



Dennis R. Suplee Counsel

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Mr. Suplee, who served as Chairman of the Firm from 1992 to 1998, has handled a wide range of civil litigation. He regularly handles mediations and arbitrations, and is on the AAA National Roster of Mediators and Arbitrators.

Representative Matters

Civil Litigation

Mr. Suplee's representative experience includes:

- Representation of claimant in a patent-related dispute. After 16 days of hearings during which the parties called 14 experts, a panel consisting of three neutral arbitrators issued an award of \$72.5 million in favor of the claimant.
- The defense of *CTC v. UPS*, an antitrust case filed in federal court in Minneapolis, in which the court granted summary judgment for UPS on the federal and state antitrust claims, after which the remaining state law claims were settled.
- Two insurance coverage actions, both of which were tried to a successful conclusion (one of which was a nine-week jury trial in the Court of Common Pleas of Philadelphia).

- The defense of Air France in *Hall v. United Airlines*, an antitrust action brought on behalf of a nationwide class of travel agents alleging that the major airlines had conspired to reduce travel agent commissions, in which the federal district court in Raleigh granted summary judgment for the defendants, which the Fourth Circuit affirmed.
- Representation of UPS in two cases involving international air rights before the Department of Transportation, both of which were tried to a successful conclusion. One of those cases, concerning operating rights between the United States and Japan, involved more than \$100 million in revenue.
- The defense of Doe v. Mercy Catholic Medical Center, a suit by an HIV-positive orthopedic surgeon who alleged that Mercy violated the Americans with Disabilities Act and the Rehabilitation Act when it required that he obtain informed consent from patients before performing invasive procedures. The court granted summary judgment for the defendant on that core issue, after which the case was settled.
- Prosecution of a CERCLA contribution action on behalf of the owner of a battery-breaking facility against more than 250 battery suppliers. The case represents the first time that a court allocated liability to a scrap battery supplier where the owner-operator was financially viable.
- Representation of Villanova University in a lawsuit against its former booster club in which the University sought a preliminary injunction to prevent the club from using the names "The Wildcat Club" and "Villanova Alumni Educational Foundation" and variations thereon even though it had done so for more than 20 years without a written licensing agreement. After a full evidentiary hearing, the court granted the injunction.
- Representation of STERIS as a plaintiff in a patent infringement case involving hydrogen peroxide gas vaporizers used by pharmaceutical companies and others for bio-decontamination of instruments and rooms. After two months of discovery, defendant stipulated to the entry of an Order prohibiting it from marketing its infringing product. Because such vaporizers are used to counter the threat of bioterrorism, the victory was a significant one for the client.
- Representation of plaintiff IFC on appeal from the federal district court's dismissal of plaintiff's writ of garnishment for lack of jurisdiction. The Third Circuit not only reversed the district court, finding that there was the ancillary jurisdiction of the garnishment action but entered summary judgment in favor of the plaintiff against the garnishee.
- Defense of a preliminary injunction action brought by a major insurance broker against former employees who had signed noncompetition agreements and their new employer, a competing broker. After a hearing and oral argument, the court denied the motion in its entirety, finding that plaintiff had failed to show a likelihood of success on the merits, particularly because of questions as to its "unclean hands" due to the circumstances of the termination of employment of the individual defendants.
- Prosecution and defense of legal malpractice claims.
- A number of product liability cases including claims of defective placement of gearshift in earth-moving equipment, misleading instruction manual about threading cable for an overhead crane, a defective control switch for ladle containing molten steel, and listeria-contaminated foods.
- In January, 2018, was appointed by the Court in the NFL Concussion Litigation to represent the families of certain deceased players facing a Statute of Limitations defense to recovery of monetary benefits.

Criminal Litigation

- Mr. Suplee has handled a dozen criminal cases on a *pro bono* basis, including three murder cases.
- He provided counsel to a high-ranking cleric during an ongoing internal inquiry concerning allegations of financial mismanagement and other improprieties.

