

## HENRY M. SNEATH, ESQUIRE

### Houston Harbaugh, P.C.

Three Gateway Center  
401 Liberty Avenue, 22<sup>nd</sup> Floor  
Pittsburgh, PA 15222

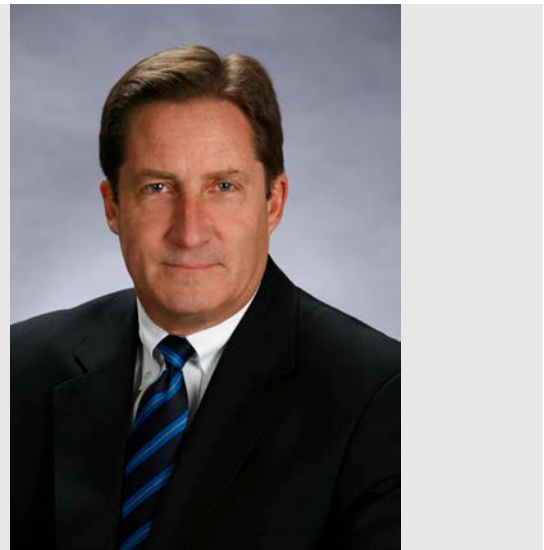
Phone: (412) 288-4013

Fax: (412) 281-4499




E-mail address: [sneathhm@hh-law.com](mailto:sneathhm@hh-law.com)

Website: [www.hh-law.com](http://www.hh-law.com)

See Also: [www.dtsalaw.com](http://www.dtsalaw.com), [www.pitiptechblog.com](http://www.pitiptechblog.com)



### BIOGRAPHY

- Born July 3, 1958; in Philadelphia, Pennsylvania.
- Received BA Degree from Hamilton College (1980). Double major in English and Economics; minor in Rhetoric. Commencement speaker and winner of numerous public speaking awards and honors.
- Received Juris Doctorate from Duquesne University School of Law (1983).
- **Court Intern Clerkship:** (1982-1983) - Honorable Henry X. O'Brien, Chief Justice of the Pennsylvania Supreme Court.
- **Houston Harbaugh, P.C. (January 1, 2018 to Present) Shareholder, Executive Committee Member and Practice Chair Litigation and Intellectual Property Departments**
- **Picadio Sneath Miller & Norton, P.C. (August 2002 – 2017) Shareholder and Vice-President.**
- **Admitted to practice in all State Courts in the Commonwealth of Pennsylvania;** United States District Courts for the Eastern, Middle and Western Districts of Pennsylvania; have been admitted on a special basis in various other Federal and State Jurisdictions. **Have tried over 95 cases to jury and bench trial verdict in state and federal courts.**
- **DRI (Defense Research Institute) – 2011-2012 Past President;** Former National Member, Board of Directors; Former Chair, Commercial Litigation Committee; Former Chair, Intellectual Property Committee. See [www.dri.org](http://www.dri.org)
- **Current Adjunct Professor of Law at Duquesne University School of Law** teaching 2 courses: Trade Secret Law and the law of Trademarks and Unfair Competition.
- **Rated “AV” – Martindale Hubbell’s Highest Attorney Rating** 
- **Pennsylvania Super Lawyer – Business and Intellectual Property Litigation** 
- **Best Lawyers in America – Commercial Litigation; Intellectual Property Litigation; Patent Litigation; Personal Injury Defense Litigation; Legal Malpractice Litigation**  


