



## Thomas A. French

Counsel

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### OVERVIEW:

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Thomas is recognized as a leading business and commercial litigation attorney, having tried numerous cases to verdict and appeal over his decades-long career as a courtroom lawyer. He is a "go-to" litigator when banks, insurance companies, businesses and professionals are faced with their most crucial legal conflicts. Thomas routinely defends other attorneys, accountants and fiduciaries against malpractice lawsuits, and represents insurers when opposing coverage and bad faith claims. He also has been called upon to protect banking institutions confronted with shareholder and other disputes. He is known for guiding his clients through internal and external investigations as well.

As a young attorney, following graduation at the top of his law school class, he represented a wholesale consumer products distributor in a case against computer giant Unisys Corp. In that case, he obtained a verdict in excess of \$1 million, at the time believed to be one of the largest verdicts ever returned by a Harrisburg jury. Later, he represented the owners of the historic Bedford Springs Hotel, who had deadlocked on plans to redevelop the resort. He mounted a successful jury trial defense of a bank against a claim by a corporate minority shareholder that the bank had caused \$84 million in damages resulting from the plaintiff's alleged loss of control of a leading concrete and aggregate supply company. In 2014, he led a trial team that successfully litigated an ownership and control dispute among owners of a major northeastern Marcellus Shale energy industry service company.

More recently, Thomas has litigated complex federal antitrust lawsuits filed in U.S. district courts throughout the country. He has appeared many times before the Judicial Panel on Multidistrict Litigation.

He has also defended clients in multi-million dollar intellectual property litigations. He served as local trial counsel on behalf of SmithKline Beecham in a case involving the validity of patents covering some of the world's most commonly used vaccines. He also was a member of a litigation team that defended Samsung in a patent infringement action involving light emitting diode technology used in its smart phones, which resulted in a dismissal with prejudice. In 2011, he represented a Pennsylvania inventor and manufacturer, obtaining a defense jury verdict in a case tried under the Pennsylvania Uniform Trade Secrets Act. He has successfully litigated trademark and copyright infringement cases as well.

Thomas has represented the owner of the "Zero Restriction" and "ZR" brand golf apparel company in litigation arising from the sale of the company; sued Kmart Corp. on behalf of a Pennsylvania grocery store chain for damages from a botched shopping mall development project; represented the seller of a drug store chain against the purchaser who consolidated the company into its own operations and then refused to pay the agreed upon purchase price; represented government and institutional investors in numerous cases against financial advisors who illegally invested and managed millions of dollars in public funds, and many other prominent businesses and institutions in their most important disputes.

In this regard, Thomas has also represented governmental entities, business organizations, financial institutions and individuals in regulatory, criminal and internal investigations of alleged misconduct. Matters under investigation in those cases ranged from alleged securities and bank fraud, medical reimbursement fraud, and government ethics violations and other forms of employee misconduct.

Counted among Thomas's clients are a number of Pennsylvania's regional banks and insurance companies. He handles litigation involving insurance coverage, bad faith insurance practices, and regulatory issues. He frequently defends banks and other fiduciaries in trust and estate litigation where parties claim negligent investment and mismanagement of trust funds have occurred. He has tried cases involving the validity of wills, and numerous fiduciary surcharge actions.

Other attorneys and accountants have asked Thomas to represent them when they have been sued in professional malpractice cases. After one particularly contentious case was finally resolved, opposing counsel retained Thomas to defend him personally when he was named as a defendant in a suit by a former client. In fact, many of his litigation cases are referred to him by other attorneys who trust him to represent their own clients with their most important litigation matters.

As an experienced appellate attorney, he has successfully handled appeals before the Pennsylvania Supreme, Superior and Commonwealth courts, and the U.S. courts of appeals for the Third and Eleventh circuits. He also served as lead counsel on petition for certiorari before the U.S. Supreme Court.

In addition to his private practice experience, Thomas served as a military attorney in the U.S. Army Judge Advocate General Corps and the Pennsylvania Army National Guard. In 2005, he was called to active duty and deployed to Afghanistan, where he advised commanders on rules of engagement and other military law issues.

In 2012, Pennsylvania Gov. Tom Corbett appointed Thomas as a Commissioner to the Board of Commissioners on Uniform State Laws. He was also appointed by U. S. Sen. Patrick Toomey to serve on his U.S. Military Academy selection committee. Thomas is active in the community, serving on boards of non-profit organizations, including the YMCA. He is a frequent speaker before various business and professional associations and is a former member of the adjunct faculties of the law schools at Widener and Penn State Universities.

## EDUCATION:

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- Duquesne University School of Law, J.D.
- Shippensburg University, B.A.

## ADMISSIONS:

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- U.S. Court of Appeals for the Federal, Third and 11th circuits
- U.S. District Court for the Eastern, Middle and Western districts of Pennsylvania and the Western District of Michigan
- Supreme Court of the United States
- Pennsylvania

## PRACTICE AREAS:

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- Litigation
- Fiduciary Litigation
- Intellectual Property Litigation

## COMMUNITY INVOLVEMENT:

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### **Army Heritage Center Foundation**

Board of directors

### **West Shore Country Club**

Past president and board member

### **Harrisburg Area YMCA**

Board of Directors, 2001-2022; chairman 2006-2008; West Shore branch board of managers, 1993-2001; chairman, 1997-1999

### **Widener University School of Law (Pennsylvania Civil Practice and Procedure, Trial Advocacy)**

Adjunct professor of law, 1993-96

### **Pennsylvania State University School of Law**

Trial Advocacy Faculty, 1996-2004

## RECOGNITIONS:

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- Rated AV Preeminent by Martindale-Hubbell
- Central Penn Business Journal "Legal Excellence Awards" -- Leaders in Law
- The Best Lawyers in America, Commercial Litigation (2013, 2014 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024) Litigation - Insurance (2024) Litigation - Municipal (2024)
- "Simply the Best," Business Attorney, Harrisburg Magazine (2007-2010)
- Pennsylvania Super Lawyers (2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023)
- Board of Commissioners on Uniform State Laws, commissioner, representing the Commonwealth of Pennsylvania (2012-2015)
- United States Military Academy Selection Committee of U.S. Senator Patrick Toomey

## MEMBERSHIPS:

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- Defense Research Institute
- Pennsylvania Defense Institute

## RELATED NEWS:

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- Fourteen Barley Snyder Attorneys Named 2023 Super Lawyers  
May 22, 2023
- Barley Snyder Professionals Honored in CPBJ Legal Excellence Awards  
October 18, 2021
- Best Lawyers Honors 30 Barley Attorneys  
August 25, 2021
- Eleven Barley Snyder Attorneys Named Super Lawyers  
May 26, 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 Snyders French Named to Foundation Board  
May 13, 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