Trial Practice

While resolving a dispute through a trial or arbitration is rare, it is sometimes our client's best (or only) alternative. Our litigators include a slate of accomplished trial lawyers who have successfully tried scores of cases to courtroom verdict or arbitration award. Often handling the most sophisticated and complex of legal and factual disputes, we are highly knowledgeable in representing both companies and individuals through the full litigation process.

Our trial lawyers bring a competitive and tireless edge to the process, thriving on setting trial strategy and presenting compelling cases to judges, juries and arbitrators. Leveraging our vast experience, know-how and passion for our client's cause, we are well positioned to provide comprehensive trial representation in courtrooms and arbitration venues across the United States.

How We Can Help

Recognized by *Chambers USA*, *Best Lawyers* and *Lawdragon 500 Leading Litigators in America*, among others, our trial lawyers stand ready to address disputes from their earliest stages. Our team members — several of whom are also fellows of the prestigious American College of Trial Lawyers and Litigation Counsel of America — have a wealth of experience in front of judges, juries, arbitration tribunals and regulatory bodies. Many of our litigators have deep subject-matter knowledge across a wide array of industries and sectors, including financial services, healthcare, insurance, cybersecurity, products liability, labor and employment, and mass torts, securities, white collar defense, intellectual property, real estate and construction.

We are well-versed in the full spectrum of trial matters, such as:

- Civil jury and bench trials in state and federal courts.
- Criminal jury and bench trials in state and federal courts.
- Arbitrations.
- Hearings and other proceedings before state and federal regulatory authorities.

Representative Matters

- Represented a futures commission merchant in a state court action by traders seeking over $1 billion in damages relating to trades on the Chicago Mercantile Exchange.
- Represented the Philadelphia Regional Port Authority in a complex federal suit appealing the U.S. Army Corps of Engineers' issuance of Section 404 and 408 permits to downriver facilities, resulting in the revocation of the permits, and preservation of the client's navigational rights.
- Represented Hyperion Bank in a significant title dispute concluding in a favorable court decision for the banking industry (*Lomax v. Hyperion Bank*, 282 A.3d 790 Pa., Super. 2022).

- In the Eastern District of Pennsylvania, represented the only defendant who was found not guilty of conspiracy to defraud the United States in an amount exceeding $10 million in which the IRS prosecuted individuals associated with the Commonwealth Trust Co. for allegedly marketing “abusive trust” tax shelters (*United States v. Crim*).
- Defeated a petition for injunctive relief following a four-day evidentiary hearing in which neighboring commercial property owners sought to halt a $350 million construction project.
- Tried an $80 million dispute between a marine terminal operator and its landlord port authority before a panel of three arbitrators, securing a unanimous award in the client’s favor.
- Obtained a full defense award in a JAMS arbitration on behalf of a nationwide securities firm in a 31-day arbitration involving claims of discrimination, harassment, retaliation, invasion of privacy, and defamation, among others, brought by an employee and former employee claiming $27.1 million to $34.2 million in damages.
- Tried a $26 million commercial real estate dispute, securing a dismissal of all claims against a real estate developer by way of a motion for nonsuit following a four-day trial and testimony from six witnesses.
- Defended a global insurer through trial in a complex, hybrid insurance coverage/tortious interference claim alleging in excess of $25 million in damages and resulting in a complete defense verdict.
- Obtained a favorable award in a 36-day AAA hearing in favor of a broker-dealer where a customer alleged an $8.5 million selling-away claim, and the broker-dealer recovered $4.1 million based upon its counterclaim.
- Secured recoveries in excess of $3.5 million including a trial verdict and attorney fees award in favor of a major utility subcontractor against an engineering, procurement and construction (EPC) contractor relating to multiple solar power projects based in Long Island, New York.
- Tried a healthcare provider’s appeal of Medicare’s multimillion-dollar overpayment determinations before an administrative law judge and reduced the government’s claims by 70%.
- In an AAA arbitration, successfully defended a claim for over $1.5 million and affirmatively recovered substantial forum fees for a prominent investment adviser accused of failing to conduct due diligence, improperly marketing and misrepresenting the risks of syndicated conservation easements (a complex tax strategy designed to result in substantial write-offs) that the IRS later challenged, disallowing the investors’ deductions and assessing substantial penalties.

