

5TH ANNUAL LABOR AND EMPLOYMENT LAW BRIEFING:
Strategic Guidance for Legal Trends and Developments

Speaker Biographies

JUNE 12, 2014

*This seminar has been approved for 4 Continuing Legal Education credits in DE, NJ, and PA. Credits are pending in NY.
This seminar has been approved for 4 HR Certification Institute credits.*



Scott F. Cooper

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Scott Cooper chairs Blank Rome's national Labor and Employment Group. His practices involve litigation and counseling businesses and government entities. He also is a founder of the Trade Secret and Non-Compete Litigation group. He draws upon a unique blend of courtroom experience, work for members of the judiciary, political and civic involvement in representing clients.

Mr. Cooper is the former President/Chancellor of the Philadelphia Bar Association, the President-Elect of the Temple University Alumni Association, an incoming Member of Temple University's Board of Trustees, an elected official in his township and Chair of his Municipal Ethics Board. He is a member of the Firm's Partner Board and a former hiring partner. He has presented at conferences throughout the world and has appeared numerous times in print and on television.

Mr. Cooper's litigation practice is in federal and state courts and before various government agencies throughout the country. He has appeared in more than two dozen state and federal courts, and is a member of the Bar of numerous courts, include the Supreme Court of the United States. He also has negotiated business agreements and collective bargaining agreements. He has a diverse client base, representing large publicly traded corporations, start-ups, partnerships, and government entities. He has represented clients in many areas, including:

- restrictive covenants and trade secrets litigation
- defending race, disability, age and gender discrimination matters
- overtime and wage payment issues
- family, medical leave and disability claims
- police and firefighter matters
- labor relations including negotiations and arbitrations
- electronic surveillance, technology policies and privacy issues
- funding public housing
- state takeover legislation
- public education
- professional sports
- reductions in force in many industries

Mr. Cooper has been repeatedly recognized by *Chambers USA* as a leader in labor and employment law. *Chambers* notes that he is described as "one of the best oral advocates...his persuasion was incredible, well rounded and had a lot of perspective. His communication skills are superb and he looks at all the possible angles and finds the most advantageous approach." "Clients [also] commend his 'strong strategic vision and analytical prowess, bolstered by a practical business approach.'"

He has won numerous other professional awards, including the prestigious *Pennsylvania Law Weekly's* and *Legal Intelligencer's* "Lawyer on the Fast Track," and previously *Philadelphia Business Journal's* "Forty under Forty." He has also received the highest possible ratings from Martindale-Hubbell for both substantive legal knowledge and ethics. He is also included in the *American Lawyer Corporate Counsel 2013 Top Rated Lawyers Guide to Labor & Employment Law*.



Brooke T. Iley

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Brooke Iley provides corporate counseling and litigation advice in the areas of employment law and traditional labor. Through proactive training and thoughtful auditing of employment policies, Ms. Iley is successful in limiting employers' exposure to legal actions. She advises clients nationally on a variety of matters including:

- legislative and regulatory developments impacting Employers
- best practices for corporate governance and risk management
- internal audits and litigation avoidance
- litigation on behalf of employers involving discrimination, harassment, ADEA, ADA, FMLA, wage claims, and restrictive covenants
- union avoidance, collective bargaining, and labor arbitration
- executive employment agreements, restrictive covenants, and protection of corporate assets

In today's fast paced, global economy, Ms. Iley works with clients to provide strategic workforce planning and initiatives that are legally compliant and present competitive business decisions. She is a frequent author and lecturer on the implications of recent changes in employment law and best practices for employers.



Mark Blondman

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Mark Blondman concentrates his practice in the areas of labor and employment litigation and counseling. Mr. Blondman is recognized for his extensive trial defense on behalf of employers covering a broad range of issues from discrimination to breach of contract claims. He provides preventive counseling and represents clients in matters regarding compliance with wage and hour laws, employment discrimination, wrongful discharge, executive employment agreements, non-compete agreements, breach of contract actions, labor and employment law compliance procedures and auditing policies, and preventative labor and employment relations methods.

In addition to his responsibilities servicing client needs, Mr. Blondman served as Blank Rome's Chief Human Resources Officer for almost four years commencing in the Fall of 2006. In that position, he dealt with human resources and employee relations issues on a daily basis, an experience that has heightened his understanding of a client's need for practical solutions to issues that arise.

Mr. Blondman was recognized in 2009 and 2011 by *Washingtonian* magazine as a top employer defense attorney.



Sean V. Burke, Esq.

