



Thad M. Gelsinger

Partner

Office: Reading, PA

Email: tgelsinger@barley.com

Tel: Tel: (610) 370-8126

OVERVIEW:

As a member of the firm's Litigation Practice Group, Thad focuses his practice on both personal injury, commercial and fiduciary litigation. With more than a decade of experience, he serves both business and individual clients in successfully resolving their litigation matters. Thad takes a pragmatic approach to his litigation practice and strives to explain complex issues to his clients in an easy-to-understand manner. He is also qualified to serve as a mediator or arbitrator through the Berks County Bar Association's Alternative Dispute Resolution Program.

Commercial Litigation

Thad holds a broad commercial litigation practice, handling a variety of matters ranging from contract disputes and sophisticated construction issues to partnership dissolution and insurance dispute issues.

Representative cases:

- Thad represented a financial advisor in a dispute and break-up with a former business partner. He obtained judgment in favor of client awarding, among other damages, reimbursement of previously withheld business buy-in paid by client. *James W. Keim v. Andre S. Duffie, et al.*, Court of Common Pleas of Delaware County, Pennsylvania, August Term, No. 14-6137.
- Represented lighting fixture supplier in dispute against electrical contractor on a public school project for failure of the contractor to pay for fixtures that the supplier delivered. *MBR Construction Services, Inc. v. Manheim Township School District*, Court of Common Pleas of Lancaster County, Pennsylvania, No. CI-1303760.
- Obtained judgment, including an award of counsel fees, against a website development company for failing to provide goods and services as required pursuant to a contract between the parties. *PWE Consultants, LLC v. NetConnect Web, Inc., et al.*, Court of Common Pleas of Montgomery County, Pennsylvania, No. 18-01674.
- Prevailed at arbitration on behalf of a subcontractor pursuing claims, and defending counterclaims, for payment on a school construction project. The damages asserted between the parties included the contract amount, loss of efficiency, extended general conditions, loss of home office overhead, liquidated damages, back charges from the owner of the property, and counsel fees and costs.

- Prevailed at arbitration on behalf of a license holder over claims brought by a licensee for reimbursement of prepaid guaranteed royalties. The claimant sought in excess of \$7 million in damages in addition to counsel fees and costs of the litigation. The arbitration panel granted judgment, in full, in favor of the license holder.
- Represented a party to a stock purchase agreement that, due to delays of the opposing party, never consummated within the agreement's time limits. Obtained an award of a break-up fee penalty together with interest and the costs of the arbitration proceedings. *Lynn Hart v. GDS Link, LLC*, American Arbitration Association Case No. 01-18-003-8170

Fiduciary Litigation

Thad regularly helps trust companies, banks and individuals with a variety of fiduciary matters including will contests, heir disputes, trust and power of attorney litigation and more. He frequently handles guardianship cases in Orphans' Court.

Representative cases:

- Represented a son in pursuit of guardianship for his incapacitated mother including an evidentiary hearing before the Orphans' Court and on appeal to the Pennsylvania Superior Court.
- Represented a daughter in challenging late modifications to her father's Last Will and Testament including a multi-day trial in front of the Orphans' Court and an appeal to the Pennsylvania Superior Court.
- Represented the Guardian of an Incapacitated Person relative to various Petitions filed on the Guardian's behalf and those filed by other interested parties.

Personal Injury

Thad brings significant experience in personal injury law, assisting with motor vehicle collisions, premises and products liability, slip and fall, and wrongful death claims. Litigation is often about economic loss, and Thad's experience and background allow him to understand and evaluate the full extent of his clients' damages.