## LITIGATION AND TRIAL EXPERIENCE

- **Business/Commercial Litigation and Workouts** including contracts, class actions, dealership and franchising issues, unfair trade practices and consumer protection laws (UTPCPL), unfair competition, non-competition/non-solicitation, piercing the corporate veil, construction defect, specification and bidding, restrictive covenants, equitable actions, land use, easements, trade secrets, UCC and regulatory issues and cyber security/data breach matters.
- **Intellectual Property/Technology/Trade Secrets.** Litigation and counseling of traditional and internet businesses involving copyright, trademark, trade secret and patent infringement claims under federal statute and common law, false designation of origin claims, federal trademark dilution, trade disparagement and libel claims, and claims under the Defend Trade Secrets Act (DTSA) and the Digital Millennium Copyright Act. Serving as Lead and/or Local Co-Counsel in Patent Litigation pursuant to the Local Patent Rules of the U.S. District Court for the Western District of Pennsylvania. Member of Federal Court Advisory Committee on Local Patent Rules (USDC WDPa).
- **Insurance Coverage/Bad Faith** litigation including declaratory judgment actions, complex insurance coverage, breach of contract actions, bad faith issues, denial of life, health and disability insurance benefits, unfair trade practices and consumer protection claims (UTPCPL), sales practices claims and advertising injury claims.
- **Products liability** with emphasis on the defense of designers, manufacturers and sellers of automobiles, tires, consumer food products and appliances, medical and pharmaceutical products, recreation equipment, heavy industrial equipment, forklifts, aerosol products, portable kerosene heaters, and motorcycles.
- **Constitutional, Employment and Civil Rights Claims** with emphasis on defense of municipal, individual and corporate clients against claims of false arrest, false imprisonment, malicious prosecution, assault, battery, brutality, wrongful denial of medical treatment, improper conditions of confinement and discrimination, harassment and hostile work environment claims, workplace discrimination and prevailing wage claims.
- **Professional Negligence** claims involving medical, legal, architectural and accounting malpractice and negligence claims.

## SELECTED CASES PROSECUTED OR DEFENDED TO VERDICT, DISMISSAL OR SETTLEMENT

### **COMMERCIAL LITIGATION: INTELLECTUAL PROPERTY, CONSTRUCTION CLAIMS, BUSINESS, CLASS AND CONTRACT DISPUTES**

#### **Recently Completed Patent and Complex or Class Litigation Cases not yet summarized:**

**(Class Action Dismissal): Harbison v. Louisiana-Pacific Corp. USDC WDPa 2:13-cv-00814-AJS**

**University of Pittsburgh v. Varian: USDC WDPa – 2:08-cv-01307-AJS (Lead Chair in Three (3) one week, one issue trials);**

**Westmoreland Advanced Materials v. Allied Mineral USDC WDPa – 2:16-cv-00263-AJS;**

**RIP Management v. Discovery Property and Casualty Insurance Co. - USDC WDPa – 3:11-cv-00083-KRG;**

1. CNX Gas Corporation v. CDX Gas LLC – Federal District Court (Pittsburgh, Pa.) – Defended gas exploration company CDX against declaratory judgment claims that sought to invalidate their patents and brought counterclaims of patent infringement against Plaintiff CNX. After claim construction and just prior to trial, the parties reach an amicable settlement wherein, inter alia, Plaintiff acknowledged the validity of the subject patents. Additional settlement terms are confidential.
2. MHF Logistical Solutions, Inc. v. ICE Services Group, Inc. – Federal District Court (Pittsburgh, Pa.) – Represented Defendant against claims of misappropriation of trade secrets, intentional interference with business relations, breach of contract and equitable injunctive relief. After brief litigation, assisted the parties in reaching an amicable business settlement with no payment of money by client to plaintiff.
3. Modular International, Inc. v. RSA Lighting LLC and Cooper Lighting, Inc. - Federal District Court (Pittsburgh, Pa.) – Represented Plaintiff in bringing patent infringement claims against defendants. After substantial litigation, but prior to claim construction, the parties reached an amicable settlement including a royalty payment to client by defendant.
4. Haynes International, Inc. v. Special Metals Corporation – Federal District Court (Pittsburgh, Pa.) - Represented Defendant against claims of trademark infringement and other Lanham Act claims. Prior to trial, the parties reached an amicable settlement the terms of which are confidential.
5. Voice Signal Technologies v. Nuance Communications, Inc. – Federal District Court (Pittsburgh, Pa.) – Represented Plaintiff in bringing claims of patent infringement. The lawsuit was settled when the defendant corporation acquired the plaintiff corporation and effectuated a business settlement of the litigation.
6. German Manufacturer v. American Seller of Commercial Light Fixtures (names protected) – Federal District Court (Pittsburgh, Pa.) - Defended American seller of sophisticated commercial light fixtures against claims of copyright, trademark and trade dress infringement. Defense was based on “lack of confusion” in the relevant marketplace and on theory that Plaintiff’s copyrights were invalid. A non-monetary business settlement was reached quickly after these defenses were raised and pled.
7. Import/Export Company v. National Department Stores (names protected) – Federal District Court (Pittsburgh, Pa.) - Defended a Fortune 500 company against claims of copyright and trademark infringement, trademark dilution, Lanham Act violations and unfair trade practices, by asserting ownership rights to design drawings and 3-

