



Samuel W. Silver

Partner

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Sam, a Fellow of both the American College of Trial Lawyers and the International Academy of Trial Lawyers, formerly served as a member of the Firm's Executive Committee. While Sam's practice has focused in several substantive areas, he is best known as a go-to trial lawyer who can and will take any matter into a courtroom. In addition to handling his caseload, Sam is regularly asked to teach on trial-related issues. Sam is also widely known for his often-high-profile pro bono cases, which have included several capital and non-capital homicide cases.

A commercial litigator, Sam has tried to verdict a variety of cases; he concentrates on representing global manufacturers of products in litigation and product safety matters. He has litigated disputes about intellectual property, healthcare, securities, banking and insurance coverage and more. He has also litigated restrictive covenants and theft of trade secrets claims in the context of departing employees. Sam has extensive experience representing members of the equestrian sport in a wide variety of matters.

Sam is committed to pro bono work and capital case representation in particular. His accomplishments include successful retrials of two separate death-condemned inmates before juries, both cases resulting in unanimous verdicts for the defense. In its piece on the Anthony Wright case, *Rolling Stone* called Sam a "powerhouse trial attorney."

His work also includes serving as an adjunct faculty member of the University of Pennsylvania Law School, and teaching trial advocacy and other courses for the National Institute of Trial Advocacy (NITA).

Representative Matters

Product Liability

Sam has litigated matters concerning products as diverse as heavy industrial machinery, pharmaceuticals and food supplements and also has tried multiple product liability cases and handled multiple nationwide recalls ranging from automotive parts to recreational products and toys. He has been involved extensively in mass tort product liability litigation.

Equine/Sports Law

Sam has represented serious equestrians in all manner of disputes concerning their sport and business. He also serves on the planning committee and is a frequent speaker at the National Conference on Equine Law. He has defended several members of the profession in disciplinary hearings before the governing body of the equestrian sport in the United States;

- He defended an international horse trader against fraud and related claims associated with the purchase and sale of horses and the management of horse farm operations;
- He has handled multiple matters (some in the courts, others before litigation ensued) stemming from disagreements over the terms and conditions of sales of valuable show horses;
- He regularly advises equestrians concerning their business operations and contracts.

Intellectual Property

Sam has handled a broad array of intellectual property cases involving trademarks, trade secrets and claims of patent infringement. These cases have included:

- A dispute between an internationally-known celebrity and her former business partners, whom Sam defended;
- The defense of a university professor accused of misappropriating trade secrets from a private company; and
- The prosecution of claims on behalf of a manufacturer of a product used by the military against an alleged infringer of that product.

Community and Pro Bono

- Pennsylvania Innocence Project, President, Board of Directors
- Public Interest Civil Litigation Fund (a nonprofit entity that provides funding to attorneys for handling court-appointed cases for indigent litigants), officer

Pro Bono and Civil Rights Matters

- Sam successfully obtained a full acquittal on murder charges brought against the Firm's *pro bono* client William J. Barnes. Barnes was charged with causing the death of Philadelphia Police Officer Walter T. Barclay in 2007, 41 years after Barnes had shot and partially paralyzed Barclay. Sam discussed the case on The Michael Smerconish Show, a nationally syndicated news and talk show on Philadelphia's CBS Radio affiliate, 1210 AM WPHT.
- Sam has challenged himself and others at our Firm by repeatedly leading teams of trial lawyers in successful attacks on death sentences. Twice, these teams have persuaded courts to vacate death sentences imposed by juries and to grant retrials, and in both cases, with Sam as lead trial counsel, these teams have obtained unanimous verdicts in favor of our clients when they have gone before new juries.
- In addition, for more than a decade Sam has been a coordinator of the Prisoner Civil Rights Panel for the U.S. District Court for the Eastern District of Pennsylvania; and, at the request of the court, Sam participated in the Third Circuit's Task Force on Counsel for Indigent Litigants in Civil Cases.
- Sam discussed his experiences in capital cases on "One on One with Steve Aduato" on CN8, The Comcast Network.

Education

- University of Michigan Law School, J.D., 1989
- Middlebury College, A.B., *magna cum laude*, 1986

Bar Admissions

- Pennsylvania, 1989

Court Admissions

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

- U.S. Fourth Circuit Court of Appeals

Professional Affiliations

- University of Pennsylvania Inn of Court, member
- American College of Trial Lawyers, Fellow
- International Academy of Trial Lawyers, Fellow
- Prisoner Civil Rights Panel of the U.S. District Court for the Eastern District of Pennsylvania, co-coordinator

Other Distinctions

- Selected as *Best Lawyers* "2021 Lawyer of the Year" in Product Liability Litigation-Defendants for Philadelphia
- Listed in *The Best Lawyers in America* for Commercial Litigation, 2009-2021; Criminal Defense: White-Collar, 2019-2021; and Product Liability Litigation-Defendants, 2021
- Noted as a "Pennsylvania Super Lawyer" for civil litigation defense, 2004-2020
- Recipient of the First Judicial District *Pro Bono Publico* Award, 2014
- Co-recipient of the Philadelphia Bar Association's annual Wachovia Fidelity Award, for improving the administration of justice and the profession, 2006
- Recipient of the Pennsylvania Bar Association *Pro Bono* Award, 2006
- Recognized for *pro bono* work by the Public Interest Section of the Philadelphia Bar Association, 2001
- Recipient of the Earl G. Harrison *Pro Bono* Award, 2000
- Selected as one of Pennsylvania's "Lawyers on the Fast Track" by *The Legal Intelligencer* and *Pennsylvania Law Weekly*, 2003. This honor was conferred upon 29 of Pennsylvania's lawyers under 40 years of age as a result of a statewide nomination process.
- Rated AV® Preeminent by Martindale-Hubbell®

Practices

- Criminal Defense
- Intellectual Property Litigation
- Labor and Employment Counseling
- Labor and Employment Practices
- Litigation
- Product Liability
- Internal Investigations, Ethics & Compliance

Industries

- Insurance
- Sports