

John A. Guernsey

Partner

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- Complex Commercial Litigation involving:
 - Business & Insurance
 - Construction
 - Employment
 - Fiduciary Representation
- Intellectual Property
- Class Actions
- Products Liability and Complex Torts

Education

- Harvard Law School (J.D., 1977)
- United States Military Academy at West Point (B.S., *with distinction*, 1969)

Bar and Court Admissions

- Pennsylvania
- New Jersey
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Middle District of Pennsylvania
- U.S. District Court, Western District of Pennsylvania
- U.S. District Court, New Jersey
- U.S. Court of Appeals, Third Circuit

Biography

Jack Guernsey has served as lead counsel in complex commercial and tort litigation in injunction and trial settings involving contract, intellectual property, construction, class actions, ERISA benefits, estates and trusts, insurance coverage, trade secrets, restrictive covenants, employment discrimination, toxic torts and products liability. He focuses his practice in federal and state courts in Pennsylvania and New Jersey, but has appeared in courts from the Virgin Islands to Texas in representation of clients. For several years, Jack conducted seminars nationally on the management of complex litigation. He is in charge of the firm's Montgomery County office in West Conshohocken.

Jack served five years on Army active duty, including one tour in Vietnam, where he was awarded a Silver Star and a Bronze Star. He served 25 years in the reserve forces, the last 21 in the Delaware Army National Guard, in positions of responsibility, including four years as a brigade commander, before retiring in July 1999.

Representative Matters

- Represented executor and trustee in surcharge action alleging mismanagement of testator's law firm and unreasonable executor/trustee fees. Following nine days of trial, Philadelphia County Orphans Court approved the accounting and executor/trustee fee. The result was not appealed.
- Obtained preliminary injunction after a two-day hearing against defendants from selling products to any of plaintiff's customers. Individual defendant had previously been employed as plaintiff's vice-president and left plaintiff to form competitive company.
- Represented defendant start-up company and its three principals in suit in federal district court in Pennsylvania alleging breach of restrictive covenants, misuse of trade secrets and confidential information, and breach of fiduciary duty arising out of defendants' use of exclusive license for product for which plaintiff previously had had exclusive license. After four days of trial, Jack's clients prevailed on plaintiff's motion for preliminary injunction, which the Court denied on a directed verdict.
- Represented executors in will contest challenging mental capacity of testator and charging executors with exerting

Honors and Memberships

- Fellow, American College of Trial Lawyers
- Selected as a Leading Lawyer for General Commercial Litigation in Chambers USA, *The Client's Guide to America's Leading Business Lawyers* (2010, 2011)
- Listed in *Best Lawyers in America* for Commercial Litigation (2010, 2011)
- Philadelphia Bar Association
- Montgomery County Bar Association
- Pennsylvania Bar Association
- American Bar Association

undue influence. After a 12-day trial before the Orphans Court of Montgomery County, Pennsylvania, Jack secured a judgment in favor of executors, which was affirmed on appeal.

- Represented Fortune 500 Company in multi-defendant property damage asbestos case in Circuit Court for Baltimore County. After three months of trial, Jack secured a favorable settlement for his client in a case in which plaintiff obtained substantial verdicts against remaining non-settling defendants.
- Represented Fortune 500 Company as prior owner of packaging plant in products liability claim brought by injured employee in Superior Court of New Jersey. Jack secured judgment in client's favor, which was affirmed on appeal. In related action, Jack recovered client's legal expenses from current owner of packaging plant on indemnity claim.
- Represented inventor and his companies in patent infringement action in federal district court in Pennsylvania. Following a two-week trial, Jack secured judgment in favor of his clients, which was affirmed on appeal.
- Represented senior executive in injunction action brought by former employer seeking to enjoin executive from working for competitor. Plaintiff's request for preliminary injunction was denied and plaintiff then dismissed its case.
- Represented bank against series of employment-related claims by three plaintiffs in two separate state court actions. Jack obtained summary judgment on all claims in favor of client.