dimensional novelty gift items which were manufactured in Asia and purchased by our client for resale in the United States. Following extensive discovery and our filing of a Motion for Summary Judgment, plaintiff voluntarily dismissed all claims.

8. Mitel Corporation and Mitel, Inc. v. Hope Telecom, Inc. – Federal District Court (Pittsburgh, Pa.) – Successfully defended and settled claims for damages and injunctive relief brought by designer and manufacturer of networked communications systems and related software against defendant which was alleged to have modified and sold the protected hardware and software. The copyright and trademark claims were brought pursuant to federal statute and common law and plaintiff brought claims pursuant to the Federal Trademark Dilution Act and claims under the Digital Millennium Copyright Act. A complex settlement involving some injunctive relief was obtained with help of mediation provided through the federal courts.
9. Tivi BV. v. U.S. Tech. and Sportstech - Federal District Court (Seattle, Wa.) and Hong Kong - represented plaintiff, a Dutch Corporation, which owned the exclusive rights and license to the "total image" of one of the world's foremost tennis superstars. Brought claims against defendant for breach of endorsement contracts, unjust enrichment, and various other business torts. This complex commercial case involved international tax and licensing issues, and issues related to a piercing of the defendant's corporate veil. Obtained favorable settlement on behalf of plaintiff with payment of proceeds coming in part, from principals of defendant corporation.
10. American Atlas Corporation v. Allegheny County Industrial Development Authority - Federal District Court (Pittsburgh, Pa.) - obtained summary judgment on behalf of defendant in multi-million dollar breach of contract and tort action. Plaintiff alleged that it was the successful low bidder on a large environmental remediation and construction project and brought claims against the defendant alleging a failure to award the bid to the lowest responsible bidder. Plaintiff sought \$26 million in compensatory damages and asked for punitive damages. On our motion, summary judgment was obtained on behalf of the defendant and the District Court's ruling was upheld by the United States Circuit Court of Appeals and certiorari to the United States Supreme Court was denied. Handled the prosecution of the underlying claims and with a fellow partner, all appellate claims arising therefrom.
11. Robert B. Witt v. Allegheny Power Systems, Sprint PCS and Bechtel Group, Inc. - Allegheny County (Pittsburgh, Pa.) - represented defendants in equity action, wherein plaintiff sought both emergency and permanent injunctive relief against defendants for alleged violations of a right-of-way agreement that ran over and across the land owned by the plaintiff. Defendant power company had an easement over plaintiff's property and following brief, but intensive litigation, a creative and low cost settlement was obtained which allowed telecommunications equipment and antennae to be added on to an existing power company transmission line tower.
12. Corporation Information Systems, Inc. t/d/b/a Ciscorp v. Timothy Pribanic - Allegheny County (Pittsburgh, Pa.) - represented plaintiff in prosecuting claims against defendant for breach of contract including claims for violation of restrictive covenants, non-compete agreements and failure to return privileged and confidential information and documents.

Claims were brought at law and in equity. Obtained injunctive and declaratory relief, and a favorable financial settlement on behalf of client.

13. Louis Coccoli, et al. v. Allegheny County Airport Authority - Allegheny County (Pittsburgh, Pa.) - Defended three lawsuits filed against large municipal authority, which lawsuits challenged the legality and formation of the defendant Authority and sought emergency and permanent injunctive relief. After filing motions to dismiss and supportive briefs, all claims against our client were withdrawn/dismissed.
14. Large National Retailer v. Design-Build Contractor and Cement Floor Contractors (Names Protected) – Schuylkill County (Hazleton, Pa.) – On behalf of Defendant Design-Build Contractor, resolved alleged construction defect claims arising out of the design, manufacture and installation of a “superflat” cement floor in a large distribution center warehouse.

