

Justin A. Tomevi

Partner

Offices: York, PA, Gettysburg, PA, Columbia, MD, Hunt Valley, MD

Email: jtomevi@barley.com

Tel: (717) 852-4977

OVERVIEW:

Justin is a partner in the Litigation Practice Group. He assists businesses, institutions and individuals in identifying and managing litigation risk, resolving disputes and achieving their objectives. Justin navigates challenges on behalf of his clients in both state and federal courts in Pennsylvania, Maryland and the District of Columbia. Based on his strong local connections, he regularly serves as local counsel to assist attorneys in successfully navigating courts in the region. He also serves as outside general counsel to many small and midsize businesses in the region.

Justin focuses his practice in the areas of commercial litigation, real estate litigation, fiduciary litigation and banking litigation. Justin also routinely advises food & agribusiness clients relative to dispute resolution and risk management.

Commercial Litigation

Justin maintains a broad general commercial litigation practice where he assists clients with contractual disputes and collection matters throughout many industries. He has considerable experience representing business owners in a variety of bet-the-company cases and business divorce matters across many different industries. He also works on behalf of his clients in litigation involving non-compete agreements.

Representative cases:

- Represented a religious organization that had been defrauded by a third-party administrator for a retirement plan for several million dollars. Upon discovery of the fraud, Justin interfaced with the court, various federal government agencies and professional advisors to the retirement plan to pursue recovery for these losses through various litigation actions. To date, Justin has been able to recover nearly $1.8 million dollars for the religious organization through various court actions. Justin continues to pursue efforts to recover additional funds from other sources to pursue as complete a recovery as possible for their victimized client.

- Represented the seller of a professional services business who had significant concerns whether the buyer

of the business was properly reporting and potentially diverting income that should have been paid to the seller under the terms of the buyout. Justin initiated a discovery process to learn more about the sales from the buyer that were eligible for payment to the seller and discovered that certain sales were improperly excluded. Based on those findings, he invoked the default and confession of judgment provisions in the transaction documents. As a result, Justin was able to force the buyer to convert the payments to the seller based on a percentage of the buyer's sales to a sum certain amount in excess of $1 million that was not contingent on the buyer's performance or at risk of manipulation or diversion by the buyer.

- Represented the purchaser of a multi-million-dollar construction-related business that still owed over $350,000 on the purchase of the business. After the purchase, concerns arose about the seller's adherence to non-competition agreements, and compliance with other terms of the agreement of sale played out in court proceedings in the York County Court of Common Pleas. Prior to a trial in the matter, Justin convinced the seller to take a reduction in the amount owed by his client, saving his client approximately $200,000 on the purchase of the business.

- Negotiated his clients out of several long-term agreements, including several Software as a Service ("SaaS") agreements. These agreements all had oppressive terms that bound Justin's clients to long-term obligations that could not be terminated without steep payments. Justin aggressively negotiated with the vendors to achieve significant reductions in these payments. This included a $50,000 payment to avoid a $1 million contractual termination penalty on a co-packing agreement for a national food manufacturer, a $21,000 payment to resolve a $216,000 debt to release an energy provider client from a SaaS agreement, and a $154,000 debt belonging to a local government resolved for $95,000.

- Represented a construction materials company in a patent infringement matter in the U.S. District Court for the Middle District of Pennsylvania. The company had an international manufacturer copying its patented designs. Justin convinced the court to grant an injunction preventing the manufacturer from importing or selling the infringing product in the United States.

- Represented the subsidiary of a nationwide financial advisory in a Berks County lawsuit against a prior executive that had misappropriated significant funds from the operation over several years. After pursuing litigation against the prior executive, Justin achieved a $200,000 settlement for the client, representing an amount in excess of the misappropriated funds that could help cover other losses associated with the incident.

- Represented a startup safety materials company in a complex restrictive covenant dispute in the Chester County Court of Common Pleas. After a failed transaction wherein Justin's client sought to purchase another safety and materials company, that seller turned around and filed suit against the Barley Snyder client, seeking significant financial damages and injunctive relief based on restrictive covenants. After months of contentious litigation and negotiation, Justin was able to negotiate a resolution wherein his client did not pay the seller anything and was able to continue to compete and grow its business.

- Represented a large distillery in a dispute against a professional sports team over a multi-year sponsorship agreement. When the sponsorship agreement did not play out the way Justin's client intended, it faced exposure of over $2.7 million to extricate itself from the agreement. Justin negotiated a resolution where the client paid approximately ten percent of its total exposure to terminate the relationship.

- Represented an electronics company in pursuing a correction of inventorship action on a patent against a competitor in the U.S. District Court for the Middle District of Pennsylvania. When negotiations failed to convince the competitor to update the inventorship records to confirm that Justin's client had participated in inventorship of a product and were entitled to sell such product, he promptly filed suit. Once doing so, the competitor stood down and agreed to the relief being sought.