Experience

Secures SEC Dismissal in First-Ever Liquidity Rule Enforcement Action

The U.S. Securities and Exchange Commission (SEC) voluntarily dismissed charges with prejudice against two mutual fund independent trustees in the agency’s first enforcement action brought pursuant to the Liquidity Rule (Rule 22e-4) promulgated under the Investment Company Act of 1940 (the Act). The case was filed in the U.S. District Court for the Northern District of New York against registered investment adviser Pinnacle Advisors, two of its officers and two independent trustees of a mutual fund that Pinnacle advised. The SEC alleged that the independent trustees aided and abetted the mutual fund’s purported misclassification of illiquid securities in violation of the Liquidity Rule.

Stradley Ronon argued on behalf of the independent trustees that the SEC had no legal basis for its aiding and abetting charges as the independent trustees did not write, review, or even see the liquidity classifications that formed the basis for those charges, did not substantially assist the alleged violation, and otherwise complied with all of their obligations pursuant to the Liquidity Rule. Stradley Ronon further argued that the agency lacked the necessary congressional authority pursuant to the Act to promulgate the Liquidity Rule.

The challenge to the agency’s authority to promulgate the Liquidity Rule led the Court to order additional briefing to address the framework for interpreting federal statutes established by the U.S. Supreme Court’s decision in *Loper Bright Enterprises v. Raimondo.* Stradley Ronon re-filed its motion to dismiss all charges on April 28 arguing that the plain text of the statute did not grant rulemaking authority related to fund liquidity and resubmitted its arguments challenging the SEC’s failure to state a claim for aiding and abetting liability against the independent trustees. Following the briefing, the SEC agreed to dismiss all charges against the independent trustees with prejudice, meaning that the SEC cannot refile the charges.

“We are very pleased that the court took the merits of our arguments seriously and that the SEC responded by dismissing the complaint,” said the NYSA Fund independent trustees. “We always believed in the strength of our case and are grateful for our lead attorney Jan Folena and Stradley Ronon’s guidance, knowledge, and litigation capabilities that made this outcome possible.”

Lead trial counsel Jan Folena was assisted by Eric Porter, Samantha Kats, Sara Crovitz, Dave Grim, and Eric Purple.

Stradley Ronon Team Secures High-Profile Win for PhilaPort in Port Construction Case

Stradley Ronon has obtained a sweeping victory on behalf of the Philadelphia Regional Port Authority (PhilaPort) in a highly contested matter over the proposal of a new port on the Delaware River.

In *Philadelphia Regional Port Authority v. U.S. Army Corps of Engineers*, PhilaPort alleged that Diamond State Port Corp.’s construction of a port in Edgemoor, Delaware, would divert shipping from Philadelphia to Delaware and that the permitting process led by the U.S. Army Corps of Engineers (Army Corps) failed to meet the requirements of the Administrative Procedure Act, among other claims.

In a published opinion on October 28 that adopted most all of the port authority’s positions, the U.S. District Court for the Eastern District of Pennsylvania vacated various underlying permits and authorization issued by the Army Corps. Significantly, the court noted that Diamond State never sought a statement of no opinion from PhilaPort, the first step in the permitting process.

The court ordered the Army Corps to reevaluate the project, effectively restarting the permitting process. This win for PhilaPort is the result of our team’s vigorous representation and will have a significant impact on the long-term shipping business in the Philadelphia region.

Stradley Ronon Secures Win for Colgate University Student in Title IX Case

Through a collaborative, cross-practice effort, Stradley Ronon has secured a complete acquittal for a Colgate University student facing alleged Title IX and student conduct violations. Following a detailed investigation and contested hearing, a panel rejected the allegations and found there was not a preponderance of the evidence to establish any of the three alleged Title IX violations or the three corresponding student conduct violations.

Our team was able to show via cross-examination that the Title IX complaint was retaliatory in nature and the testimony elicited at the hearing demonstrated that the allegations were entirely without merit and the delayed accusations were simply not credible.