### **INSURANCE/PROFESSIONAL LIABILITY: DEFENSE, COVERAGE, SUBROGATION AND BONDS**

1. American Insurance Company v. Brokerage Firm et. al. v. National Insurance Company (names protected) – Allegheny County (Pittsburgh, Pa.) – successfully represented plaintiff insurance company in declaratory judgment action against named insured brokerage firms, numerous individual brokers and National Insurance Co., seeking declaration of no coverage for claims submitted by the brokers due to lawsuits filed by National Insurance Co. against the brokers for breach of contract and violation of non-compete and brokerage agreements.
2. Smith v. ABC National Insurance Co. (names protected by confidentiality agreement) – Federal District Court (Pittsburgh, Pa.) – plaintiff, an employee of a large insured corporation, brought claims of bad faith against his employer’s insurer. He sought recovery of punitive damages and counsel fees citing the failure of the insurer to make any settlement offer prior to uninsured motorist arbitration as evidence of bad faith under Pennsylvania law. The arbitration had resulted in a policy limits (\$500,000) award to plaintiff. Utilizing ERISA and other federal law preemption defenses, we successfully defended a near certain liability case and achieved a very modest settlement.
3. Ray v. Armstrong Developers, et al. - Allegheny County (Pittsburgh, Pa.) - plaintiff brought premises liability claims for alleged brain injury she sustained when she collided with large glass wall on commercial premises. Obtained jury verdict on behalf of defendant.
4. American States Insurance, et al. v. Pennsylvania Insurance Guaranty Association, et al. - Armstrong County (Kittanning, Pa.) - obtained summary judgment on behalf of defendant Association in this declaratory judgment action wherein plaintiff “excess” insurance company claimed that defendants breached their duty to defend an underlying insured, and failed to make indemnity payments to that insured. Claims were brought in breach of contract and bad faith. The decision was upheld on appeal.
5. Norma Vaglio-Lauren v. Pioneer Hose Co. No. 1 of Brackenridge Borough - Allegheny County (Pittsburgh, Pa.) - obtained summary judgment in two wrongful death and survival actions which brought dram shop and other tort claims against volunteer fire company which owned and operated a social club serving alcohol. Successfully applied Pennsylvania law

granting immunity to volunteer fire companies and obtained summary judgment on behalf of all defendants.

6. Blake v. George P. Bohach, Esquire, and Law Offices of Delamater, Haag & Bohach - Hancock County (Wheeling, WV) - defended claims of professional (legal) malpractice brought by plaintiff pursuant to an alleged failure of defendants to file a lawsuit prior to the expiration of the applicable statute of limitations. Obtained a relatively modest settlement in a near-certain liability action in the panhandle area of West Virginia, which is known for large jury verdicts.
7. Industrial Risk Insurers as Subrogee for Neville Chemical Co. v. Minnotte Contracting Corp. - Allegheny County (Pittsburgh, Pa.) - represented plaintiff in subrogation action following the explosion of a large industrial facility and their payment on the property damage claims. Obtained substantial settlement on behalf of plaintiff insurer prior to trial.
8. Security Insurance Co. of Hartford v. Robert L. Snyder and Jessie M. Snyder; AHRs Coal Corp. v. Commonwealth of Pennsylvania, Department of Environmental Resources - Environmental Hearing Board (Pittsburgh, Pa.) - represented insurance company as issuer of environmental remediation bonds. Pennsylvania's Department of Environmental Resources had forfeited numerous bonds pursuant to the coal mine operators' failure to properly remediate and reclaim strip-mining areas in Western Pennsylvania. On behalf of the insurance company, successfully overturned a majority of the forfeitures, saving the insurance company large sums of money that would otherwise have been paid on these forfeited bonds. Complex case involved 10 years of litigation before the Environmental Hearing Board and various Pennsylvania trial level and appellate courts.
9. Smith v. ABC Accounting Firm - Allegheny County (Pittsburgh, Pa.) - (actual names protected by confidentiality agreement) - defended professional negligence and breach of contract claims brought against regional accounting firm. Obtained complete withdrawal/dismissal of all claims just prior to trial.
10. Rodgers v. Jones, M.D. – Crawford County (Meadville, Pa.) – (actual names protected) – defended medical negligence and lack of informed consent claims against plastic surgeon at trial and obtained defense verdict on behalf of client after jury trial.
11. ABC Corporation v. National Insurer (Names protected) – Federal District Court (Pittsburgh, Pa.) - Represented an insured corporation in seeking reversal of denial of coverage and defense by defendant's insurer following submission of claims by defendant for advertising injury coverage. Our client was sued for trademark and copyright infringement and Lanham Act claims, and our client's insurer denied both defense and indemnity, citing exclusions to the advertising injury insuring provisions. We brought claims against the insurer seeking defense and indemnification in the underlying lawsuit and were successful in overturning the insurer's initial denial of both defense and indemnity.