- Represented a national health care provider in a dispute against a large telecommunications provider for improper billing practices. When the telecommunications provider refused to correct the billing issues, Justin filed suit in the U.S. District Court for the Middle District of Pennsylvania. Upon doing so, the large telecommunications provider agreed to pay $550,000 to their client to resolve the dispute.

- Defended one of the world's largest social media companies in an Adams County court proceeding against claims related to the hacking of a customer's social media account. The plaintiff customer sought to have the social media company found financially liable for the hacked account. After the plaintiff presented its case in court, Justin moved to dismiss the matter, citing several legal arguments. The court granted Justin's motion, dismissing the case and advising the plaintiff that it "had brought a knife to a gun fight."

- Represented a York County school district relative to a first impression dispute over a township electing to transfer from one school district to another. Justin represented the school district that was receiving the township and all of its students in a decade plus long dispute. The school district that lost the township from its district sought nearly $15 million from the Barley Snyder client as an allocation of indebtedness and also opposed it receiving nearly $1 million per year in state subsidies associated with having to serve all of the township's students. In a resounding victory, Justin convinced the York County Court of Common Pleas to deny a single dollar of indebtedness allocation and also secured the receipt of the nearly $1 million per year of state subsidies.

- Represented a large Central Pennsylvania manufacturer that had received a defective interior coating project at its facility from a commercial painting contractor. The coating application had failed, causing peeling paint and mold in the facility. After Justin pursued recovery in the Lancaster County Court of Common Pleas, the contractor paid $325,000 to settle the claims, which was approximately twice what the Barley Snyder client had paid for the interior coating project.

- Represented a large construction company relative to a complicated construction project for a large hotel in Washington, D.C. After the parties initiated multiple litigation matters in the Superior Court for the District of Columbia and the U.S. District Court and Bankruptcy Court for the District of Columbia with various claims and counterclaims, Justin obtained a summary judgment in excess of $2.6 million, in addition to attorneys' fees.

- Represented a software maker in a contract dispute with a business partner. The business partner had tried to escape its long-term agreement with Justin's client by claiming fictitious breaches of contract. After sending the business partner a complaint that the software maker intended to file, the business partner conceded and made a payment of $1.5 million to the software maker.

- Represented a construction materials company in a patent infringement matter in the U.S. District Court for the Middle District of Pennsylvania. The construction materials company had a proprietary technology that

Barley Snyder's intellectual property attorneys had previously helped protect. When a competitor began using an infringing design, Justin filed suit and fended off various efforts to have the matter dismissed. Ultimately, the competitor agreed to make a six-figure payment for its prior infringement and agreed to abandon its infringing design.

- Represented a large apartment complex owner in a multi-jurisdictional dispute involving one of its shareholders and prior executive. The dispute centered on the repayment of loans and included allegations of fraud against the prior executive. Justin initiated multiple actions in state and federal courts in Pennsylvania, Maryland, and Virginia to recover for the multi-state conduct of the prior executive. Right before trial in one of the matters, the prior executive agreed to a seven-figure settlement payment to resolve the multiple claims.

- Represented a minority shareholder of a medical device company in a dispute with a majority shareholder in the Montgomery County Court of Common Pleas. The majority shareholder took steps to freeze Justin's client out of the company. Justin immediately took efforts to prevent the freezeout through litigation and other tactics, forcing the majority shareholder into settlement negotiations where the client received a $3 million settlement payment.

- Represented an international manufacturing company in a dispute with a supplier in the York County Court of Common Pleas. The supplier alleged that the manufacturing company interfered with a contract, breached fiduciary duties, breached a contract, committed fraud and engaged in civil conspiracy, seeking $3.8 million in damages. Justin convinced the court to dismiss all claims against the client.

- Represented a physician covered by a disability insurance policy in a dispute in the U.S. District Court for the Western District of Pennsylvania. The disability insurance company refused to make a full payment as represented to the physician under the policy. After Justin defeated the insurance company's summary judgment attempt, the insurance company agreed to make payment of $300,000 to Justin's client.

- Represented minority shareholders in a contentious dispute with the other shareholders. Justin's clients were husband and wife founders of a successful manufacturing company. When the husband fell ill and required long term hospitalization, the other shareholders covertly attempted to freeze Justin's clients out of the business through diluting their ownership interests. Justin intervened immediately by filing suit in the Adams County Court of Common Pleas and taking strategic actions to ensure that the company's bank account could not be depleted by the other shareholders. Through applying pressure in litigation, Justin was able to secure a $1.5 million dollar settlement for his clients.

- Represented a minority shareholder in a manufacturing organization. The minority shareholder was concerned about the lack of information that the majority shareholder was sharing regarding the business operations and had concerns about the financial condition of the business. Justin conducted an investigation of the corporate records and financials and discovered that almost $400,000 had been improperly withheld from the entity for which Justin's client owned an interest. Instead, the majority shareholder had retained the funds in separate entities which he controlled and was using those funds for his personal expenses. Justin negotiated the repayment of 100% of the amount owed to his minority shareholder client, plus interest. Justin also negotiated the purchase of his client's interest in the company at an above market valuation and secured a generous severance package for the client to be able to retire from the company.

