

George C. Werner

Counsel

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OVERVIEW:

George serves as the firm's General Counsel. In this role, George is responsible for protecting the firm's legal interests, maintaining its operations within the scope established by law, and providing guidance on risk management and related liability issues. He also conducts firmwide professional liability training in addition to other tasks.

Prior to serving as General Counsel, George concentrated his practice in complex civil and commercial litigation and risk management for more than 40 years. He assisted clients from the earliest indications of dispute, through trial and appeals if necessary, and frequently consults with clients during transactional matters, in an effort to avoid litigation or to minimize possible damages from litigation. George has tried to verdict or award more than 80 matters in federal and state courts and before arbitration panels. George routinely appears in all Pennsylvania courts and has handled matters in Maryland, New Jersey, New York, Delaware, California, North Carolina and Illinois. Additionally, George frequently corporate investigations in response to allegations of wrongdoing by a company or its officers.

George's previous substantive areas of practice include patent, trade secret, trademark and unfair competition disputes, contract and business disputes, construction disputes, business torts and fraud claims, lender liability disputes, insurance coverage/ benefits disputes, defamation and commercial disparagement disputes, professional liability claims and defense of catastrophic personal injury claims.

In addition, George regularly presented to business and legal professionals on the litigation-related topics of e-discovery, attorney-client privilege and the work product doctrine, professional conflicts in legal representation, communications with media in litigation matters, and internal investigations.

Intellectual Property/Unfair Competition

George has worked with clients on matters involving Intellectual Property disputes including issues with patent, copyright, trademark, trade dress, trade secrets, confidentiality and non-disclosure agreements, and licensing agreements. Sample representations include:

- Successfully represented a manufacturer/supplier in the marine construction industry in pursuing a claim of patent infringement in U.S. District Court for the District of Delaware, obtaining both preliminary and permanent injunctions.
- Successfully represented a high-tech company in pursuing a claim of misappropriation of trade secrets and breach of confidentiality against a former employee.
- Successfully represented an entrepreneur against claims that he misappropriated trade secrets from a national manufacturer of building products (Jury verdict following two-week trial).
- Successfully represented a manufacturer/supplier in the automotive aftermarket products industry in pursuing and defending claims of trademark infringement.
- Successfully represented an assembler/supplier in the equine industry against a claim of patent infringement.

Lender Liability

George has represented lending institutions and banks in situations involving complex commercial financing, consumer loans, sales, leases, and other transactions. Such matters pose unique risks and require a thorough analysis and understanding of the transaction, the bank's customer and the relevant industry. Sample representations include:

- Successfully defended financial institution in a five-week trial involving claims of breach of fiduciary duty.
- Successfully defended banking institution against claim of conversion and unjust enrichment in a non-jury trial.
- Successfully defended banking institution against claim of fraudulent transfer and improvident lending brought as an adversary action in the bankruptcy proceeding of corporate customer.
- Successfully resolved lender liability claims against a banking institution following a four-week trial involving claims of bad faith brought by bank customer in connection with a floor plan line of credit.

General Business Litigation

George has represented companies in all facets of commercial litigation and complex business disputes which sometimes includes "bet the company" litigation. Sample representations include:

- Successfully represented a publicly traded company in connection with a merger/buy-out of minority shareholders, which included claims of breach of fiduciary duty and a statutory appraisal proceeding.
- Successfully represented a large retail chain in a dispute over premiums and coverage with its health insurer.
- Successfully represented an international retailer in a contract dispute arising out of the sale of certain operations and facilities.

- Successfully represented a parts distributor against its insurer in a multi-million dollar fire loss claim.
- Successfully represented the purchaser of a retail food company in disputes with the previous owner.
- Successfully represented feed supplier in a dispute with a customer involving claims of substantial damages resulting from allegedly tainted feed.
- Successfully represented a professional in a dispute by a previous employer attempting to enforce a restrictive covenant.
- Successfully resolved environmental cost claims brought by current owner of manufacturing facility against former owners, following three weeks of trial.

Construction Law

George has represented owners, design professionals and contractors in cases involving contract interpretation and disputes, payment/collection actions, bid challenges, change order and liquidated damages claims, construction defects, and construction insurance, indemnification and arbitration contract provisions. Sample representations include:

- Represented owner in multi-million dollar dispute with contractor and subcontractors arising out of construction of a concrete tank.
- Represented tenant in multi-million dollar dispute with landlord/owner arising out of construction of building for tenant.
- Represented architect in multiple claims between owner and various prime contractors arising out of construction of a school.
- Represented owner in disputes between architect and contractor arising out of construction of a retirement home.

