



Gerald E. Arth

Partner

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Jerry's practice encompasses all forms of complex commercial litigation on behalf of both plaintiffs and defendants.

He puts emphasis on:

- insurance insolvency
- defense of consumer, privacy and securities class actions
- fraud and civil racketeering
- business divorce
- corporate and partnership governance
- securities and financial services
- hedge funds
- health care
- real estate

Jerry has tried and arbitrated cases and argued matters in federal and state courts throughout the country and counsels business clients on a wide range of issues.

Jerry is the past chair of Fox Rothschild's Electronic Discovery Committee.

Services

- Litigation
- Directors' & Officers' Liability & Corporate Governance
- IP Litigation
- Law Firm Defense & Risk Management
- Class Actions
- E-Discovery
- Financial Services Litigation

Before Fox Rothschild

At Villanova Law School, Jerry was a member of the Moot Court Board and a finalist in the prestigious Theodore S. Reimel Moot Court Competition. Following law school, Jerry served as a judicial law clerk to the Hon. Joseph T. Doyle, the former President Judge of the Commonwealth Court of Pennsylvania.

Beyond Fox Rothschild

Jerry has published a number of articles in legal publications and lectured on a variety of topics including class action defense, TCPA, electronic discovery, the Sarbanes-Oxley Act, RICO and civil procedure. He is active in Democratic politics, particularly at the local and state levels.

Representative Matters

Jerry has handled a broad array of complicated, multi-faceted litigation matters, including:

- representation of Pennsylvania Insurance Department in connection with numerous insurance insolvencies, most notably Reliance Insurance Company and Summit National Life Insurance Company, handling dozens of cases leading to recovery of tens of millions of dollars on behalf of insurers' estates from officers and directors, auditors, attorneys, defaulting agents and policyholders
- acting as counsel for insurance regulatory body as *amicus curiae* in appeal to Pennsylvania Supreme Court, resulting in court's adoption of client's position in precedent-setting decision regarding priority of subrogation claims in insurance insolvencies
- defense of nationwide TCPA and FDCPA class action against leading debt collection company, resulting in striking of all class allegations, dismissal of claims against deep-pocket parent company, and *de minimis* settlement of individual plaintiff's claims
- defense of a nationwide consumer class action involving allegedly mislabeled olive oil and hundreds of millions of dollars of claimed damages, ultimately ending in a settlement for less than 1 percent of damages sought
- defense of nationwide consumer class action against computer software company, resolving tens of thousands of potential claims for a nominal payment
- representation of publicly-traded holding company of mutual insurance company and its officers and directors in parallel shareholder and policyholder litigations arising from merger with top-five U.S. mutual insurer
- defense of officers and directors of environmental controls company in connection with shareholder litigation to enjoin merger with environmental services company
- defense of savings-and-loan and officers and directors in shareholder litigation in connection with merger transaction
- trial of multimillion-dollar dispute concerning break-up of real estate partnership comprising dozens of properties
- international arbitration on behalf of leading generic drug company against Indian contract manufacturer ending in multimillion-dollar settlement in favor of client
- representation of major defense contractor as independent counsel in dispute between majority and minority owners spawning competing lawsuits and arbitration proceedings
- trial of federal bankruptcy court adversary action regarding right to millions of dollars of condemnation proceedings from aborted real estate development
- defense of multimillion-dollar claim against major credit card processor by terminated merchant, resulting in court's granting motion to dismiss all claims with prejudice

Bar Admissions

- Pennsylvania
- New York

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Third Circuit
- U.S. District Court, Eastern District of Pennsylvania
- U.S. Court of Federal Claims

Education

- Villanova University School of Law (J.D., 1986)
- Villanova University (B.A., *with honors*, 1983)

Memberships

- American Bar Association
- Pennsylvania Bar Association (Judicial Administration Committee)
- Philadelphia Bar Association (Federal Courts Committee)

Board of Directors

- *Law360* Pennsylvania Editorial Advisory Board (2022)
- The Rock School (former)
- United Way of Southeastern Pennsylvania (former)

Honors & Awards

- Named to the list of "Super Lawyers" in the area of Business Litigation in Pennsylvania (2007-2010, 2019-2020)
- Recipient of "Pro Bono Roll of Honor" award from First Judicial District of Pennsylvania