- Represented a shareholder of a construction company in a complex shareholder dispute. The shareholder owned 50% of the company with his co-owner, who passed away unexpectedly. The co-owner controlled the finances of the company and had brought the company to the brink of financial insolvency due to poor decision making. Despite this, the shareholder agreement permitted the co-owner's estate to receive $2 million from a key man life insurance policy. By alleging fiduciary duty breaches by the co-owner, Justin helped negotiate for the client to receive $500,000 of the key man life insurance policy to reinvest in turning around the company. Several months later, the shareholder was able to return the company to profitability.

- Represented the owner of a helicopter leasing company to assist with the repossession of a helicopter from a challenging customer in Allegheny County. The customer was several months into a lease of a helicopter and stopped completing maintenance on the helicopter and refused to cooperate with the Federal Aviation Administration's requests for inspections. Justin and his client carefully orchestrated and executed a strategy for repossessing the helicopter, which was chained down and mechanically disabled in a locked airport facility. After successfully repossessing the helicopter in the early morning hours, the customer filed a preliminary injunction motion in the Allegheny County Court of Common Pleas asking the court to force Justin's client to return the helicopter. A preliminary injunction hearing was scheduled to occur only 72 hours after the motion was filed. After Justin filed a response threatening to seek attorney's fees and other sanctions at the injunction hearing, the customer agreed moments before the hearing was to begin to withdraw its demand to have the helicopter returned.

- Represented the minority member of a limited liability company in a shareholder dispute matter, resulting in a multi-million dollar settlement for the client. The majority shareholder had frozen out the client as the company reported record profits. After a two-day hearing seeking injunctive relief, a judge granted the injunction extending beyond the relief historically awarded by courts in Pennsylvania. Almost immediately after the decision, the majority member settled the matter with a significant buyout payment to the client.

- Represented a professional services partnership and real estate partnership in a shareholder departure dispute. The departing shareholder filed an emergency petition for a special relief in the York County Court of Common Pleas, seeking a preliminary injunction related to the financial affairs of the partnerships. Justin filed preliminary objections, citing several provisions of the shareholder's agreements that were contradictory to the departing shareholder's claims. After a hearing on the preliminary objections, the court dismissed the petition seeking a preliminary injunction.

- Represented a company against a claim that it owed a manufacturer $130,000 for inventory it allegedly purchased. Based on the evidence and counterclaims presented at the arbitration hearing, Justin's client was awarded judgment in its favor and the arbitrator actually awarded his client a monetary judgment against the manufacturer.

- Represented a railroad company in obtaining emergency injunctive relief against a landowner blocking the railroad company's tracks. The railroad company had a right of way dating back to the 1800s when the railroad was first built. The landowner asserted multiple defenses including claims of abandonment and misuse. Ultimately, the York County Court of Common Pleas agreed that the railroad company had met the high burden of a preliminary injunction hearing and granted an order protecting the railroad's continued use of the tracks.

Real Estate Litigation

Justin represents design professionals (including architects and engineers), builders, contractors and subcontractors in contract disputes, tax assessment appeals and land use appeals. He also represents landlords in both commercial and residential real estate litigation.

Representative cases:

- Represented a property developer that had its property partially condemned by a state entity. After the property developer and the state entity disputed the impact that the partial condemnation had on the value of the remaining parcel, a challenge to the just compensation paid by the state entity was filed in the York County Court of Common Pleas. After a successful board of view proceeding, the state entity ultimately paid $390,000 more than it was originally willing to prior to Justin's involvement.

- Represented an apartment building owner that had its property condemned for blight by a government authority in condemnation proceedings in the York County Court of Common Pleas. At a board of view hearing, the government entity contended that the property was worthless but based on the evidence and advocacy presented by Justin, the board of view awarded $1,225,000 for the apartment building owner. This outcome was especially notable as the board of view award was more than 18 times larger than any recorded blight condemnation award by a board of view pursued by this government authority.

- Represented a county government when a public school district refused to allow that county government to use its facilities for polling locations. Justin filed a complaint and motion for preliminary injunction while simultaneously pursuing a negotiated resolution. The public school district ultimately backed down from its prior denial and agreed to allow the county government to use its facilities for polling locations.

- Represented the purchaser of a $1.6 million property. The purchaser used a settlement company and realtor to close the transaction without legal counsel involved. During the closing process, a fraudster compromised the purchaser's realtor and provided fraudulent wire instructions that diverted the closing proceeds. Justin quickly coordinated efforts to trace and recover the misdirected funds, successfully recovering all but $25 of the stolen proceeds. He then negotiated with the seller and other transaction participants to resolve issues caused by the delayed closing, preserving the transaction without penalties to the purchaser. Justin also secured concessions that reduced the client's financial exposure and ultimately enabled the client to complete the acquisition despite the attempted fraud.

