



Stephen J. Shapiro

Partner

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Stephen Shapiro is a partner in and co-chair of the Litigation Services Department, and member of the Aviation Group, Financial Services Litigation Practice Group and Communications and Media Practice Group. He represents a broad range of commercial clients in complex litigation matters, with a particular focus on the financial services and airline industries.

In his commercial practice, Mr. Shapiro litigates cases involving allegations of fraudulent conduct, breaches of fiduciary duty, violations of consumer financial protection laws, malpractice, trademark/trade name infringement, theft of trade secrets, copyright infringement, shareholder disputes, breach of contract and warranty, defamation and invasion of privacy.

In his airline practice, Mr. Shapiro defends the nations' largest commercial airlines against claims by passengers. He has litigated numerous claims governed by the Montreal Convention, as well as claims arising under state law that incorporate standards of care from federal aviation regulations.

Before entering the legal profession, Mr. Shapiro worked as a news photographer for several newspapers and brings real-world experience and industry knowledge to his communications and media practice.

Representative Matters

Commercial Litigation

- Obtained summary judgment for out-of-possession commercial landlord in wrongful death action case where an employee of the landlord's tenant was killed in a warehouse accident (Superior Court of New Jersey, Bergen County).
- Brought seven figure claim on behalf of Canadian investor for default on commercial loan agreement; successful settlement included transfer of ownership in corporate assets that secured loan (U.S. District Court for the Eastern District of Pennsylvania).
- On behalf of French manufacturer of consumer products, defended and successfully resolved dispute between client and service provider, including resolution of warehouseman's lien (Superior Court of the State of Delaware).
- Brought and successfully resolved on behalf of client that consolidates insurance distribution businesses a declaratory judgment action to resolve a dispute about the interpretation of an earn-out provision in a merger contract (U.S. District Court for the District of Delaware).
- On behalf of a multi-national company in the packaging industry, defended and successfully settled claims alleging theft of trade secrets and breach of a distribution agreement (U.S. District Court for the Eastern District of Pennsylvania and American Arbitration Association).
- Initiated and successfully settled breach of contract and fraud claims on behalf of a purchaser of commercial mortgages against the current and former special servicer of a CMBS for failing to close on the sale of a multi-million dollar loan (U.S. District Court for the Eastern District of Pennsylvania).
- Brought trademark infringement action on behalf of pharmaceutical company and negotiated a settlement pursuant to which the defendant corporation agreed to change its name and stock symbol (United States District Court for the District of New Jersey).
- Successfully resolved ownership dispute between members of a Pennsylvania LLC (United States District Court for the Western District of Pennsylvania).
- Represented claimant who contended that defendant had breached an agreement to settle a patent infringement case. A panel of three neutral arbitrators issued an award of \$72.5 million in favor of claimant (American Arbitration Association).
- Brought suit on behalf of corporate client against former officer and director for breach of fiduciary duty, misappropriation of assets and usurpation of corporate opportunities. Case successfully settled after first day of non-jury trial (Bucks County, Pa., Court of Common Pleas).
- Defended and successfully settled claims brought against software manufacturer in multiple jurisdictions for alleged product deficiencies.
- Defended and obtained voluntary dismissal of claims alleging that clients' email marketing practices violated the New Jersey Consumer Fraud Act (Superior Court of New Jersey, Bergen County).

Aviation

Montreal Convention Cases:

- Obtained defense verdict in favor of a commercial airline after a four day jury trial in a suit brought by a passenger for injuries allegedly sustained on an international flight (U.S. District Court for the Eastern District of Pennsylvania.)
- Obtained summary judgment in favor of commercial airline in a case in which the plaintiff alleged that he was injured by an aircraft component during an international flight (United States District Court for the Eastern District of Pennsylvania).
- Defended and successfully resolved claims against commercial airline for the alleged loss of an irreplaceable item checked as baggage on an international flight (United States District Court for the Eastern District of Pennsylvania).
- Defended and successfully resolved claim against commercial airline for injuries, including traumatic brain injury, allegedly sustained by passenger during an encounter with severe turbulence (United States District Court for the Eastern District of Pennsylvania).