## **LIFE, HEALTH AND DISABILITY INSURANCE**

1. Leach v. Northwestern Mutual Life Insurance Company – Federal District Court (Pittsburgh, Pa.) – Obtained defense verdict after ten day jury trial on plaintiff's claims for in excess of \$1 million long term disability benefits with summary judgment having already been granted

dismissing plaintiff's claim of insurer bad faith. Also obtained jury verdict against plaintiff on client insurer's counterclaim for breach of contract, fraud and unjust enrichment. Attorneys' fees were awarded to client for total counterclaim award against plaintiff of over \$525,000. Verdict was upheld on appeal to the Third Circuit Court of Appeals. Handled both trial and appeal.

2. Wolf v. Bankers Life and Casualty Co. – Delaware County (Media Pa.) – Defended Bankers Life against claims of breach of contract, insurance bad faith and unfair trade practices. Following a bench trial, the judge awarded plaintiff \$1.4 million. During the course of our appeal from the adverse verdict and award, the matter was settled on terms far more favorable than the verdict to my client.
3. Sciotto v. Lamar Life Insurance Company – Delaware County (Media, Pa.) – Obtained defense verdict in bench trial on behalf of defendant “excess” insurer. Plaintiff, a high level quadriplegic had obtained a large personal injury settlement in an underlying action and then sought to compel the client excess insurer to “drop down” into a primary insurer role and pay to plaintiff amounts that plaintiff had lost from the settlement due to a large insurer subrogation claim. With no Pennsylvania case law on point, the case was tried to a defense verdict in favor of client.
4. Beck v. Lomas Mortgage USA, et al. - Allegheny County (Pittsburgh, Pa.) - Plaintiff brought breach of contract and bad faith claims pursuant to a mortgage life insurance policy sold to plaintiff's decedent. Obtained summary judgment on behalf of all defendants.
5. National Fidelity Life Insurance Co. v. Equibank, Merrill Lynch, Manhattan Life Insurance and Max Gomberg - Allegheny County (Pittsburgh, Pa.) - Represented plaintiff life insurance company in complex commercial litigation prosecuting claims for fraud, embezzlement, breach of contract and banking related claims involving fraudulent endorsement issues. Obtained large settlement on behalf of plaintiff against the defendants.
6. Jones v. ABC Life Assurance Company (names protected) - Allegheny County (Pittsburgh, Pa.) - Represented defendant life insurance company in civil suit brought by plaintiff alleging wrongful denial of life insurance benefits. Defense was based on alleged misrepresentations by plaintiff's decedent in medical section of life insurance application. Favorable settlement obtained after deposition of plaintiff wherein proof of misrepresentations was obtained. Issue of materiality would have remained for trial, but settlement was obtained prior to trial.
7. XYZ Life and Casualty Company v. Smith (names protected) - Federal District Court (Erie, Pa.) - Represented plaintiff life insurance company in prosecuting claims against numerous agents for breach of agency agreement provisions relating to non-competition and non-disclosure of proprietary, confidential information. Obtained cash settlement from defendants and extension of restrictive covenants for time period commensurate with duration of violations. Extension of restrictive covenant time periods entered as court order by district court along with liquidated damages provision in the event of future violations.