Summary Judgment for SEPTA Discrimination Claims in the EDPA

Stradley Ronon secured summary judgment for SEPTA in the Eastern District of Pennsylvania for discrimination claims based on age, sex and race. The plaintiffs argued that they were paid less than their colleagues, unfairly denied promotions and retaliated against for filing complaints. The judge agreed with Stradley Ronon’s assertions that the plaintiffs failed to adduce any evidence they were compensated unfairly, identify a single comparator or provide proof of their qualifications for promotion. Additionally, the Court found there was insufficient evidence of retaliation for the case to proceed to trial.

Discrimination Claim Win for Temple University

Stradley Ronon secured summary judgment for Temple University in the Eastern District of Pennsylvania for an age and disability discrimination matter. The plaintiff was terminated when he refused to return to work. He claimed he was denied reasonable accommodations for his position and argued that a younger person replaced him. The Court agreed with the arguments provided by Stradley Ronon’s litigation team and dismissed all claims against Temple University.

Motion to Dismiss Granted to ExamWorks

Stradley Ronon client ExamWorks, LLC, a leading provider of independent medical examinations, peer reviews, bill reviews, Medicare compliance, case management, record retrieval, document management and related services, was granted a motion to dismiss by the Superior Court of New Jersey, Essex County. The plaintiff alleged that ExamWorks, Liberty Mutual Insurance Company and Dr. Robbins engaged in Civil RICO by operating an illegal ring of providing sham Independent Medical Examinations (IMEs) reports so that Liberty Mutual would not have to pay benefits. The Judge found that the plaintiff could not provide proof of the allegations to support a Civil RICO and conspiracy claim and thus dismissed the complaint with prejudice.

Preliminary Injunction Denied in Bucks County

Representing the majority owner of Integrated Business Solutions Group, LLC (IBSG) in a lawsuit brought against him by IBSG's two minority members, Stradley Ronon defeated a petition for a preliminary injunction in the Bucks County Court of Common Pleas. The plaintiffs worked on developing the company's primary asset, a custom software product. After IBSG terminated their employment, the plaintiffs claimed that they owned the software in their individual capacities and sought preliminary injunctive relief that effectively would have shut down IBSG's operations. The Stradley Ronon team showed, among other things, that the plaintiffs used IBSG source code, misappropriated from the company during their employment, to obtain copyrights. Determining that the plaintiffs could not meet the legal standard for preliminary injunctive relief, the court denied the plaintiffs' petition in its entirety.

Temple University Victorious in Eastern District

Stradley Ronon represented Temple University in a significant win in *Branch v. Temple Univ., et al*. The matter involved a Plaintiff, who brought race claims under Section 1981 and Title VII for his discipline and termination against Temple and two individual defendants. The Plaintiff also claimed a violation of his FMLA rights and retaliation under all of the statutes. The trial involved over 15 witnesses and over 200 documentary and video exhibits. The Stradley litigation team had five days of trial, and the jury deliberated for six hours before returning a complete defense verdict on all counts.

Temple University Wins in Eastern District

Stradley Ronon represented Temple University in a significant victory in the U.S. District Court for the Eastern District of Pennsylvania. The Court granted summary judgment to Temple on all of plaintiff's discrimination claims, entering judgment in Temple's favor and ending the case without the need for a trial. Importantly, plaintiff's argument that Temple should be precluded from offering declarations from any Temple employees as evidence in support of its motion for summary judgment, describing those witnesses as "interested" in an attempt to suggest bias, was squarely rejected by the Court which noted that plaintiff's argument ran counter to current Third Circuit precedent.

Selective Insurance Victorious in U.S. District Court

Stradley Ronon secured summary judgment for Selective Insurance in a flood insurance case filed in the U.S. District Court for the Western District of New York. The case was filed after the plaintiffs submitted a claim to Selective Insurance relating to flood-related damage to the foundation of their Keuka Lake house. Selective Insurance paid a portion of the claim, but denied coverage for the remainder of the plaintiffs' claim, which included the cost to rebuild the entire house. The plaintiffs eventually filed suit seeking policy limits, but never submitted a sworn proof of loss to Selective Insurance setting forth the specific items of damage caused by flood as required under the terms of their flood insurance policy. After a failed mediation required by the court, Stradley Ronon filed a motion for summary judgment on the grounds that plaintiffs had failed to timely submit a signed and sworn proof of loss for the additional damages being sought. Judge Michael Telesca granted the motion for summary judgment, finding that both the policy and Selective Insurance's denial letters clearly placed the plaintiffs on notice that they needed to file a proof of loss within 60 days of the loss. Judge Telesca expressly rejected the plaintiffs arguments that they had substantially complied with policy requirements, and that the equitable doctrines of waiver and estoppel precluded Selective Insurance from relying upon the proof of loss provision.