State Law Cases:

- Successfully resolved more than 100 claims by passengers on a commercial airline flight that made an emergency landing after it experienced an engine failure (multiple state and federal courts).
- Successfully resolved wrongful death and survival claims arising from crash of air ambulance (Court of Common Pleas of Philadelphia County).
- In a suit against a ground handler by an airport worker who alleged she was injured by exposure to a chemical that spilled during cargo loading, defeated motion to remand to state court where plaintiff attempted to destroy diversity jurisdiction by joining a non-diverse defendant; case successfully settled shortly thereafter (United States District Court for the Eastern District of Pennsylvania).
- Defended and successfully resolved claims against commercial airlines:

- by passenger who was removed from flight due to unruly conduct (Court of Common Pleas of Philadelphia County);

- for injuries and property damage arising from aborted take-off of commercial jet (pre-litigation and multiple courts);

- for injuries sustained by passengers who allegedly were struck by items during flight, including beverage carts, storage bins and luggage (various courts);

- for injuries sustained by passenger who allegedly fell while deplaning via air stairs (United States District Court for the Eastern District of Pennsylvania).

First Amendment & Media Law

- On behalf of two newspapers, obtained an injunction requiring the Pennsylvania Department of Corrections to make the entirety of lethal injection executions visible and audible to the members of the public and the press selected to witness them. The court found, as a matter of first impression in the Third Circuit, that the public and press have a First Amendment right to witness the entirety of executions. Under a subsequent settlement agreement, the Department of Corrections revised its policies to permit witnesses to see and hear executions in their entirety (U.S. District Court for the Middle District of Pennsylvania).
- Successfully challenged transit system's refusal to run advertisements submitted by atheist group; appellate court reversed trial court's entry of judgment in favor of transit system after bench trial (U.S. District Court for the Middle District of Pennsylvania and Court of Appeals for the Third Circuit).
- Obtained summary judgment for local affiliate of national television network in lawsuit alleging that an investigative news report broadcast by the affiliate defamed plaintiff (Philadelphia County, Pa., Court of Common Pleas).

Community and Pro Bono

Pro Bono Matters:

- Obtained summary judgment on liability and then successfully settled a claim brought by a prisoner against a government agency that demolished his house (United States District Court for the Eastern District of Pennsylvania).
- Litigated and successfully settled claim on behalf of prisoner who was transferred to another institution in retaliation for practicing his religion (United States District Court for the Eastern District of Pennsylvania).
- Litigated and successfully settled deliberate indifference claim on behalf of prisoner who received inadequate medical care while imprisoned (United States District Court for the Eastern District of Pennsylvania).

Community Activities:

- Judge of Elections for Precinct 635, Tredyffrin Township, Pennsylvania (re-elected to a fourth four-year term in November 2021)

Education

- Case Western Reserve University School of Law, J.D., *magna cum laude*, Order of the Coif, 1999
- University of Pennsylvania, B.A., *cum laude*, 1995

Bar Admissions

- New Jersey, 1999
- Pennsylvania, 1999

Court Admissions

- Supreme Court of the United States
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the Eastern, Middle and Western Districts of Pennsylvania
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Eastern District of Michigan

Professional Affiliations

- International Association of Defense Counsel, member
- Philadelphia Bar Association, member

Other Distinctions

- Listed in *Who's Who Legal: Transport*, 2017-2021*
- First Judicial District of Pennsylvania Pro Bono Roll of Honor, 2012
- Recognized among 'Pennsylvania Rising Stars' by the publishers of *Super Lawyers*, for general litigation, 2006-2007; 2013-2014*

**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

- Financial Services
- Financial Services Litigation
- Intellectual Property Litigation

- Litigation

Industries

- Aviation
- Communications and Media