Associate General Counsel, University of Pennsylvania
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Sean Burke joined the Office of the General Counsel in May 2005. He is a member of the National Association of College and University Attorneys and admitted to practice in Pennsylvania and New Jersey and before the United States District Courts for the Eastern, Middle, and Western Districts of Pennsylvania and the District of New Jersey, as well as the United States Court of Appeals for the Third Circuit.

Mr. Burke is a graduate of the University of Pennsylvania (A.B., magna cum laude, 1995; A.M., 1995) and the University of Virginia School of Law (J.D., 1998). From 1998 to 2005, Mr. Burke was an associate in the Labor and Employment Law Practice Group in the Philadelphia office of Morgan, Lewis & Bockius LLP.



Jack Clark

Chief Information Security Officer, Siemens

Mr. Clark graduated from Virginia Commonwealth University in 1987. Since that time, Mr. Clark has spent 26 years with Siemens in various roles relating to systems programming and customer service. Mr. Clark has been responsible for Information Security at Siemens in various roles for the past 10 years.



Richard W. Diaz

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Richard Diaz concentrates his practice in the areas of labor and employment law. He provides strategic advice and represents both public and private employers before federal and state courts and administrative agencies concerning virtually all aspects of labor and employment law including:

- employment discrimination, harassment and retaliation
- whistleblowing
- workplace privacy
- regulatory compliance
- restrictive covenant issues
- collective bargaining negotiations
- unfair labor practice proceedings

During law school, Mr. Diaz was a note / comment editor for the *Temple Law Review* and recipient of the Jerry Zaslow Memorial Award. Mr. Diaz is a distinguished graduate of the Navy Supply Corps School - Basic Course.

Mr. Diaz has been recognized by *Super Lawyers* as a 2014 Pennsylvania "Rising Star."

Lewis I. Gantman

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Lewis I. Gantman is executive vice president of Beverage Distribution Center, Inc., one of the nation's largest privately-owned beverage distribution companies. In this role, he oversees all of the company's real estate activities, including its \$300 million office and warehouse portfolio. Prior to joining Beverage Distribution Center, Mr. Gantman served as president, vice president, and general counsel for Kravco Company, a leading shopping center developer with more 30 million square feet of gross leasable area. While Mr. Gantman was in private practice, he counseled corporations, partnerships, and individuals on tax planning matters, with an emphasis on real estate transactions. Mr. Gantman received his J.D. from the University of Pennsylvania Law School, where he was the editor of the *University of Pennsylvania Law Review*, and his B.S., summa cum laude, from the University of Pennsylvania Wharton School. He is a member of the PNC Bank Advisory Board, the Board of Directors of Albert Einstein Medical Center, and the Board of Directors of Federation of Jewish Agencies.



Anthony B. Haller

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Anthony Haller's practice covers all aspects of labor and employment law, including preventative counseling, complex litigation, trial and appellate work. By way of example, he acts on behalf of clients in the following areas:

- counseling on strategic labor relations and employment issues and preventative policies, including those in response to corporate campaigns, mergers, acquisitions, and plant closings
- litigating civil rights and employment cases including claims of race, age, sex, disability, and reverse discrimination; sexual harassment; wrongful discharge; defamation; and work-related torts
- handling multiple plaintiff, class, and representative actions involving civil rights and employment claims
- counseling, handling, and litigating labor relations issues including collective bargaining negotiations, unfair labor practice proceedings, arbitrations, strikes, picketing, and related injunction proceedings
- designing and enforcing policies and agreements to protect confidentiality and non-solicitation and post-employment competition, and litigating claims for breach of non-compete agreements, misappropriation of trade secrets, breach of fiduciary duty, and related torts

Anthony Haller is recognized by *Chambers USA* as a leader in labor and employment law. *Chambers* notes "a masterful strategist with a great appreciation of practical business concerns, [he] is a driving force at the practice." *Chambers* quotes from clients include "an excellent lawyer who would be near the top of anyone's list for employment litigation," "attentive and responsive," "preeminent litigator" and "a great trial lawyer;" "creative and thoughtful approach to counseling and negotiations," "full understanding of the complexities of our business," and "Anthony is just excellent at sorting out all our complex employee relations matters." Clients also comment on his "innate attributes as a trial lawyer; he's exceptionally well prepared and his presentation in the courtroom is marvelous."

Mr. Haller has also received the highest possible rating from Martindale-Hubbell. He was a recipient of the *Philadelphia Business Journal* "Forty under Forty" award, given for rising stars in the Philadelphia business community based on professional accomplishments and commitment to the community.

Mr. Haller is admitted to practice in the courts of England and Wales as well as in the United States.

