



Edward J. Sholinsky Partner

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Ed Sholinsky is a partner in the Litigation Services Department and a member of the Diversity & Inclusion Committee. His practice focuses on representing financial institutions and Internet-based companies in business and consumer disputes.

Mr. Sholinsky has experience across multiple industries and often represents financial institutions and media companies at the trial and appellate levels. He has litigated numerous cases on behalf of regional and national banks involving allegations of breach of fiduciary duty, violations of Articles 3 and 4 of the UCC, and fraud. Mr. Sholinsky represents a number of web-based clients in class actions and business disputes.

Mr. Sholinsky has also represented a number of businesses in employment matters, alleging violations of federal and state discrimination laws. He also represents railroads at the trial and appellate levels in real estate and injury cases, including disputes over personal jurisdiction.

Before entering legal practice, Mr. Sholinsky worked as a newspaper reporter and in public relations.

Representative Matters

Financial Services Litigation

- Obtained a complete victory at trial on behalf of a national bank in a suit alleging breach of fiduciary duty.
- Represented at trial a national bank in a suit alleging fraud in a real estate transaction.
- Represented group of internet-based businesses in a series of class actions alleging violations of New Jersey's consumer protection laws, all of which were voluntarily dismissed after briefing on motions to dismiss.
- Represented national banks and financial institutions in an action alleging illegal liquidation of shares of stock securing a line of credit and the commercially unreasonable sale of those shares.
- Obtained dismissal of check warranty claims brought under Articles 3 and 4 of the UCC against a banking client in a matter of first impression under Pennsylvania law.
- Represented a national bank in numerous actions alleging fraud and implicating Articles 3 and 4 of the UCC in connection with personal, business and non-profit accounts and real estate transactions.
- Represented a national bank in numerous actions alleging breaches of its fiduciary duties in its role as trustee of testamentary and revocable trusts.
- Represented a national bank in a dispute with a large commercial customer concerning custody accounts and funds that had escheated to the state.
- Represented an energy company in a matter brought under the federal and New Jersey False Claim Acts, obtaining dismissals in the federal district court and state trial court.
- Represented a financial services company alleging theft of trade secrets by a competitor.

Litigation

- Obtained a federal jury verdict in favor of client alleging violations of his First Amendment rights.
- Obtained verdict in favor of clients who had been victims of fraud and sought early termination of a trust for their benefit.
- Obtained summary judgment in federal court on behalf of a hospital system accused of racial discrimination and retaliation by a former employee.

Communications and Media

- Obtained summary judgment for a local affiliate of a national television network in a lawsuit alleging that an investigative news report broadcast by the affiliate defamed plaintiff (Philadelphia County, Pa., Court of Common Pleas).
- Obtained dismissal in a California state court of a defamation case brought against a media client and its employees.
- Obtained voluntary dismissal of defamation action against web-based company in Philadelphia Court of Common Pleas.

- Performed pre- and post-publication review of books, blogs and other publications on behalf of clients to assist in avoiding liability.
- Represented a group of *amici* in the United States Supreme Court challenging the regulation of indecent language on live television.

Appellate Practice

- Argued before the Pennsylvania Superior Court on behalf of national bank, successfully upholding the trial court's verdict that the bank had not breached a fiduciary duty.
- Argued before the New Jersey Superior Court, Appellate Division, on behalf of the ACLU of New Jersey, successfully challenging a school district's 24/7 discipline policy.
- Represented before the *en banc* Pennsylvania Superior Court beneficiaries and trustees asserting that the perpetuities period had not run on a testamentary trust created in the 1930s and succeeded in reversing adverse panel and trial court decisions.
- Represented an energy company in the United States Court of Appeals for the Third Circuit, which affirmed the district court's decision to dismiss a claim brought under the federal False Claims Act.

Railroad Litigation

- Represented a railroad in Pennsylvania's intermediate appellate court in an important issue concerning general jurisdiction over foreign companies.
- Represented a railroad in the United States District Court for the Eastern District of Pennsylvania in a large real estate dispute, which resulted in a large financial settlement and the remediation of the property by the tenant.
- Represented railroads as appellate counsel at trial on issues concerning the production of proprietary software.
- Worked on damages issues concerning a severe injury case involving injuries caused by electrified rail cars.

Community and Pro Bono

- Mr. Sholinsky has an active *pro bono* practice, which focuses on First Amendment issues, prisoner rights, and immigration issues. Mr. Sholinsky has represented *pro bono* clients both in jury trials and before appeals courts. Additionally, Mr. Sholinsky is vice president of the board of HIAS Pennsylvania, a non-profit that focuses on providing legal and social services to immigrants, refugees, and asylum seekers.

Education

- Rutgers University School of Law - Camden, J.D., high honors, 2007
- University of Michigan, A.B., with distinction, 1999

Bar Admissions

- Pennsylvania, 2007
- New Jersey, 2007

Court Admissions

- Third Circuit Court of Appeals, 2008
- U.S. District Court for the Eastern District of Pennsylvania, 2008
- U.S. District Court for the District of New Jersey, 2008

Professional Affiliations

- National Association of Railroad Trial Counsel, Member

Other Distinctions

- Noted as a "Philadelphia Super Lawyer Rising Star" for business litigation, 2016-2017*
- Albert P. Blaustein Memorial Award for legal scholarship
- *Rutgers Law Journal*, senior editor
- *Rutgers Journal of Law and Public Policy*, editor
- Recognized as a "Future Star" for Pennsylvania in *Benchmark Litigation*, 2020*

**No aspect of this advertisement has been approved by the Supreme Court of New Jersey. Further information on methodologies is available via these links.*

Practices

- Appellate Practice
- Financial Services Litigation

- Litigation

Industries

- Aviation
- Communications and Media
- Railroad