



Bruce P. Merenstein

Partner

bmerenstein@schnader.com

Office: Philadelphia, PA

Phone Number: 215-751-2249

Mr. Merenstein, chair of the Firm's Appellate Practice Group, has a comprehensive litigation practice ranging from first and second-chairing jury trials to handling state and federal court appeals to serving as court-appointed special master in a number of complex federal cases. He has extensive experience mediating difficult disputes and has been responsible for dozens of appeals covering a wide variety of subject matters. Mr. Merenstein served as vice-chair of the Firm's Litigation Department from 2013 to 2016 and chair of the Firm's Pro Bono Committee from 2010 to 2015. He was an adjunct professor of appellate advocacy at Drexel University School of Law from 2007 through 2015. Before attending law school, Mr. Merenstein worked for almost a decade in labor relations. He also has completed two intensive, week-long mediation courses at Harvard Law School's Program on Negotiation, including an advanced workshop on mediating complex disputes.

Representative Matters

Representative Mediation Experience

Mr. Merenstein's mediation and related matters include the following:

- Serving as court-appointed Special Master in numerous complex federal cases, including

multidistrict litigation matters involving mass tort, false marketing, and anti-trust claims;

- Presiding over eight-day evidentiary hearing and preparing detailed findings of fact, conclusions of law, and proposed order regarding ultimate outcome in False Claims Act case;
- Preparing extensive report and recommendation to federal court regarding motion to dismiss based on complicated issues of federal-court jurisdiction;
- Mediating and facilitating resolution of dozens of discovery disputes regarding attorney-client privilege, document production, electronically-stored information, fact and expert depositions, medical examinations, third-party discovery, and other contested issues;
- Successfully mediating nine separate objections to proposed distribution of \$143 million common benefit fee among 17 law firms;
- Resolving disputes between seven state attorneys general and common benefit fee committee over states' contributions to common benefit fund;
- Assisting in resolution of two large inventories of personal injury cases;
- Helping to craft voluntary lien resolution program adopted by approximately 45 health care plans, numerous plaintiffs, and defendant for handling third-party lien claims; and
- Serving as Judge Pro Tem in Philadelphia Court of Common Pleas, presiding over mandatory settlement conferences in major jury cases.

Representative Appellate Practice

- Mr. Merenstein's appellate practice has included the preparation and editing of hundreds of briefs, supervision of other lawyers' brief drafting, and presentation of dozens of oral arguments in a wide variety of appeals in federal and state court. His appellate representations have run the full gamut of civil and criminal matters, covering numerous constitutional, statutory, and common law subject matters, as well as regulatory, procedural, and jurisdictional issues. He has handled a number of high-profile criminal appeals involving complex legal issues. He also has joined trial teams as appellate counsel, handling all motion briefing and argument in the trial court, developing the legal arguments to complement the trial team's presentation of the facts, and taking responsibility for such matters as issue preservation and proposed jury instructions.

Representative Trial Experience

- Mr. Merenstein's trial practice has included roles as lead counsel and co-lead counsel in civil and criminal matters at both jury and bench trials; second-chair responsibility in many additional jury and bench trials; and briefing and arguing numerous pre-trial and post-trial dispositive motions.

Community and Pro Bono

- Or Hadash Reconstructionist Synagogue Board of Directors, 2002-2005; 2012-present

- Upper Dublin School District Budget and Finance Task Force, 2010-2011
- Upper Dublin School District Gifted Education Review Committee, 2007-2008
- Upper Dublin Township Historic Preservation Committee, 2002-2005
- Upper Dublin School District Educational Advisory Committee, 2000-2005

Education

- University of Pennsylvania Law School, J.D., *summa cum laude*, Order of the Coif, 1998
- University of Massachusetts, M.S., University Fellowship recipient, 1988
- Brandeis University, B.A., *magna cum laude*, 1985
- London School of Economics, Certificate in Sociology/Economics, 1984

Bar Admissions

- Pennsylvania, 1998

Court Admissions

- U.S. District Court for the Eastern District of Pennsylvania
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Supreme Court

Clerkships

- Edward R. Becker, Chief Judge, United States Court of Appeals for the Third Circuit, 1998-1999

Professional Affiliations

- American Academy of Appellate Lawyers, Fellow
- Lawyers Advisory Committee of the Judicial Council of the Third Circuit, member (appointed by Chief Judge, 2017-2019)
- American Law Institute, member
- Philadelphia Bar Association; Appellate Courts Committee, co-chair (2016-2017); Federal Courts Committee, chair (2015), vice chair (2014); Commission on Judicial Selection and Retention, investigator (2006-present)

- Bar Association for the Third Federal Circuit, founding member
- American Bar Association, member
- Academy of Court-Appointed Masters, member

Other Distinctions

- Completed *Advanced Mediation Workshop: Mediating Complex Disputes* course at Harvard Law School's Program on Negotiation, 2019
- *Best Lawyers'* Philadelphia Appellate Practice "Lawyer of the Year," 2017 and 2021
- Listed in *The Best Lawyers in America* for Appellate Law, 2008-2021 and Criminal Defense: White Collar, 2021
- Rated AV® Preeminent by Martindale-Hubbell®
- Recognized as a 'Pennsylvania Super Lawyer' in the area of Appellate Law, 2009-2020
- Completed *Mediating Disputes* course at Harvard Law School's Program on Negotiation, 2014
- Two time recipient of the Burton Award for Legal Achievement, 2007 and 2009
- Recipient, Earl G. Harrison Pro Bono Award, 2008
- Honors from HIAS & Council, a public-interest immigration advocacy organization, in recognition of outstanding pro bono work on an asylum case, 2005
- Recognized among 'Pennsylvania Rising Stars' by *Super Lawyers* in the area of appellate law, 2005-2007
- Online columnist for appellate issues for *The Legal Intelligencer Blog*, 2008-2012
- Winner of the University of Pennsylvania Law School's prestigious Keedy Cup moot court competition, 1998
- Graduation awards from the University of Pennsylvania Law School for best constitutional law paper, best civil procedure paper, and most significant contribution to the *Law Review*, 1998
- *University of Pennsylvania Law Review* Executive Editor, 1997-98; Associate Editor, 1996-97

Practices

- Alternative Dispute Resolution
- Appellate Practice
- Aviation Product Team
- Criminal Defense
- Litigation

Industries

- Aviation