Wright Flood Insurance Company Victorious in Federal Court

After sustaining damage during Superstorm Sandy, the owner of a garden-level condominium filed a claim for flood damage under a policy issued by Stradley Ronon client Wright National Flood Insurance Company under the National Flood Insurance Program. Wright denied requests for additional insurance benefits under the policy, asserting the unit was a basement as defined by the policy because the condo was entirely below ground level. After hearing all the evidence, the U.S. District Court for the District of New Jersey found Wright's land surveying expert was the most persuasive, and determined that the apartment was below ground level and thus excluded under the relevant policy. The court ordered judgment in favor of Wright.

Phoenix French Creek Manor Wins Compulsory Nonsuit

Stradley Ronon's trial team won a nonsuit for client Phoenix French Creek Manor in litigation involving the termination of purchase and option agreements for commercial real estate in Chester County, Pennsylvania. The plaintiff initially filed a $26 million claim against PFCM; however, prior to trial, Stradley's litigation team secured a partial summary judgment dismissing the claims related to the option agreement, significantly reducing the amount in controversy. Two claims related to the purchase agreement proceeded to trial. Following the testimony of the plaintiff's first witness, the Stradley team moved for dismissal based on the witnesses' judicial admissions, but Judge William Mahon reserved his decision until after the close of plaintiff's case- in-chief. After four days of testimony from six witnesses, the judge granted a nonsuit and brought the matter to a successful end for PFCM.

SEPTA Wins Dismissal on All Counts in Employment Discrimination Case

Stradley Ronon's trial team secured a full defense jury verdict in an employment discrimination case brought against the Southeastern Pennsylvania Transportation Authority (SEPTA).

Plaintiff filed an administrative complaint in 2012 with the Pennsylvania Human Rights Commission against SEPTA, alleging that she was denied a promotion because of race discrimination, gender discrimination and retaliation for filing a lawsuit against SEPTA. The plaintiff later amended her complaint to include allegations of quid pro quo sexual harassment. Once her claims were filed, the plaintiff began applying for a series of other promotions. By the time the plaintiff filed her civil lawsuit against SEPTA in 2014, she claimed she had been denied a total of seven promotions because of quid pro quo sexual harassment, gender discrimination and retaliation.

Stradley Ronon represented SEPTA at trial and, after four days of testimony, the jury returned a verdict in SEPTA's favor on all counts.

Pennsylvania Insurance Department Victorious in Commonwealth Court

Stradley's insurance practice secured the Commonwealth Court's approval for the sale of millions of dollars in financial assets owned by the estate of Reliance Insurance Company. The Pennsylvania Insurance Department, which is liquidating Reliance, decided to sell some financial interests belonging to the company. After identifying potential purchasers and inviting them to make purchase proposals, the department engaged in an auction process that yielded two final bidders. They each made final bids, with a real estate investment firm submitting the winning bid of $9.6 million.

In preparing its final bid, however, the winning firm had a paperwork problem that delayed completion of its bid. The department allowed the firm extra time to complete the paperwork – time that was not given to the second bidder. Anticipating that the second bidder would protest this as unfair when the department sought court approval of the sale, the department hired Stradley to file for approval and fight off any protest. Complicating matters further was the fact that the deal with the winning bidder had to close quickly, or else that firm could – and would – walk away.

Shortly after court approval was sought, the disappointed bidder did, in fact, intervene, and asked the court to block the sale. It proposed that the court conduct a final, court-supervised round of bidding, and also suddenly promised to pay $9.9 million for the assets ($300,000 more than the winning bidder's final bid). In response, Stradley quickly prepared and filed an opposition, and also asked the court to expedite consideration so the deal with the winning bidder could close in time, if approved.

