



## Jay Evans Partner

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Jay Evans is a partner in the Firm's Litigation Department. His practice encompasses a wide array of litigation and appellate matters. He regularly counsels clients on complex issues including products liability, contracts, real estate, trade secrets and restrictive covenants, and other business disputes.

Mr. Evans' practice includes serving as counsel for companies, particularly automotive and vehicle equipment manufacturers, facing significant litigation matters in the realm of product liability and toxic torts. Jay has represented companies in Pennsylvania, West Virginia, and across the United States in these complex toxic tort matters. Jay assists companies and individuals in internal investigations and analysis to prepare for or avoid civil or criminal matters. Jay also guides nonprofit organizations through a range of issues, including governance and compliance matters as well as crafting, revising, and implementing contracts and releases.

In his representations, he has handled all aspects of preparing for and litigating various matters, from pleadings and depositions, *Frye/Daubert* challenges, trials and appeals. A key element of Jay's practice is his thorough understanding of his clients' products, businesses, and goals. Jay partners with his clients to craft cost-effective, efficient strategies which will suit their legal and financial objectives. Whether litigating a serious product defect case, negotiating and interpreting contracts, or providing lease advice, he strives to help clients better position themselves in the legal arena and global marketplace by avoiding unnecessary litigation and comprehensively preparing for necessary or inevitable litigation.

## Representative Matters

- Conducted a comprehensive internal investigation to aid with a recommendation to senior management regarding the conduct of new employees. The client was informed that its new hires were allegedly violating their covenants with a former employer. Included extensive interviews of employees and their supervisors, as well as reviewing images of computers, USB devices, drives, phones, text messages, voicemails, and company and personal email boxes. Client was able to make selective decisions regarding termination and retention of the employees.
- Drafted *amicus* brief to the Pennsylvania Supreme Court on behalf of an automotive company regarding the proper standard for assessing expert testimony regarding disease causation in the Pennsylvania courts.
- Assist several automotive and heavy equipment clients in preparing for and trying toxic exposure cases, including several jury verdicts
- Prepared and delivered arguments for a client accused of discovery violations and facing significant sanctions in a matter pending in Illinois. Persuaded a judge inclined to rule unfavorably that no sanctions or adverse order of any type were warranted.
- Defended dozens of lease-related suits on behalf of a retailer that made a strategic decision to exit the Pennsylvania marketplace.
- Assist in the management of nationwide toxic tort litigation for a heavy equipment manufacturer, including coordinating all discovery and expert preparation for trial testimony.

## Community and Pro Bono

Mr. Evans' community and *pro bono* focus is on education, outreach, youth, and the proper application of justice. Jay works extensively, as a volunteer and President of the Board of Directors, with the Arcade Comedy Theater's nonprofit efforts to expand inclusive educational opportunities in comedy and the performing arts, in line with Arcade's goal to provide Laughs for All.

Jay works with the Pennsylvania Innocence Project to increase awareness of the resources available to those facing wrongful convictions and facing re-entry after an exoneration. Jay has worked on addressing wrongful conviction claims and filing appellate briefs on issues of general interest to all exonerees and the wrongfully convicted.

Jay is also active as a part of his church community, and serves on Board committees of local non-profits promoting justice, assistance to the poor, and youth programs.

## Pro-Bono

- Sought DNA testing for a prisoner maintaining his innocence in a decades-old sexual assault case
- Authored an *amicus* brief in support of the Pennsylvania Innocence Project's positions regarding prisoners' access to public records and filings in light of prisoners' lack of access to the courthouses or use of the Internet; presumption of such access was struck down by the Pennsylvania Supreme Court
- Represented a criminal defendant whose private and privileged counseling sessions were divulged to a third party without consent
- Representing a wrongfully convicted man in his malicious prosecution matter regarding the six years he spent in prison before being exonerated in a second trial

## Community Activities

- Arcade Comedy Theater, Board of Directors (2015- present), President (2018- present), former Vice President, Facilities Committee (Chair)
- Pennsylvania Innocence Project, Western Pennsylvania Coordinator for the Advocates for Innocence Committee
- Ridgewood Church

## Education

- University of Notre Dame, J.D., 1998, *magna cum laude*
- Harvard College, A.B., 1995, *cum laude*

## Bar Admissions

- Pennsylvania
- West Virginia

## Court Admissions

- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. District Court for the Southern District of West Virginia
- U.S. District Court for the Northern District of West Virginia
- United States District Court for the Middle District of Pennsylvania

## Professional Affiliations

- Pennsylvania Bar Association, Appellate Advocacy Committee
- Defense Research Institute, Appellate Advocacy Committee, Toxic Torts and Environmental Law Committee
- Allegheny County Bar Association
- Court of Common Pleas of Allegheny County Arbitration Division, Court-Appointed Arbitrator
- Certified by the LUMA Institute as a Practitioner of Human-Centered Design

## Other Distinctions

- Rated AV® Preeminent by Martindale-Hubbell®

## Practices

- Appellate Practice
- Criminal Defense
- Internal Investigations, Ethics & Compliance
- Litigation
- Product Liability

## Industries

- Nonprofit