- Represented a company that entered into an agreement with a telecommunications service provider relative to equipment on the company's property. A dispute arose regarding whether an approximately $50,000 installation component was to be paid for by the company or the telecommunications services company. After the telecommunications services company refused to agree to cover this cost, Justin filed suit in the York County Court of Common Pleas and within days of such filing, the telecommunications service company backed down and agreed to the relief requested in the complaint.

- Represented a ground lease landlord relative to a dispute over whether a lease with a ground lease tenant had been properly and timely renewed. The ground lease hosted a large national retailer. Justin initiated litigation in the York County Court of Common Pleas to evict the ground lease tenant who paid $1.17 million above the standard renewal amount to his client to renew the lease.

- Represented a Berks County ground lease landlord who had entered into a disadvantageous ground lease with a tenant looking to develop a location national coffee chain. The agreement did not have sufficient terms to force the ground lease tenant to develop the property in a timely fashion, resulting in years of delays with no end in sight. Within months of Justin's involvement, a new ground lease agreement was reached, and his client received an offer to purchase the property for $1.45 million as a result of the new agreement.

- Represented a York County based, religious based community center. For nearly a decade, local taxing municipalities battled with Justin's client over whether his client's various locations were subject to real estate tax exemptions. Despite mixed case law on the issue, prior to a trial on the matter, Justin was able to convince the local taxing municipalities to agree that all of the client's properties were entitled to full real estate tax exemptions, saving the client hundreds of thousands of dollars.

- Represented a national car wash company looking to develop a car wash at a high-volume corner in York County. Despite the difficult location for the development, the need for significant variances and opposition from the local municipality's staff, Justin aggressively pursued the appropriate land use approvals to obtain approval by the municipality's governing body. The municipality's staff later commented that this approval was the first time they could remember a land developer obtaining approval over such a strident objection from the municipality's staff.

- Represented the proposed purchaser of a large hotel in negotiations to terminate the agreement to purchase the hotel. Justin's client discovered that misrepresentations were made regarding the hotel by the buyer. After competing lawsuits were filed in Delaware County and Palm Beach, Florida, Justin convinced the buyer to pay the majority of the deposit back to their client, totaling $208,000.

- Justin was engaged by a company attempting to reach an agreement to sell its business for more than $30 million. When the agreement to sell the business was nearing completion, a commercial landlord for the business threatened to renege on a prior agreement as to the lease of the property and threatened immediate eviction, which would have threatened the sale. Justin initiated litigation to enforce the prior agreement for the lease terms which forced the matter to resolve within a matter of days with the commercial landlord recommitting to its prior agreement to lease the premises. The $30+ million agreement was then able to proceed with the security of a new long-term lease in place.

- Justin was hired on an emergency basis by a regional bank to fight off the threatened eviction of a bank from one of its leased branch locations. On a Saturday, a landlord threatened that upon the merger of two banks, the lease in effect was void and it would lock the doors to the bank on Monday morning. Within an hour of being alerted on a Saturday night, Justin was in the office preparing for a temporary restraining order and preliminary injunction filing to stop the unwarranted action. After working through the night and all day Sunday, Justin was able to convince the landlord to stand down and not interfere with the lease.

- Represented a non-profit health system in a tax assessment appeal in the Cumberland County Court of Common Pleas relative to a large medical complex. Despite the health system acquiring the medical complex for $45 million, Justin negotiated with the taxing authorities for a settlement at a $31 million fair market value. This settlement resulted in over $160,000 per year in tax savings for the health system.

- Represented a large property owner in Dorchester County, Maryland in a partition action against a co-owner

of a tract of land. The co-owner refused to sell its interest in the jointly owned property, so Justin initiated a partition action in the Circuit Court to force the sale of the tract. After a trial, which included several challenges to the title of the property and the right to partition, the court concluded that Justin's client was entitled to have the property partitioned and entered a verdict in its favor.

- Represented a shopping center owner in Dauphin County that was subject to a complete condemnation by PennDOT. After receiving a low offer for the eminent domain of property, Justin worked with an appraiser and was able to obtain an $4.55 million payment for the shopping center owner.

- Secured a large settlement for a commercial landlord after damage was caused by the retailer tenant on its turnover of the property. Justin represented a national commercial retail landlord who had rented a property for several decades to a consumer goods retailer. When the retailer turned over the property, it was required by the lease to leave the property in good condition. The original estimate that Justin's client had for the damage was $820,000. Through pressure applied by various litigation tactics in the York County Court of Common Pleas, Justin was able to secure the client a settlement of $775,000.

