



## Stephen A. Fogdall Partner

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Stephen A. Fogdall is a partner in the Philadelphia office and co-chair of the Financial Services Litigation Practice Group. Mr. Fogdall maintains a diverse litigation practice, with a focus in financial services litigation and class action defense. Mr. Fogdall has counseled mortgage companies, banks, mortgage insurers and other institutions in handling consumer protection claims, securities fraud claims, business-to-business disputes, shareholder disputes, government investigations, and many other matters. In addition to his litigation practice, he serves as chair of the firm's Pro Bono Committee.

## Representative Matters

## Appellate Practice

- Argued appeals in the United States Court of Appeals for the Third Circuit, the D.C. Circuit, the Delaware Supreme Court and Pennsylvania appellate courts.
- Represented a national heavy truck manufacturer in an appeal involving crashworthiness claims in Pennsylvania Supreme Court.
- Represented a major chemical company in appeal in the Commonwealth Court of Pennsylvania involving whether Pennsylvania Workers' Compensation claims may be pursued as a class action.
- Represented a public policy organization in *amicus* capacity urging the Pennsylvania Supreme Court to adopt the Restatement (Third) of Torts: Product Liability.

## Financial Services Litigation

- Represented a private mortgage insurer in dispute with a master servicer over the cancellation of coverage on securitized mortgage loans.
- Represented a private mortgage insurer in federal court in the District of Columbia in defense of securities fraud claims involving accounting treatment of reinsurance contracts. The claims against the private mortgage insurer were dismissed for failure to state a claim.
- Represented a holder of defaulted public development bonds in a dispute over allocation of proceeds under conflicting waterfall provisions.
- Represented a national bank in defense of claims involving alleged mismanagement of custodial accounts.
- Represented a national bank in defense of claims of alleged discriminatory lending in federal court in Delaware and in the Third Circuit. Discrimination claims were rejected on summary judgment, in a decision that defined elements of a *prima facie* case of lending discrimination in the Third Circuit.

## Class Action Defense

- Defended a major chemical company in federal mass tort litigation seeking medical monitoring based on allegations of chemical exposure
- Represented a major metropolitan school district in opposing class certification of educational disability claims in federal court.

## Education

- University of Pennsylvania Law School, J.D., 2001

- University of Washington, Ph.D., 1997
- University of Washington, B.A., *magna cum laude*, Phi Beta Kappa, 1990

## Bar Admissions

- Pennsylvania, 2001
- District of Columbia, 2012

## Court Admissions

- U.S. Supreme Court
- 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. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. District Court for the District of Columbia

## Professional Affiliations

- Philadelphia Bar Association, member
- American Bar Association, member

## Other Distinctions

- Noted as a "Pennsylvania Rising Star" by *Super Lawyers* in the area of business litigation, 2010-2011
- Recipient, Earl G. Harrison Pro Bono Award, 2007

## Practices

- Antitrust and Trade Regulation
- Appellate Practice
- Class Action
- Creditors' Rights and Business Restructuring
- Financial Services
- Financial Services Litigation
- Litigation

