



# Rachael L. Dizard

Partner

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A seasoned litigator and former Assistant U.S. Attorney, Rachael represents businesses — particularly those operating app-based technology and marketplace platforms in the gig economy — in complex commercial disputes and regulatory compliance matters. She also represents autonomous vehicle companies and franchisors.

Rachael is adept at identifying common themes in high-volume business litigation, crafting and executing practices that drive efficiencies, track and reduce legal spend and leverage clients' strongest arguments to produce favorable outcomes while protecting confidential information. In addition, she provides advice on the litigation implications of a broad range of business decisions, from the development of internal policies and procedures to the selection of structural insurance. Rachael assists companies at every stage of development, from seed and development to international presence. Rachael also has transactional experience with emerging technology companies, including drafting terms of service and consumer arbitration agreements.

Rachael has litigated matters of first impression in state and federal courts, including those involving the protection of independent contractor designations, while acting as national coordinating counsel for technology, gig economy and sharing economy businesses.

At the Department of Justice, she handled a broad range of matters, including civil torts, contract disputes and employment discrimination cases as well as criminal investigations and prosecutions involving violations of federal firearms, narcotics, public corruption and civil rights statutes.

Rachael also is a member of our Franchising & Distribution Practice Group and is adept at defending franchisors in litigation, as well as guiding franchise clients in a wide range of corporate matters, including transactions, contracts and agreements.

## Services

- Litigation
- National Coordinating Counsel
- White Collar Criminal Defense & Government Investigations
- Manufacturing
- Automotive
- Franchising & Distribution
- Fintech & Digital Assets

## Representative Matters

- Acts as National Coordinating Counsel for technology and marketplace platforms, leading litigation on issues of first impression across the country involving the interpretation of transportation network company and marketplace platform laws, the status of platform users and the enforcement of online terms and conditions including compelling arbitration.
- Counsel rideshare and delivery network companies on issues related to dispositive motions, trial strategy and discovery disputes in multiple jurisdictions across the country.
- Assisted emerging gig economy company with its launch, including drafting terms of use for its application, website and technology.
- Counseled emerging technology company on nascent business decisions to mitigate future product liability litigation.
- Secured dismissal of lawsuit alleging statutory and constitutional claims arising out of alleged employment discrimination by the United States Postal Service in federal court.
- First-chaired jury trial to guilty verdict for a violation of the federal firearms law.
- Obtained summary judgment on behalf of the United States in declaratory judgment action against convicted felon seeking reinstatement of firearm rights.
- Conducted multi-device wiretap investigation through indictment, targeting repeat firearm and drug violations of federal law.

## Before Fox Rothschild

Prior to joining Fox Rothschild, Rachael was an attorney in the Pittsburgh office of an international law firm. She previously worked in the Department of Justice as an Assistant U.S. Attorney.

Rachael served as a clerk for the Honorable Cathy Bissoon of the U.S. District Court for the Western District of Pennsylvania and was part of a Department of Justice Honors Program.

## Beyond Fox Rothschild

Rachael has a strong commitment to *pro bono* service, and defends asylum applicants in removal proceedings before the Department of Justice Executive Office for Immigration Review.

## Bar Admissions

- Pennsylvania
- New York

## Education

- New York University School of Law (J.D., 2012)
- University of Pittsburgh (B.A., 2006)

## Board of Directors

- ACTION-Housing, Inc., (2023-present)
  - Board Member

## Honors & Awards

- Selected to the "Pennsylvania Rising Stars" list for Business Litigation by *Super Lawyers* (2023)