- Represented a property owner in contesting a mechanic's lien action filed by an equipment company. Justin's clients were developing a commercial property for a sports complex. Their contractor walked off the project without completing and having failed to pay subcontractors, including an equipment rental company. The equipment rental company filed a lien on the property for approximately $50,000. Justin immediately moved to strike that lien, making the argument that rented equipment was not lienable under Pennsylvania law. Although that issue had not been previously decided by a Pennsylvania court, Justin convinced the Adams County Court of Common Pleas that the equipment did not have the attributes of items that could be traditionally lienable. After oral argument, the court agreed with Justin's position and terminated the lien.

- Represented a faith based non-profit organization in York County in a challenge by a local school district of the organization's tax-exempt status. The school district had challenged the organization's exemption based on allegations that the organization competed with for-profit organizations for certain services. Justin helped convince the school district to withdraw its challenge, which resulted in the return to the organization of over $100,000 in taxes.

- Represented a private student housing developer in a tax assessment appeal. After the York County Board of Assessment Appeals refused to reduce the $2.7 million assessment of the property, Justin appealed the decision to the York County Court of Common Pleas. After the parties exchanged appraisals, the municipality agreed to reduce the assessment by nearly $1 million, resulting in significant tax savings of over $225,000 for the developer over the next five years.

- Represented a nonprofit regional healthcare system in pursuing a real estate tax exemption for one of its hospitals. The local school district challenged the exemption on the basis that the healthcare system did not meet the statutory requirements for a charitable real estate tax exemption under Pennsylvania law. In response, Justin cited the extensive charitable care provided by the healthcare system as well as its compliance with the highly complex statutory requirements for a charitable exemption. After a two-day trial, the York County Court of Common Pleas granted a full exemption for the property and confirmed the system's positive contributions to community health. The school district has appealed the decision to the Pennsylvania Commonwealth Court. The decision resulted in millions of dollars of tax savings.

- Represented the owner of one of the most valuable properties in a suburban Philadelphia county in a tax assessment appeal. On the day before trial, Justin brokered a settlement that reduced the tax valuation of the property by nearly $12 million, amounting to considerable tax savings for the client.

- Represented a commercial real estate developer in an appeal involving its attempt to construct private college housing. The developer had obtained final approval of its land development plan, only to see the municipality change the zoning ordinance and join in an appeal of neighboring landowners against the development. After successfully appealing an adverse initial trial court decision to Commonwealth Court, Justin persuaded the trial court to allow the development to be constructed with minor changes. Based on the evidence presented to the court, the judge also ruled that the municipality acted in bad faith.

- Presented oral argument before the Pennsylvania Commonwealth Court in support of a favorable outcome Barley Snyder obtained for a York City industrial property owner in a tax assessment appeal. The trial court's conclusion on the value of the property represented a six-figure tax savings for the property owner over the next several years. After oral argument, the state affirmed the trial court's tax reduction.

- Represented a large homebuilder relative to a claim by a family that their child received lead poisoning as a result of certain conditions in their home. The family was seeking more than $400,000 in damages. Justin conducted discovery and depositions that revealed both factual and contract-based reasons why the homebuilder was not responsible for the alleged injuries. Upon filing a motion for summary judgment, the York County Court of Common Pleas dismissed the homebuilder from the case while allowing the family to pursue other defendants for any injuries.

Fiduciary Litigation

Justin assists trust companies, banks and individuals with guardianships and disputes involving wills, powers of attorney and estate administration.

Representative cases:

- Represented executors of an estate after the first and final account they filed was objected to by family members in the York County Court of Common Pleas - Orphans Court Division. The objections involved challenges to transfers of significant real estate, personal property and cash payments made by the executors. After a hearing, Justin successfully persuaded the court to dismiss many of the claims asserted by the objectors. When he advised the objectors that he would seek recovery of attorney fees and other sanctions if they continued pursuing the remaining objections, they promptly withdrew them. The first and final account was then approved by the court.

- Represented the son of an individual who, prior to his death, changed his Last Will and Testament to exclude his son and another sibling. Justin promptly investigated the matter and identified concerns regarding the timing of the changes to the will and potential undue influence. He subsequently initiated a will contest in the Westmoreland County Court of Common Pleas - Orphans' Court Division. After the filing of the contest, and despite initial opposition from the siblings who procured the challenged will, Justin successfully negotiated an agreement providing for an equal division of the estate assets among the siblings. Notably, this result mirrored the outcome that would have been achieved had the Barley Snyder client prevailed at trial.

- Represented the contestant of an attorney-drafted will in the Tioga County Court of Common Pleas - Orphans Court Division. The contestant, a farmer in Tioga County, faced the challenge of overcoming not one, but two attorney-drafted wills. Through discovery, Justin developed compelling medical evidence regarding the decedent's dementia. Immediately prior to trial, Justin convinced the will proponent to agree to transfer nearly $1.3 million in land to the Barley Snyder client, avoiding the need for trial.