Representative cases:

- Represented the children of a motorcycle driver that was killed by an oncoming vehicle that failed to yield in the lane of travel. Successfully recovered financial compensation from the responsible party's insurance carrier as well as multiple layers of underinsured motorists' coverage. These claims were resolved without the need to incur the costs and expenses of suit.
- Resolved claims, without incurring the costs of suit, on behalf of a client injured when his car rolled over and down a roadside embankment following a collision caused by the negligent conduct of the driver of another vehicle. Guided the client through negotiation with the negligent driver's insurance company, obtained additional compensation under the client's underinsured motorist coverage, and negotiated a decrease of the client's outstanding medical lien to maximize his recovery.
- Represented individual injured while in the course and scope of employment but while working at a third-party client's property. Navigated interaction of workers' compensation claim and personal injury claim against the grocery store. Workers' compensation claim was resolved and a federal arbitration panel awarded damages on the personal injury claim. *Yvonne Krick v. Giant Food Stores, LLC*, United States District Court for the Eastern District of Pennsylvania, No. 16-1734.

- Resolved claims brought by an estate for the overdose death of a resident of a community corrections facility arising out of the alleged failure of the facility to implement and execute proper search protocols for residents of the facility. Elizabeth Feldbaum, Administratrix of the Estate of Matthew L. Feldbaum v. The GEO Group, Inc., et al., Court of Common Pleas of Berks County, No. 18-829.

Thad has served as co-chair of the Civil Litigation Section of the Berks County Bar Association, an officer of the Justice William Strong Inns of Court, a member of the House of Delegates of the Pennsylvania Bar Association, and as a member of the Sedona Conference Working Group 1 on Electronic Document Retention and Production. He has also presented continuing legal education seminars to his colleagues on electronic discovery and issues related to the use of social media in litigation.

Outside the legal profession, Thad is actively involved in his community. He has served on the board of directors and as president of the Greater Reading Young Professionals and on the board of directors for the Berks County Chapter of the Penn State Alumni Association. Thad has also served as a member of the board of directors of the Greater Reading Economic Partnership.

Thad received both his J.D. and M.B.A. from Widener University. In addition, he received his B.S. in marketing from the Pennsylvania State University. Thad graduated from Holy Name High School and is a native of Berks County. Thad resides in West Chester, Pa., with his wife, Sara A. Gelsinger, and enjoys playing tennis and golf.

EDUCATION:

- Widener University Delaware Law School, J.D.
- Widener University, M.B.A.
- Pennsylvania State University, B.S.

ADMISSIONS:

- New Jersey
- Pennsylvania
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania

PRACTICE AREAS:

- Litigation
- Alternative Dispute Resolution (ADR)
- Fiduciary Litigation
- Real Estate Litigation

- Appellate Litigation

INDUSTRY GROUPS:

- Construction

COMMUNITY INVOLVEMENT:

Berks County Bar Association

Former board member and current co-chair of the Civil Litigation Section

Pennsylvania Bar Association

Former member of the House of Delegates

Greater Reading Young Professionals

Former president and member of board of directors

Greater Reading Economic Partnership

Former member of board of directors

Greater Reading Chamber of Commerce

Former member of board of directors

Berks Chapter of the Penn State Alumni Association

Former member of board of directors

RECOGNITIONS:

- Lehigh Valley Business Journal (Forty Under 40, 2022)

MEMBERSHIPS:

- Berks County Bar Association
- Pennsylvania Bar Association
- Justice William Strong Inns of Court
- Berks County Bar Association's Alternative Dispute Resolution Program, panel of arbitrators/mediators

PRESENTATIONS:

- E-Discovery When and How to Do It, Berks County Bar Association Continuing Legal Education, August 7, 2014
- Case Management and Courtroom Technology in the U.S. District Court for the Eastern District of PA, January 25, 2018
- Defensible Disposition and Information Governance, The Sedona Conference Working Group 1, 2018 Midyear Meeting, May 3, 2018
- Civil Bench Roundtable with the Berks County Court of Common Pleas, Berks County Bar Association Bench Bar Conference, August 25, 2021
- Admissibility of Expert Evidence: Overcoming Objections and Motions in Limine, Berks County Bar Association Bench Bar Conference, April 19, 2023
- Civil Bench Roundtable with the Berks County Court of Common Pleas, Berks County Bar Association Bench Bar Conference, April 19, 2023

PUBLICATIONS:

- The Sedona Conference, Commentary on Information Governance, Second Edition, Drafting Team Member

RELATED NEWS:

- Barley Snyder Partner Gelsinger Named to Forty Under 40 List
August 15, 2022