & Government Investigations Group
- Dilworth Attorneys James H. Landgraf and William E. McGrath, Jr. Named 2020 New Jersey Super Lawyers
- 21 Dilworth Attorneys Selected as PA & NJ Super 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
- Pa. Judge Greenlights State's 1st Opioid Marketing Case

### 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?
- What Happens if My Company Cannot Fulfill a Contract Due to Coronavirus?

### Events

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