## **PRODUCTS LIABILITY LITIGATION**

1. Minor Plaintiffs v. Compounding Pharmaceutical Manufacturer and Large

University Hospital System (Names Protected) – Allegheny County (Pittsburgh, Pa.) on behalf of defendant manufacturer, resolved 2 catastrophic pharmaceutical product liability injury cases involving newborns. Also resolved a contribution action between co-defendants which followed the tort actions.

2. Galloway v. Beckwith Machinery and Caterpillar, Inc. - Allegheny County (Pittsburgh, Pa.) successfully defended Beckwith Machinery against products liability claims brought by plaintiff. Plaintiff claimed serious brain injury resulting from an alleged design and manufacturing defect in a forklift truck, which had been modified and sold by defendant Beckwith. Plaintiff demanded \$7,000,000 for settlement. Jury returned a defense verdict.
3. Gallo v. General Motors Corp. - Allegheny County (Pittsburgh, Pa.) - plaintiff claimed unwanted, sudden acceleration of the subject vehicle causing personal injury and property damage. Successfully defended case on behalf of client and obtained defense verdict after jury trial.
4. Bayani v. Connors Footwear, Inc. - Allegheny County (Pittsburgh, Pa.) - plaintiff claimed serious orthopaedic injury (trimalleolar fracture of ankle) due to defectively designed clog shoe which allegedly collapsed. Obtained defense verdict on behalf of client manufacturer after jury trial.
5. Kaczor v. Icon Health and Fitness, Inc. – Federal District Court (Pittsburgh, Pa.) successfully defended manufacturer of exercise treadmill against claims that an electrical malfunction caused a fire and extensive property damage. Defense verdict obtained on behalf of client at jury trial after prevailing on “Daubert” motion to strike one of plaintiff’s liability experts.
6. Laughery v. Komline-Sanderson Engineering Corp. and Perry Machinery Corp. - Allegheny County (Pittsburgh, Pa.) - plaintiff claimed serious bodily injury when his arm was crushed in a large industrial water filtration device. Plaintiff brought strict products liability and negligence claims involving an alleged failure to properly guard the subject machine. Case settled prior to jury selection.
7. White v. Manufacturer, Inc. and Equipment, Inc. (actual names protected) - Allegheny County (Pittsburgh, Pa.) - plaintiff, an airplane pilot, claimed total disability from injuries sustained in an alleged collapse of a home exercise weight-lifting unit. Favorable settlement obtained after successful discovery on damage and medical causation issues.
8. Pfab v. Freuhauf Trailers, Inc. and Monsanto, Inc. - Allegheny County (Pittsburgh, Pa.) - plaintiff claimed injury from an alleged product defect in the crank gears used to raise and lower the trailer when disengaged from the tractor. "Nominal" settlement obtained on behalf of defendant Freuhauf.
9. Scherer v. Bitting Recreation, Inc. and Gametime, Inc. - Washington County (Washington, Pa.) - minor plaintiff brought personal injury claims of product liability against manufacturer of swing set chains and S-hooks. Obtained defense verdict on behalf of designer and manufacturer after jury trial.
10. Webb v. Suzuki Motor Corporation - Allegheny County (Pittsburgh, Pa.) - plaintiff claimed massive injuries as a result of alleged vehicle rollover. Case settled prior to jury selection.