- Represented the daughter of a deceased individual in an Adams County Register of Will's hearing to probate an unsigned copy of a will. Despite the legal authority being mixed on the ability to probate such a will under Pennsylvania law and the opposition of the client's brother to the requested relief, after a hearing, the Register agreed with Justin's arguments that the will should be probated.

- Defended a seven-figure, York County will contest and Chester County beneficiary designation contest filed against one of his clients. Justin defended the matter aggressively and ultimately convinced the opposing party to drop both actions without any payment from his client.

- Represented the beneficiary of an estate in York County. The beneficiary's late mother had instructed her financial advisor to change her beneficiary designations and the financial advisor failed to properly do so. The result was a $1.8 million going to the wrong beneficiaries and a serious negative tax consequence to Justin's client. Justin convinced the York County Court of Common Pleas-Orphans Court Division, to correct the designations. Despite challenges by other prospective beneficiaries and the state, the court agreed to reform the beneficiary designations in favor of Justin's client.

- Represented a widow who was locked out of her late husband's bitcoin account which held over $200,000. The bitcoin service refused to provide those funds to the widow and indicated that the ability to recover such funds would become impossible if action was not taken quickly. Justin promptly filed a petition in the Lancaster County Court of Common Pleas-Orphan's Court Division, which ordered the bitcoin service to release the funds to the widow.

- Represented the beneficiary of a trust in a complicated dispute in the Mifflin County Orphans Court. Justin convinced the judge to favorably resolve several complex trust interpretations, yielding their client $2.6 million. The opposing beneficiary appealed the matter to both the Pennsylvania Superior and Supreme Courts which upheld the trial court outcome.

- Represented a beneficiary of a Maryland estate. Concerns arose regarding the beneficiary's brother's handling of estate proceeds. Within 24 hours of Justin's involvement, the beneficiary's brother acceded to Justin's clients demands and entered into an agreement to repay an additional $250,000 to Justin's client.

- Represented the executor of an estate in a contentious will contest dispute with his brother over his father's estate. After Justin's client went to probate his father's will, his brother surfaced with a purported alternative will/contract that he claimed entitled him to a larger share of the estate. At a trial before the Berks County Court of Common Pleas- Orphan's Court Division, using various evidentiary rules, Justin successfully precluded the brother from providing a shred of testimony at trial. After the trial and a post-trial oral argument, the court ruled in favor of Justin's client, dismissing the brother's attempts to overturn the original will.

- Represented two beneficiaries of their late aunt's estate. The beneficiaries' aunt had passed away in 2005, but the estate administration was delayed for over a decade by the executor of the estate. The beneficiaries

asked Justin to investigate when their proposed distributions seemed to be far less than anticipated. When Justin's initial demand for information on the finances of the estate was ignored, Justin initiated an accounting action in the Lebanon County Court of Common Pleas' Orphan's Court Division. After having the court-ordered production of the finances, Justin uncovered that over nearly $300,000 had been misappropriated by the executor and used to fund the executor's business for the past decade. Justin negotiated the immediate return of 100% of the misappropriated funds at a heightened interest rate and payment by the executor of all attorney's fees and court costs incurred in uncovering the misappropriation. The total amount recovered by Justin's clients totaled nearly $500,000.

- Represented the beneficiary of an estate in a will contest dispute with his stepsisters in Berks County. Upon the death of their client's father, no will could be found and pursuant to Pennsylvania's intestacy laws, Justin's client would have received the entire estate. However, the stepsisters surfaced and alleged that their stepfather had created a handwritten will that split his estate equally among his son and the stepsisters. At trial, Justin's cross examination exposed the flaws in both the stepsisters' testimony and the purported handwritten will. The judge entered a decision rejecting the handwritten will and affirming Justin's clients would be the sole beneficiary of the six-figure estate.

- Represented the beneficiary of the estate of his late mother. Justin's client's late mother's will left her assets to her son and had appointed her accountant to serve as executor and trustee of her estate proceeds. However, when the mother had unexpectedly passed away, a large portion of her funds from a real estate transaction were held in a joint account owned by the late mother and her accountant. The accountant suggested that under the Pennsylvania Multi-Party Account Act, the funds in the account belonged to the accountant, not the son. Justin quickly compiled a petition to force the accountant to turn the over the funds. In response, the accountant reversed course and agreed that she no longer was going to claim that she wanted the funds, but she now wanted to serve as trustee of the trust created to benefit the son by the late mother's will. Justin pushed back again and demanded that based on the accountant's actions, she should have no role in the estate. After threatening further litigation, the accountant completely backed down and turned over all of the funds and abandoned all involvement with the trust.

- Defended different professional guardians in two actions in the Lancaster County Court of Common Pleas - Orphans Court Division seeking to remove them from their appointment. In one case, two of the four children alleged that the guardian was overbilling the estate and not providing sufficient communication. In the other matter, one of the four children was challenging the guardian's decision to keep her mother living in the family home, rather than a nursing facility. In both cases, Justin secured orders that maintained the guardians in place despite the allegations, which were discounted by the court.