Media Law

George has extensive experience working with and representing communications companies, both print and television media, in libel and privacy matters. He has handled cases involving defamation, public officials, invasion of privacy, intent to inflict emotional distress, right to know, and subpoenas of the press room. George has successfully tried cases involving:

- Successfully obtained summary judgment for a newspaper in connection with claims brought by two public officials arising out of the reporting of a murder investigation.
- Successfully obtained summary judgment for a newspaper in connection with claims brought by a public official arising out of the reporting of the officials actions while in office.
- Successfully defended a newspaper in a two-week trial against a claim brought by an attorney/private citizen.
- Represented a newspaper in claims brought by private citizens arising out of the newspapers

reporting of criminal proceedings against private citizens.

EDUCATION:

- Duquesne University School of Law, J.D., magna cum laude, editor in chief, Duquesne Law Review
- Indiana University of Pennsylvania, B.A., cum laude

ADMISSIONS:

- Pennsylvania
- U.S. Supreme Court
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania

PRACTICE AREAS:

- Litigation
- Intellectual Property
- Crisis Management
- Fiduciary Litigation
- Intellectual Property Litigation
- Appellate Litigation

INDUSTRY GROUPS:

- Construction

RECOGNITIONS:

- Rated AV Preeminent by Martindale-Hubbell
- Best LawyersLawyer of the Year in Harrisburg Litigation/Construction (2016, 2019, 2023)
- The Best Lawyers in America, Commercial Litigation, Litigation - Banking and Finance, Litigation - Construction, Litigation - First Amendment (2010-2027)
- Pennsylvania Super Lawyers (2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020)

PRESENTATIONS:

- "Non-Compete Litigation and the Computer Fraud and Abuse Act", 2018 Barley Snyder Employment Seminar (May 2018)
- "Doing Business in the Digital World (and Cloud): An Overview of Risk, Applicable Laws and Policies Relating to Information Security", Barley Snyder Business Seminar (October 2015)
- "Jolley v. Chase Home Finance Are Lenders Facing New Threats in Lender Liability Claims?", Barley Snyder LendiCon Seminar (March 2015)
- "Ethical Issues Perplexing In-House Counsel", ACC Seminar: What Keeps You up at Night? (September 2014)
- "In-House Counsel and the Attorney/Client Privilege - Confusion in the Role of In-House Counsel", Association of Corporate Counsel (September 2013)
- "Legal Ethics in Crisis Management", Association of Corporate Counsel (September 2012)
- Ethics Matters and Internal Investigations The Association of Corporate Counsel Central Pennsylvania Chapter Seminar (October 2011)
- Conducting Internal Investigations and Preserving Attorney-Client Privilege The Association of Corporate Counsel Central Pennsylvania Chapter Seminar (November 2010)
- Pennsylvania Right-to-Know Law HACC Foundation (September 2010)
- Ethical and Practical Considerations of Social Networking Technology: Blogging, MySpace, Facebook and Twitter. Lancaster Bar Association (2009)
- A Business' Guide to Intellectual Property Enforcement. Barley Snyder Business Law Seminar (Spring 2008)
- Managing Risk, E-Discovery and Litigation Disasters The Hershey Company (December 2008)
- Managing Risk Through Effective Electronic Information Management. Chester County Bar Association (September 2005)

CLERKSHIPS:

- Honorable Daniel J. Snyder, Jr. and Honorable Maurice B. Cohill of the U.S. District Court, Western District of Pennsylvania, September, 1978-1980.

RELATED NEWS:

- Barley Snyder Attorney George C. Werner Named Firm's General Counsel
  February 8, 2024
- FTC to Advertisers: Be Careful with Endorsements
  October 26, 2021
- Best Lawyers Honors 30 Barley Attorneys
  August 25, 2021
- Nearly Thirty Barley Snyder Attorneys Named Best Lawyers
  August 20, 2020
- Barley Snyder Places 21 Attorneys on Best Lawyers List
  August 15, 2019
- Barley Snyder Sees 11 Attorneys Named to Super Lawyers Lists
  May 9, 2019
- Sixteen Barley Snyder Attorneys Named to Best Lawyers List; Werner Named a Lawyer of the Year
  August 16, 2018
- Nine Barley Snyder Attorneys Named to Super Lawyers Lists
  May 18, 2018
- Eleven Barley Snyder Attorneys Named Best Lawyers
  August 15, 2017
- Seven Barley Snyder Attorneys Garner Super Lawyers Distinction
  May 16, 2017
- Eight from Barley Snyder Named to Best Lawyers list
  November 3, 2016
- Eight Barley Snyder Attorneys Selected to the 2015 Pennsylvania Super Lawyers and 2015 Pennsylvania Rising Stars Lists
  May 15, 2015
- Eight Barley Snyder Attorneys Listed in The Best Lawyers in America 2015
  August 21, 2014
- Barley Snyder Attorneys Named to the Lists of 2014 Pennsylvania Super Lawyers and Pennsylvania Rising Stars
  May 27, 2014