11. Smith v. DeMaco Machine Corporation and Maldari & Sons, Inc. - Allegheny County (Pittsburgh, Pa.) - successfully defended product liability claims against the defendants wherein plaintiff alleged amputation of part of his foot pursuant to an alleged defect in pasta making equipment. Obtained a "nominal" settlement on behalf of defendant DeMaco just prior to the selection of a jury.
12. Reha v. K.S. Wholesalers of America, Inc., Toyotomi USA, Inc. and Kero-sun, Inc. - Greene County (Waynesburg, Pa.) - defended Japanese manufacturer and American supplier of kerosene heaters. Plaintiffs brought bodily injury and property damage claims arising out of a fire which burned and injured various members of two families living in a duplex house in rural Greene County. Plaintiffs alleged product defect in design and manufacture and negligence in failure to warn. Obtained defense verdict on behalf of all defendants following jury trial.
13. Saunders v. Coburn Optical Industries, Inc., Sola Optical USA, Inc. and Pilkington Vision Care, Inc. - Federal District Court (Erie, Pa.) - obtained summary judgment on behalf of all defendants on claims brought by plaintiff of design and manufacturing defect in eyeglasses which shattered when plaintiff was assaulted by a psychiatric patient at a mental hospital. Plaintiff lost vision in one eye completely, and partially lost vision in the other eye. Plaintiff sought millions of dollars in damages. Summary judgment granted pursuant to our motion.
14. Beronilla v. Kawasaki Motors Manufacturing Corporation USA - Allegheny County (Pittsburgh, Pa.) - plaintiff brought strict product liability claims of design and manufacturing defect and claims of negligence seeking damages for personal injuries sustained in a motorcycle crash. Obtained summary judgment on behalf of defendant Kawasaki after filing of motion prior to trial.

### **CONSTITUTIONAL/CIVIL RIGHTS/ EMPLOYMENT LITIGATION**

1. Pacek v. County of Allegheny, et al. - Federal District Court (Pittsburgh, Pa.) plaintiff brought constitutional civil rights claims alleging false arrest, false imprisonment, and malicious prosecution. Plaintiff had been convicted by a jury in 1958 on charges of rape and murder, but claimed that he was framed. Plaintiff was pardoned by the Governor in 1991, which triggered a two-year statute of limitations period, and allowed the filing of the lawsuit. Obtained summary judgment for defendants on all claims in this newsworthy case with novel and complex legal issues. The underlying facts of the case are chronicled in the book *Fall Guys - False Confessions and the Politics of Murder* (Author Jim Fisher and published by Southern Illinois University Press - 1996).
2. Day v. County of Allegheny, et al. - Federal Court (Pittsburgh, Pa.) - plaintiff brought civil rights claims alleging false arrest, false imprisonment and other 1983 claims under the United States Constitution and various claims under state law. Obtained defense verdict on behalf of all defendants after lengthy jury trial.
3. Barnhart v. Allegheny County Prison Board, et al. - Federal District Court (Pittsburgh, Pa.) - plaintiff brought constitutional civil rights claims against municipal and individual defendants alleging a policy, practice, procedure and custom of brutality by corrections

officers at the Allegheny County Jail. Obtained a defense verdict on behalf of all defendants following a jury trial.

4. Smith v. National Restaurant Chain (names protected by confidentiality agreement). - Federal District Court (Pittsburgh, Pa.) - plaintiff brought claims of sexual harassment and violations of civil rights. Obtained dismissal of all claims on behalf of defendant and against plaintiff.
5. Beatty v. County of Allegheny, et al. - Federal District Court (Pittsburgh, Pa.) Obtained dismissal of plaintiff's claims on behalf of all defendants following the filing of various motions for sanctions for failure of plaintiff to respond to discovery and/or to prosecute the action. Plaintiff, a municipal police chief, brought constitutional civil rights claims against county and individual defendants alleging false arrest and malicious prosecution as a result of charges brought against him by the county district attorney.
6. Commonwealth of Pennsylvania v. Southeastern Seating, Inc. and Southeastern Seating v. Palombo Landscaping Inc. – State Courts of Pennsylvania. Defended subcontractor on prevailing wage claims brought by Commonwealth Department of Labor & Industry and prosecuted civil suit against Contractor regarding contracting and wage issues. Reached settlement with all parties.