- Successfully defended an executor in response to a petition to remove that executor in the Cumberland County Court of Common Pleas - Orphan's Court Division. Two children of the decedent alleged that the executor had mismanaged funds and items of personal property. Justin responded aggressively to the allegations as false and misleading. At the hearing, the court dismissed the case without the need for the executor to put on any evidence. The court also awarded sanctions in favor of the executor.

- Successfully represented an individual in a contempt hearing in the Adams County Court of Common Pleas. The contempt hearing arose from a dispute between a recently divorced couple regarding payment

obligations for their child's college tuition. In response to the husband's petition for contempt, Justin was retained to represent the wife in defense of the petition. After a hearing, the court dismissed the husband's petition without the need for the wife to put on any evidence, finding that the wife was not in contempt of the separation agreement.

- Represented the power of attorney agent for an incapacitated individual. The agent had been appointed by his father to watch over his financial affairs and medical care. The agent's sister attempted to have the agent removed by the York County Court of Common Pleas-Orphans' Court division. Justin presented a defense which included exposing the sister's intent to have herself replaced as the agent for her father, wherein she would pay herself significant payments for her services. After an emergency hearing, the court dismissed the sister's petition and reaffirmed Justin's client as the valid power of attorney agent.

- Represented the beneficiary of a trust after the trustee misappropriated nearly $200,000 in trust funds over the course of several years. Justin uncovered that the trustee was making unauthorized loans from the trust to himself and his business and was not repaying those loans. Justin successfully petitioned the Lancaster County Court of Common Pleas-Orphans' Court Division to remove the trustee and hold him in contempt of court. Justin also involved the Lancaster County District Attorney's Office's Elder Abuse Division to conduct a parallel investigation, which resulted in a guilty plea, a restitution order, and the trustee being imprisoned.

- Represented an estate in a preliminary injunction matter brought by a beneficiary. The beneficiary of the multi-million dollar estate claimed that he was entitled to certain water rights on a property he owned neighboring the property owned by the estate. Justin defended the matter aggressively for the estate, and at the preliminary injunction hearing, obtained a non-suit dismissal of the case after the presentation of the beneficiary's evidence.

- Represented the beneficiaries of a trust for the collection of an inter-family undocumented loan in the Adams County Court of Common Pleas. Justin navigated a complex set of facts and evidentiary issues, including that the initial balance of the loan having been incurred 30 years before and that the only surviving party to the loan with capacity was the debtor himself. The debtor argued that the loan was a gift, instead of a loan. The debtor also filed a cross claim against his ex-wife, who was one of the beneficiaries of the trust, claiming that she was responsible for any loan balance. After a trial, the judge confirmed the existence of the loan and awarded Justin's client a $72,500 judgment. The judge also dismissed the cross claim against the ex-wife beneficiary, finding that she was not liable under the loan.

- Represented a guardian overseeing an elderly individual with significant assets. For years, the children of the individual battled over control of their mother's assets by challenging her incapacity finding, often resulting in monthly orphan's court proceedings. After convincing the trial court to maintain the incapacity finding and maintain the guardianship intact, the children took the appeal to the Pennsylvania Superior Court. After Justin argued before the appellate panel, the decision of the trial court was affirmed.

- Represented a client in an action to recover her interest in a property she owned with her ex-husband. The ex-husband refused to sell the property or make payment to his ex-wife. His attorney raised various legal defenses to the sale or liquidation of the property. However, a trial court rejected the ex-husband's defenses and ordered the property to be sold or the ex-wife's interest liquidated. In response to the court's order, the ex-husband made payment to the ex-wife in the amount of $120,000.

- Helped represent a widow in a claim to obtain a share of her deceased husband's IRA account. The widow's stepchildren had contested her right to receive these funds. The stepchildren appealed the trial court decision to the Pennsylvania Superior Court where Justin successfully defended the trial court's decision in a case of first impression at the appellate level. The client received close to $200,000 as a result of the victory.

- Represented the beneficiary of a trust in a trust dispute in the Mifflin County Court of Common Pleas-Orphan's Court Division. An individual surfaced to challenge a portion of the beneficiary's inheritance, claiming that a common law marriage entitled the individual to a $250,000 share of that inheritance. After the individual presented his evidence in support of the common law marriage at trial, Justin convinced the court to dismiss his claims and find in favor of the beneficiary.

Banking Litigation

Justin represents financial institutions in prosecuting and defending against various claims related to cybersecurity, external fraud and the Uniform Commercial Code, among others. Justin also represents financial institutions in addressing legal process issues, including responding to subpoenas and garnishments.

Representative cases:

- Secured dismissal of a banking client from a claim in the U.S. District Court for the Eastern District of Pennsylvania by a customer alleging that the bank had improperly frozen and terminated the customer's bank account. The customer was a publicly elected official engaged in inappropriate activity relative to the account, which held public funds. Shortly after the customer filed the complaint which sought millions of dollars for recovery, Justin filed a motion to dismiss which the court granted. This allowed for early disposal of the case without need for discovery or a trial.