Publications

- "The Deposition Handbook" (*Trial Guides* 5th ed. 2015)
- "The Ethics of Brokering a Settlement with Fewer than All Defendants," *Alternatives* (March 2018)
- "Meeting Mr. Wright," *Journal of the American College of Trial Lawyers* (2017)
- Book review of "Jury Trials Outside In," *Journal of the American College of Trial Lawyers* (2017)
- "Have Big Law Firms Lost Their Way?," *Law360* (Fall 2015)
- "Trial Practice: The ABCs and Beyond (Part 1)," *The Philadelphia Lawyer* (Summer 2014)
- "Trial Practice: The ABCs and Beyond (Part 2)," *The Philadelphia Lawyer* (Spring 2015)
- "Trial Practice: The ABCs and Beyond (Part 3)," *The Philadelphia Lawyer* (Fall 2015)
- "Playing Poker and Trying Cases: Getting Better?" *The Philadelphia Lawyer* (Fall 2014)
- "Buddy Segal and the Art of Diplomacy," *The Philadelphia Lawyer* (Winter 2005)
- "A Trial Lawyer in Search of a Theme, and Other Musings," *Litigation* (Spring 2004)
- "Talking With Experts," *Litigation* (Fall 1992) (coauthor)
- "Reconstructing Reality - Preparing the Deponent to Testify," *Litigation* (Fall 1988) (coauthor)

Community and Pro Bono

- Board of Trustees of St. Joseph's University, 2004-2012
- Board of Trustees, Supreme Court Historical Society, 2006-2015
- Secretary of the Navy's Advisory Board on Education and Training, 1985-1986
- Board of Directors of Rittenhouse Plaza, Inc., 2015-present

Education

- University of Pennsylvania Law School, J.D., 1967
- St. Joseph's University, B.S., 1964

Bar Admissions

- Pennsylvania, 1967

Court Admissions

- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania
- Supreme Court of Pennsylvania

Professional Affiliations

- American College of Trial Lawyers, Regent for PA, NJ and DE, 2001-2005; Pennsylvania State Chair, 1998-2000; Access to Justice Committee, Chair, 2005-2007; Communications Committee, Chair, 2012-2013
- International Academy of Trial Lawyers, President, 2009-2010
- The Foundation of the American College of Trial Lawyers, Board of Directors, 2006-2009
- University of Pennsylvania Law School American Inn of Court, President, 2009-2012

Other Distinctions

- Named "Philadelphia Lawyer of the Year for 'Bet-the-Company' Litigation" by *The Best Lawyers in America*, 2009
- Named "Philadelphia Lawyer of the Year for Litigation-Intellectual Property" by *The Best Lawyers in America*, 2014
- Listed in *The Best Lawyers in America* for "Bet-the-Company" Litigation, Commercial Litigation, Environmental Litigation, and Intellectual Property Litigation, 2001-2022
- Listed in *Chambers' America's Leading Business Lawyers* for Commercial Litigation
- Listed in *The International Who's Who of Commercial Litigators*
- Listed in *The International Who's Who of Business Lawyers*
- Listed in *Who's Who Legal: USA-Commercial Litigation*
- The top-rated business litigator in Pennsylvania in *Euromoney* rankings, having received more nominations than any other Pennsylvania trial lawyer
- Named among "Pennsylvania Super Lawyers" for Litigation, 2004-2021
- Recognized as a "Local Litigation Star" for Pennsylvania in *Benchmark Litigation* since 2011
- Named a 2016 winner of The Lifetime Achievement Award by *The Legal Intelligencer*
- St. Joseph's University Law Alumni: The Judge McClanaghan Award
- Community Legal Services: Equal Justice Award
- Honors from HIAS & Council, an immigration and asylum public-interest agency, in recognition of outstanding pro bono work on an asylum case
- Salzburg Seminar, Fellow

Practices

- Alternative Dispute Resolution
- Antitrust and Trade Regulation
- Appellate Practice
- Financial Services Litigation
- Intellectual Property Litigation
- Litigation

Industries

- Higher Education