Knox McLaughlin Gornall & Sennett, P.C.
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Litigation

The attorneys in the Litigation Group at Knox McLaughlin Gornall & Sennett, P.C. are full-time litigators who practice in state and federal courts as well as in administrative agencies. Our litigators also provide representation in alternative dispute resolution forums such as arbitration and mediation.

We handle a wide range of matters including commercial and corporate disputes, professional and product liability matters, state and federal criminal defense, and governmental matters, including public education issues.

In addition to managing the complexities of the litigation process for clients, we also serve as a complement to the other groups of the firm, providing a litigator's perspective when necessary to solve the unique challenges that clients face.

We are intimately familiar with the litigation process, from trial by judge or jury to briefing and argument before appellate courts. We understand what it takes to win a case and what it means to pursue a client's goals aggressively.

At the same time, we also understand that litigation can be an expensive and difficult experience for a client, and litigation, or at least litigation to the conclusion of a matter, is often not the answer to the problem. We always focus on clients' individual goals and how they can best be achieved. We understand that negotiation and alternative dispute resolution are often preferable to protracted litigation.

We also understand that when a client faces criminal charges or a government investigation, the stakes reach well beyond a courtroom and can threaten a person's liberty, professional license, business, and reputation. Our litigators' experience across a wide range of practice areas permits a coordinated response across the intersections of civil liability, criminal and regulatory exposure, and licensure.

Commercial, Corporate, and Contract

- Construction
- Uniform Commercial Code
- Breach of Contract
- Warranty
- Shareholder disputes
- Unfair competition

- Securities
- Tax controversies

Employment

- Employment discrimination defense
- ERISA
- Restrictive covenants

Intellectual Property

- Trademark and copyright litigation
- Domain name disputes

Governmental

- Civil rights and constitutional litigation
- Sunshine Act and Right-to-Know litigation

Tort and Insurance Defense and Coverage

- Third party liability disputes
- Declaratory judgments
- Property damage matters
- First party benefit disputes
- Automobile liability
- Commercial liability
- Product liability

Medical and Professional Liability Defense

- Healthcare professionals and allied healthcare professionals
- Podiatric surgery and care
- Medical devices and their application
- Long-term care facilities, hospitals, and ambulatory surgery centers
- Engineering, construction, accounting, and law
- Risk management counsel and training

Criminal Defense

- Pre-Indictment Representation
- Internal Investigations and Compliance Counseling
- White-Collar and Corporate Criminal Defense
- Healthcare and Professional Investigations
- Government Officials and Public Employees
- Individual Felony and Misdemeanor Defense
- Federal Criminal Defense
- Criminal Jury and Bench Trials
- Appeals and Post-Conviction Relief

