

Robert N. Feltoon

Partner

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Practice Areas

- Business & Insurance
- Class Actions
- Complex Commercial Litigation
- Employment
- Intellectual Property

Education

- The John Marshall Law School (J.D., *with highest distinction*, 1980)
 - Editor in Chief of The John Marshall Law Review
- Drew University (B.A., 1976)

Bar and Court Admissions

- New Jersey
- New York
- Pennsylvania

Biography

Robert Feltoon's practice covers a broad spectrum of complex business litigation on behalf of Fortune 500 companies as well as smaller companies and individuals. A significant percentage of Bob's practice is conducted in New Jersey. He also continues to practice in New York, where he spent the first 10 years of his career as a litigation associate at Cravath, Swaine & Moore LLP.

Since joining Conrad O'Brien in 1990, Bob has represented IBM Corporation continually in cases in Pennsylvania and New Jersey and, more recently, in New York. His cases for IBM have involved, among other areas, contract disputes with vendors and customers, employment claims by former employees, and environmental claims. Bob successfully represented IBM in a case brought by potential subcontractor under a "teaming agreement" entered into a connection with a contract between IBM and the Department of Defense. *Trianco, LLC v. IBM Corp.*, 466 F. Supp. 2d 600 (E.D. Pa. 2006), *aff'd in relevant part*, 2008 WL 876355 (3d Cir. 2008). Upon remand, the district granted IBM's motion to dismiss the one claim sent back for further consideration, and that decision was upheld on Trianco's further appeal. 583 F. Supp. 2d 649 (E.D. Pa. 2008), *aff'd*, 2009 WL 3182920 (3d Cir. 2009). Bob was similarly successful in obtaining dismissal of the principal claims asserted by the plaintiff in *GlassHouse Systems, Inc. v. IBM Corp.*, 607 F. Supp. 2d 709 (E.D. Pa. 2009).

Bob also represents the Progressive Group of Insurance Companies in numerous cases in Pennsylvania, New Jersey and New York. Many of those cases involve class action claims raising significant issues under various "no fault" automobile insurance programs. Bob took the lead on behalf of a group of insurer defendants in a New York case involving reimbursements for multiple MRI's conducted at a single session. The trial court granted defendants' motion for summary judgment. Pending the plaintiffs' appeal to the Second Circuit, a favorable settlement was reached. *Brentwood Pain & Rehab. Serv., P.C. v. Allstate Ins. Co.*, 508 F. Supp. 2d 278 (S.D.N.Y. 2007). In another successful defense, a class action complaint seeking to recover on behalf of a class of Pennsylvania massage therapists was dismissed on the basis that the plaintiffs were required to hold the equivalent of a physical therapist's license in order to seek insurance benefits for the claims at issue. That ruling was

affirmed on appeal. *Keiper v. Progressive Casualty Ins. Co.*, 2007 WL 3236702 (Com. Pl. 2007), *aff'd*, No. 2409 EDA 2007 (Super. Ct. 2009).

Bob's notable additional clients include Qualcomm Inc., CitiGroup Global Markets, Inc., Barnes & Noble, Inc., and senior officers of Merck & Co., Inc.