



Matthew S. Payne

Counsel

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A member of the firm's Litigation Department, Matthew centers his practice on commercial and business-related litigation, including gaming and cannabis litigation.

He represents individuals and local, regional and national companies in resolving a wide range of matters, including:

- Breach of contract claims
- Gaming and cannabis license disputes with state regulators
- Tax collection disputes between gaming licensees and municipalities
- Disputes between franchisors and franchisees

Matthew has also represented Illinois municipalities regarding issues such as:

- Americans with Disabilities Act compliance
- Section 8 housing disputes

Matthew has appeared before state and federal courts in Chicago, Pittsburgh and surrounding areas, as well as Ohio, Michigan and New York, and local and national arbitration forums.

His work on significant pieces of litigation includes:

- Defended a number of licensed video gaming terminal operators against claims in administrative law forums by several municipalities of non-collection of local video gaming taxes that are essentially uncollectible under state law, resolving some cases by negotiations and appealing others to the Circuit Courts.
- Defended a hemp products manufacturer in a contract dispute involving the cost of processing of poor-quality hemp, resolving the matter without any payment to the plaintiff hemp processing company.
- Defended a major city against charges of having violated the Americans with Disabilities Act and related laws with respect to public way infrastructure and negotiated a high-value, city-wide remedial plan resolving the matter.
- Defended a fantasy sports provider from investigations, cease and desist demands, and threats of criminal charges brought by a number of state gaming regulators and/or attorneys general and negotiating resolutions to each.
- As a plaintiff, personally, won a Pennsylvania Freedom of Information Act dispute with Commonwealth cannabis regulators in the Pennsylvania Commonwealth Court, obtaining documents related to licensure decisions regarding a prospective licensee client.

- As second chair in a three-week trial before the Western District of Pennsylvania, Matthew obtained a \$12 million jury verdict in a breach of contract action involving unpaid commissions owed to a clean coal technology company.
- Resolving numerous disputes relating to a Pittsburgh-area medical device manufacturer's efforts to recover leased devices.

Matthew is also a member of the firm's Gaming Practice Group. He defends national and Illinois gaming licensees against challenges to their state and local licenses arising from allegations on non-compliance with state and local laws and regulations. He represents gaming companies in legal disputes over local gaming taxes. He also advises fantasy sports providers regarding compliance with state laws and defends them state regulators, ensuring that their products do not constitute illegal gambling.

Services

- Litigation
- Cannabis Law
- Gaming

Beyond Fox Rothschild

From 2004 through early 2012, Matthew served as Treasurer and a member of the Board of Directors of the Gay and Lesbian Neighborhood Development Association (GLENDA), a Pittsburgh-based not-for-profit corporation dedicated to promoting inclusiveness, understanding and community involvement by pairing gay, lesbian, bisexual and transgender volunteers with non-LGBT organizations.

Before Fox Rothschild

While an undergraduate, Matthew was a Program Director for a regional Crisis Hotline.

Matthew worked for five years as a property/casualty insurance adjuster with Mutual of Enumclaw Insurance's office in Eugene, Oregon. There, he investigated, adjusted and settled claims involving home, business, auto, boat and personal property insurance.

Matthew volunteered with the American Red Cross as a member of a Disaster Action Team, responding to local emergencies such as house fires and floods.

Bar Admissions

- Illinois
- Pennsylvania

Court Admissions

- U.S. Court of Appeals, Third Circuit
- U.S. District Court, Northern District of Illinois
- U.S. Bankruptcy Court, Northern District of Illinois
- U.S. District Court, Western District of Pennsylvania
- U.S. Bankruptcy Court, Western District of Pennsylvania

Education

- University of Pittsburgh School of Law (J.D., *cum laude*, 2006)
- University of Virginia (B.A., 1997)

Memberships

- Pennsylvania Bar Association
- Allegheny County Bar Association

Honors & Awards

- Topics Editor, *Pittsburgh Law Review*