- Collateral Consequences and Licensure

Representative Experience

- Representation of several Fortune 500 companies and other major businesses, municipalities, and individuals in complex commercial litigation matters in federal and state courts, arbitrations, and administrative agencies throughout the country
- Experience drafting appellate briefs in the U.S. Court of Appeals for the Third Circuit, Fourth Circuit, Fifth Circuit, Sixth Circuit, Ninth Circuit, and D.C. Circuit, along with Pennsylvania appellate courts
- Conduct and manage all aspects of litigation including case assessment and value, pleadings, discovery, motions practice, subpoenas, mediation, arbitration, trial, and appeals
- Provide counsel and representation to various healthcare providers in litigation matters including professional liability, general liability, medical malpractice, and civil rights matters
- Successful representation of beneficiaries and fiduciaries in trust and estate litigation, including fiduciary duty cases and modifications of wills and trust instruments
- Representation of several business owners in cases challenging website compliance under the Americans with Disabilities Act
- Represented clients in various investigations including regulatory (e.g., HIPAA violations), Department of State licensure investigations, Area Agency on Aging (AAA), accreditation, and Department of Labor – Employment Benefits Security Administration matters
- Obtained a unanimous decision from the Pennsylvania Supreme Court in favor of a developer. The case involved the attempt of union employee benefit trust funds to assert mechanics lien claims against the developer’s property when contractors on the project failed to make benefit contributions
- Obtained favorable decision in a non-jury trial on behalf of the City of Meadville against Crawford County. The City filed a lawsuit against the County seeking an order compelling Crawford County to undertake a comprehensive countywide reassessment of all real property within the County. Following a two day trial, the court found that Crawford County’s property tax system violates the uniformity clause of the Pennsylvania Constitution, requiring a countywide reassessment by 2030
- Obtained summary judgment on behalf of the Erie-Western Pennsylvania Port Authority and its former executive director related to a public works contract that displaced a tenant. The tenant was suing for breach of contract and promissory estoppel seeking damages exceeding $1.2 million claiming the tenant’s lease was wrongfully terminated. Following discovery, the court entered summary judgment in our client’s favor dismissing the case.
- Represented prominent author of Mathematics textbooks in action commenced by major publishing house seeking to enforce non-competition clause. Case settled favorably prior to trial
- Obtained special injunction in favor of condominium association against amusement park seeking to construct new roller coaster near condominium development. Case settled favorably after special injunction was issued
- Represented major radio broadcasting corporation in action against former on-air personality seeking to enforce non-compete provisions of employment and tortious interference claims against rival broadcasting corporation. Case settled favorably following arbitration
- Represented medical marijuana grower/processor applicants and licensees before the Pennsylvania Department of Health
- Represented beneficiaries of life insurance policy in bad faith action against insurance company alleging wrongful denial of death benefits. Case settled favorably at mediation
- Obtained judgment in favor of property owner in challenge of validity of deed granting future interest in real property. Judgment affirmed on appeal
- Obtained judgment in favor of corporate client against insurance company seeking declaration that allegations pending in class action lawsuit were not covered under terms of policy
- Successful representation of prisoner in federal civil-rights jury trial, which included obtaining sanctions against defendants for spoliation of evidence

- Obtained complete dismissal of putative class action involving breach of contract, business torts, and wage and hour claims against government contractor in federal court; plaintiffs voluntarily dismissed case with prejudice after a string of successful motions in client's favor
- Obtained complete dismissal of putative FLSA collective action involving novel tip-pooling claims filed by casino dealers against their employer
- Successful representation of national senior living facility operator in statewide wage and hour class action in federal court; secured denial of class certification of primary claims and partial summary judgment as to certified claims
- Successful representation of financial advisors in a variety of FINRA proceedings, including the defense of trade secrets and non-solicitation claims and securing expungement of BrokerCheck records
- Represented agents and athletes in separation and contract disputes
- Represented social media influencers in the review and negotiation of various marketing agreements
- Successfully defended a claim brought by an estate administrator and the Attorney General seeking repayment of a $2.2 million gift made by a decedent during her life. The matter was tried before the Crawford County Court of Common Pleas, Orphan's Court Division, and affirmed on appeal by the Superior Court
- Successfully defended school district against claims related to consolidation plan. Following bench trial in the Warren County Court of Common Pleas, the Court dismissed the claims
- Won a tax assessment valuation case on behalf of Erie area taxing bodies, resulting in additional past due taxes of nearly $1.2 million
- Successfully defended a tax assessment appeal on behalf of the Warren County Board of Assessment Appeals, in which the property owner sought to decrease the tax assessment on a multi-million-dollar manufacturing facility by half. The decision saved the taxing bodies from losing over $30,000 of annual tax revenue
- Obtained a favorable decision from the Erie County Court of Common Pleas on behalf of Erie's Public Schools regarding a medical office building's property value, resulting in increased property tax revenue for the district
- Obtained a favorable decision from the Commonwealth Court on behalf of a school district client, reversing a trial court decision in a tax assessment case involving commercial property valuation
- Successfully challenged a tax exemption case in Warren County on behalf of the taxing bodies. Following the hearing, the Court denied the property owner's request for a tax exemption, finding it was not an "institution of purely public charity" under the Pennsylvania Constitution
- Successfully challenged an ordinance in a Commonwealth Court case on behalf of a landlord, involving an alleged violation of the construction code in a property that was built prior to adoption of the code
- Obtained favorable decision from Pennsylvania Commonwealth Court for two school district clients, regarding mask mandates during COVID-19 pandemic – the first of its kind on this topic
- Obtained $5.3 million judgment in favor of corporate client in commercial breach-of-contract action
- Obtained unanimous reversal from the Pennsylvania Commonwealth Court in favor of landowner client

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