The Commonwealth Court granted the department's request to expedite, rejected the disappointed bidder's request to block the sale, and approved the sale as proposed by the department. In reaching this decision, the Court agreed with all of the arguments put forward by Stradley. This decision represents an important precedent protecting the department's ability to conduct asset sales in insurance company liquidations without interference from disappointed bidders. As a result of the Court's approval, the transaction with the winning bidder promptly closed.

Leading Auto Dealer Secures Complete Dismissal

Stradley attorneys secured the complete dismissal of all claims against two Kennedy Auto Group dealerships in an asbestos lawsuit in the Philadelphia Court of Common Pleas. The plaintiff in this case sued several dozen defendants, including the dealerships, for alleged exposure to asbestos-containing automotive products. Of the defendants who moved for summary judgment, Kennedy Auto Group was the only one to secure a complete dismissal.

Aetna and Coventry Merge to Serve 22 Million Members

Stradley Ronon represented Aetna Health Inc. in connection with its application for regulatory approval regarding its acquisition of Coventry Healthcare of Delaware Inc. In addition to the various regulatory filings, the matter involved an evidentiary hearing before the Delaware Department of Insurance. The merger relates to an ongoing effort to consolidate entities within an insurance holding-company system which will increase Aetna's presence in the fast-growing government sector.

Therapeutic Radiation Malpractice Claim Defeated
Stradley Ronon successfully tried a significant insurance claim for Reliance Insurance Co. (in Liquidation). The claimant, who was given therapeutic radiation, developed severe neurological complications following the treatment. Stradley defended causation by contending that the neurological deficits that developed were caused by an autoimmune response, and not because of the treatment, and that the insured was not guilty of malpractice. Stradley secured a victory before a referee appointed in the Reliance liquidation.

Financial Institution Wins Dismissal in Student Loan Case
Stradley Ronon secured a victory for a leading student loan servicer in the U.S. District Court for the Eastern District of Pennsylvania. The plaintiff brought claims that the servicer violated the Federal Debt Collections Practice Act and the Fair Credit Reporting Act, based on generalized allegations that his loans were not valid. Judge Gerald Austin McHugh dismissed the case with prejudice, finding that the plaintiff alleged no facts to suggest that his loans were invalid, or that the loan documents were unenforceable.

Litigation Team Secures Complete Dismissal of Claims for Financial Institution Client
Stradley Ronon secured the complete dismissal of all claims brought against TD Bank and its affiliate, Coba Inc., by borrowers seeking to avoid their obligation to pay a $4.4 million debt that had been reduced to judgment in 2009, after the borrowers defaulted on more than 20 commercial loans. The borrowers brought a lawsuit in the U.S. District Court for the Eastern District of Pennsylvania, challenging TD Bank's right to collect the debt, and seeking to enjoin TD Bank and Coba from executing on the judgment. The borrowers claimed TD Bank was overstating the principal amount of the debt which, according to the borrowers, had been reduced over the course of five years of settlement negotiations among the parties. Further, the borrowers claimed TD Bank had already assigned the judgment to a third party and no longer had any right to collect or enforce the judgment. In addition to seeking injunctive relief, the borrowers asserted nine other claims against TD Bank and Coba for alleged breach of contract, tortious interference, fraud and abuse of process, among others.

TD Bank and Coba moved to dismiss all claims under various legal theories. Among other things, TD Bank and Coba argued that the borrowers were blatantly mischaracterizing the plain and unambiguous language of the parties' various settlement agreements, as well as the effect of TD Bank's partial assignment of the judgment to a third party. The Court agreed. Following a more than two-hour oral argument, U.S. District Judge Gerald Pappert entered a 31-page opinion, granting TD Bank's and Coba's motion to dismiss all claims against them.

"United" For Decades of Success
For more than two decades Stradley Ronon has served as UnitedHealth's mid-Atlantic regional counsel, effectively and efficiently handling more than 400 cases and claims for UnitedHealth and its subsidiaries and affiliates throughout the mid-Atlantic region and in other states (e.g., Ohio, New York, Michigan and Florida). The majority of these cases are healthcare/ERISA litigation, and involve, ERISA benefit claims; non-ERISA claims; Medicare/Medicaid; provider disputes; prompt pay claims; stop loss claims; termination of contractual arrangements; coordination of benefits and care; third-party administration of benefits, life and disability benefit disputes; and counterclaims for fraud or overpayment. These cases range from single plaintiff claims to large, complex class actions.