- Secured summary judgment in a case with over $1 million in exposure for a banking client. A real estate development customer of the bank alleged that the bank failed to timely record a mortgage satisfaction piece for a property once encumbered by mortgages from the bank. The developer filed suit seeking a judgment of $1,025,000 from the bank under the Mortgage Satisfaction Act. After conducting targeted discovery, the court accepted the bank's argument that the developer had failed to comply with certain provisions of the Mortgage Satisfaction Act and the bank had also acted in good faith. Upon consideration of competing summary judgment motions from the bank and the developer, the court promptly granted the bank's motion for summary judgment and dismissed all of the developer's claims. The developer appealed the decision to the Pennsylvania Superior Court and the decision was upheld.

- Represented a bank in a case that had been appealed to the Pennsylvania Supreme Court by a mortgagor following a successful motion for summary judgment in a foreclosure action in Mifflin County involving a large commercial tract. On appeal, the mortgagor alleged several substantive and procedural defects to the loan and asked the Pennsylvania appellate courts to reverse the summary judgment order. After unsuccessfully appealing to the Pennsylvania Superior Court, the mortgagor asked the Pennsylvania Supreme Court to take the case. After Justin defended the decision of the Superior Court and trial court in its response, the Pennsylvania Supreme Court denied the mortgagor's appeal and found in favor of the bank.

- Represented a national bank in a claim brought in the Montgomery County Court of Common Pleas by a secondary beneficiary of a six-figure IRA held by the bank. The beneficiary petitioned the court asking for an order forcing the bank to ignore the beneficiary designation's instructions which required the funds be issued to a trust. The beneficiary also asked the court to sanction the bank for refusing to cooperate with the proposed bypass of the primary beneficiary. Once retained by the bank, Justin convinced the beneficiary only days before the hearing to withdraw his petition and acknowledge that the IRA funds would only be payable to the primary beneficiary.

EDUCATION:

- Drexel University School of Law, J.D., Business Law concentration, with honors
- Eastern University, B.S., Accounting and Finance, summa cum laude

ADMISSIONS:

- Pennsylvania
- Maryland
- District of Columbia
- U.S. Supreme Court
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the District of Maryland
- U.S. District Court for the District of Columbia
- U.S. Bankruptcy Court for the Eastern District of Pennsylvania
- U.S. Bankruptcy Court for the Middle District of Pennsylvania
- U.S. Bankruptcy Court for the District of Maryland
- U.S. District Court for the District of Nebraska
- U.S. District Court for the Western District of Oklahoma

PRACTICE AREAS:

- Litigation
- Fiduciary Litigation
- Intellectual Property Litigation
- Real Estate Litigation
- Appellate Litigation
- Construction Litigation
- Commercial Litigation
- Finance & Creditors' Rights
- Community Associations

INDUSTRY GROUPS:

- Transportation & Logistics
- Construction
- Food & Agribusiness
- Manufacturing

COMMUNITY INVOLVEMENT:

York County Bar Association
- President - Board of Directors - Member, American Inns of Court, Herbert B. Cohen Chapter

Pennsylvania Bar Association
Member, House of Delegates

YMCA of the Roses
General Counsel and Secretary

Messiah University
Adjunct Faculty Member

Eastern University
- Business Advisory Board - Adjunct Faculty Member

York Legal Record Publication Board

Former Chair and Board Member

Springettsbury Township
Former Supervisor

York Area United Fire and Rescue Commission
Former Vice Chair

Leadership York
Graduate

Mentorship York
Graduate

Y Community Development Corp.
Former Board Member

York JCC
Former Board Member

RECOGNITIONS:

- The Best Lawyers in America, Litigation Construction, Litigation Real Estate (2026, 2027)
- Thomson Reuters Stand-out Lawyers - independently rated lawyers (2023, 2024, 2025)
- Central Penn Business JournalForty Under 40 Honoree (2023)
- Pennsylvania Super Lawyers Rising Stars (2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026)
- Multi-Million Dollar Advocates Forum
- Million Dollar Advocates Forum

MEMBERSHIPS:

- National Association of College and University Attorneys
- York County Bar Association

PRESENTATIONS:

- "Civil Litigation Update", York County Bar Association Bench Bar Conference (October 2020)
- "Don't Zoom-Bomb Your Practice: Navigating Video Conference Risks for Attorneys", Lancaster Bar Association (August 2020)
- "Civil Motions Court and Local Rules Compliance", 2018 York County Bar Association Bench Bar Conference (October 2018)
- Landlord-Tenant Law: From Lease to Eviction, CLE Program Harrisburg (March 2017)
- "Fiduciary Litigation", Hospital Association of Pennsylvania (September 2015)

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  April 2, 2025
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