#### **CORPORATE/TRANSACTIONAL/WORKOUT**

1. Negotiated, structured, and handled complex business workout on behalf of National Insurer (named protected by confidentiality agreement). Was retained by insurance company to negotiate and structure a buy-out of a troubled insurance agency by another firm. The troubled agency had failed to remit large amounts of premium payments and had otherwise violated the agency agreement. Successfully negotiated, structured, and supervised the drafting and execution of all workout and closing documents. As a result, National Insurer recovered a large percentage of its anticipated premium dollar losses, and retained its book of business.
2. Represented a national franchise company in its efforts to obtain specific intellectual property insurance coverage through the purchase of trade name or patent infringement insurance protection. Reviewed, analyzed and compared various specialty insurance products and insuring agreements and made recommendations to the client that culminated in the purchase of specific trade name infringement coverage from Underwriters.

#### **PROFESSIONAL ORGANIZATIONS**

- **Pennsylvania Defense Institute (PDI)** - Statewide organization whose membership is open to all whose practice is devoted, at least in part, to representation of insurance carriers. Awarded the 2012 “Defense Lawyer of the Year Award” by PDI.
- **Lawyers For Civil Justice** – Member, Board of Directors; Law firm corporate member and firm representative for this national organization of corporate counsel and defense lawyers supporting civil justice reform.
- **Selected National Seminar Participation** – Speaker 2015 USLAW NETWORK National Client Exchange presentation on “*Cybersecurity, Data Breach and Trade Secret Protection and Litigation*”; Speaker, 2014 USLAW NETWORK Corporate Conference on “*Non-Compete*”

*Agreements and Trade Secret Litigation*"; Speaker, 2012 DRI Business Litigation and Intellectual Property Seminar on "*Presenting Business Valuation and IP Damages at Trial*"; Speaker, 2008 DRI Annual Meeting; Speaker, 2006 DRI Intellectual Property Seminar (Miami, Fla.) "*Unfair Competition Claims in IP Cases*"; Speaker, 2004 DRI Intellectual Property Seminar (San Diego), "*Recent Copyright Developments and Cases*"; 2000 and 2001 DRI Technology Litigation Seminars (Chicago) "*Business Method Patents*" and "*Internet Copyright, Trade Secrets and Trademark*" issues.

- **Selected DRI Activity** - Chair 2007 DRI Annual Meeting; Program Chair 2002 DRI Commercial Litigation Committee Seminar (Phoenix, AZ.): "*Intellectual Property*" and 1999 DRI Seminar (New York City): "*Business Litigation: Representing the Financial Services and Insurance Industries.*" Member of "Commercial Litigation," "Insurance Law," "Product Liability," "Life, Health and Disability Insurance" and "Diversity" Committees; Chair- Elect 2018 DRI Corporate Counsel Roundtable
- **International Association of Defense Counsel (IADC)** – Member, Business Litigation Committee.
- **American Bar Association (ABA)** - Member, Intellectual Property, Business Law and Tort/Insurance Practice Sections.
- **Pennsylvania Bar Association (PBA), Allegheny County Bar Association (ACBA)** - Member, Civil Litigation, Intellectual Property, Construction and Federal Court Sections.
- **Pennsylvania Bar Association: Past Editor in Chief, "PBA Civil Litigation Update"** and contributing author of "*Pennsylvania Federal Business Decisions.*"
- **Pennsylvania Bar Association (PBA):** 2009 -2010 Chair, Intellectual Property Section
- **Federal Bar Association;** Member, Pittsburgh Chapter
- **American and Pittsburgh Intellectual Property Law Associations (AIPLA and PIPLA):** Member
- **USDC Western District of Pennsylvania "Local Patent Rules Advisory Committee"** – Member of committee that advises District Court Judges on **Local Patent Rules** and drafts rules and proposed amendments thereto.
- **Master Member of the Q. Todd Dickinson Intellectual Property American Inn of Court** headquartered in The United States District Court for the Western District of Pennsylvania.
- **Fellow – Academy of Trial Lawyers for Allegheny County, Pa.**
- **DKW Law Group, P.C.:** (July 1998 – August 2002) Partner, Litigation Department.
- **Meyer, Darragh, Buckler, Bebenek & Eck:** (1988-1998) Partner 1990-1998