Court Dismisses Bond Claimant's Damages
Samuel Grossi & Sons, Inc. v. United States Fidelity & Guaranty Co., et al. – Our team convinced the court to dismiss a bond claimant's alleged damages, as such damages were not covered by the payment bond.

No Bad Faith in New Jersey
SBW, Inc. v. Ernest Bock & Sons, Inc. – Our surety team convinced a federal court interpreting New Jersey law that a surety cannot be liable for the bad faith denial of a surety bond claim. This seminal decision reversed case law in New Jersey on this subject. This opinion has now been followed in several published decisions.

Notice to Cure Enforced
Donald M Durkin Contracting, Inc. v. City of Newark – Our construction litigation team secured the dismissal of a claim that a general contractor defaulted on the construction agreement for a massive reservoir near Newark, Delaware. Stradley Ronon lawyers succeeded in having the surety dismissed on the basis that the general contractor was wrongfully terminated because

the owner failed to satisfy the construction contract's notice-to-cure requirements.

Pennsylvania Insurance Commissioner Wins in Pennsylvania Commonwealth Court

Stradley secured a victory for the Pennsylvania Insurance Commissioner before the Pennsylvania Commonwealth Court in a case concerning the propriety and priority to be assigned to claims made by state guaranty associations against Reliance Insurance in liquidation. The associations argued that they were entitled to reimbursement of fees paid to money managers to invest in estate administration expenses, which are entitled to top reimbursement priority. The Commissioner denied that request, but three associations objected. The Court agreed with Stradley's arguments on the behalf of the Commissioner and decided unanimously in our client's favor. The case has a significant impact on the Reliance estate as an adverse decision could have led the other 50-plus guaranty associations to make identical claims for elevated priority reimbursement of their investment fees.

Purported Pass-Through Claims Dismissed

Havens Steel Company v. Driscoll/Hunt – We successfully dismissed the purported pass-through claims of a construction manager, which the construction manager attempted to assert against its steel subcontractor.

Right to Cure Enforced

Milton Regional Sewer v. Travelers Casualty & Surety Co. of America – Our construction litigation team succeeded in obtaining the dismissal of a performance bond claim on the grounds that the owner failed to afford the contractor the right to attempt to cure its alleged construction shortcomings.

Stradley Enforces No-Damages-for-Delay Provision Before Commonwealth Court

Guy Cooper Inc. v. East Penn School District v. United States Fidelity & Guaranty – Stradley litigators succeeded in having the owner's joinder complaint against the general contractor and its surety dismissed on the grounds that the construction contract's no-damage-for-delay provision precluded such joinder.

Stradley Wins Fraud Trial for Federal Insurance

Stradley secured a victory for Federal Insurance Company following a four-day trial in a fraud and civil conspiracy action in the U.S. District Court for the Eastern District of Virginia. The jury found Michael LoCash, the former chief financial officer of Bank @Lantec in Virginia Beach, Virginia, liable for fraud and awarded Federal Insurance Company monetary damages to cover the bank's losses stemming from LoCash's purchase, on behalf of the bank, of phony CDs from an outside broker who was running a Ponzi scheme.

Litigation: Pennsylvania Procurement Code Prohibits Performance Bond

University of Pittsburgh v. United States Fidelity & Guaranty Co. – We successfully argued that the Pennsylvania Procurement Code prohibited the assignment by an owner of its rights under a performance bond to an assignee, depriving the assignee of standing to assert a bond claim.

Performance Bond Obligee Claims Deemed Invalid

Multi-Phase, Inc. v. United States Fidelity & Guaranty Co., et. al. – Stradley Ronon successfully had a performance bond obligee's claims deemed invalid for damages allegedly caused by the bond principal's delay in progress of work, successfully arguing that such delay damages were not covered by the performance bond.

Publications

New York Appellate Division Affirms High Bar for Trivial-Defect Dismissals in Trip-and-Fall Cases

June 16, 2026

Supreme Court Tells States to Question Regulations—Not Religions

Bloomberg Law

June 9, 2025

Winning Your Discovery Disputes – How to Tailor Your Arguments to the New Rule 26(b)(1) Proportionality Test in the Third Circuit

September 7, 2022