Mr. Haller co-authored the chapter on "Introduction to Employment Laws of the United States for Foreign Investors" in *Business One Irwin's Business Opportunities in the United States Reference Guide* and the chapter on "Labor Law in the Construction Industry" in *Aspen Publications' Construction Business Handbook*.

He is a frequent lecturer on employment law issues and speaks annually for the Pennsylvania Bar Employment Law Institute. He also regularly appears on *Law Journal Television* and writes articles on employment topics.



Stephanie Kaplan

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Stephanie Kaplan concentrates her practice in labor and employment litigation. She counsels and represents clients before federal courts and various administrative agencies in matters involving:

- employment discrimination, harassment, and retaliation
- employment policies and practices
- Family Medical Leave Act, Americans with Disabilities Act, and medical leave issues
- employment contracts and separation agreements
- reductions in force
- Fair Labor Standards Act
- restrictive covenant violations theft of trade secrets and confidential information
- breach of contract

Ms. Kaplan has also represented insurance companies in coverage disputes. She frequently assists in conducting training seminars on a variety of topics, including handling harassment and discrimination complaints.

Ms. Kaplan served as a federal law clerk to the Honorable Joel H. Slomsky of the United States District Court, Eastern District of Pennsylvania.



Barry L. Klein

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Barry Klein chairs Blank Rome's Employee Benefits and Executive Compensation practice. He advises employers, including sole-proprietorships, partnerships, multinational companies, major hospital centers and universities with respect to their employee benefits and executive compensation arrangements, including:

- advising employers with respect to the employee benefits aspects of mergers and acquisitions;
- drafting qualified and non-qualified retirement plans (including 401(k) plans and ESOPs) and stock option plans;
- advising employers with respect to administrative procedures and investment policy statements; and
- representing employers in connection with IRS audits and Department of Labor proceedings.

Mr. Klein has significant experience advising financial services clients with respect to their obligations under ERISA. He counsels these clients on the fiduciary responsibility that arises when they manage ERISA plan assets, as well as opportunities for avoiding ERISA coverage. He has helped clients set up funds that comply with ERISA's venture capital operating company and real estate operating company exemptions, and has helped clients set up hedge funds that are subject to or exempt from ERISA.

Mr. Klein's career has provided him with a unique perspective on employee benefits and the employee benefits industry. He began his career at the National Office of the Internal Revenue Service in Washington, D.C. and he was in-house employee benefits counsel at the Prudential Insurance Company of America and then at The Vanguard Group, Inc. Prudential and Vanguard are among the nation's largest managers of retirement plan assets. Mr. Klein advised these companies with respect to the full range of services and products that they provide to employee benefit plans and was instrumental in the design and marketing of new products.

Mr. Klein is recognized by *Chambers USA* as a leader in employee benefits and compensation law. *Chambers* notes he is "esteemed for his 'strong business sense' and 'level-headed approach' " and calls him an "extremely knowledgeable' employee benefits attorney, especially in the area of executive compensation."

Philip M. Kovnat

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As a trial attorney for the U.S. Equal Employment Opportunity Commission, Philip M. Kovnat litigates employment discrimination cases on behalf of the federal government in U.S. District Courts, as well as oversees investigations into allegations of employment discrimination against private companies. Mr. Kovnat received his J.D., *magna cum laude*, Order of the Coif, from American University Washington College of Law; and his B.A. from New York University.



Michael Levy

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Michael Levy is the Chief of Computer Crimes for the United States Attorney's office in the Eastern District of Pennsylvania. He has held that position since September 2001. From April 2001 to September 2001 and from May 2009 until May 2010, he served as the interim United States Attorney for the Eastern District of Pennsylvania until the confirmation of the presidential appointee. He has served in the U.S. Department of Justice since 1980 with two one year excursions into private practice. He has prosecuted fraud, drug, tax, and organized crime cases, as well as handling civil and criminal forfeiture actions. From 1991 to 1993, he was the Deputy Chief of the Criminal Division. From 1993 until 2001, he was the First Assistant United States Attorney.

As Chief of Computer Crime, Mr. Levy has prosecuted crimes involving intellectual property, computer intrusion, computer fraud, as well as federal crimes involving the sexual exploitation of children. Before joining the U.S. Attorney's office, Mr. Levy worked as a Public Defender, as an Assistant District Attorney in Philadelphia, and as an Assistant Attorney General for the Commonwealth of Pennsylvania. He also had his own law practice for four years. He is a 1966 graduate (*cum laude*) of Brown University and a 1969 Penn Law graduate.



Scott A. Mayer

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Scott Mayer is an attorney in Aramark's Labor Relations (LR) Group, which consists of twenty (20) labor relations professionals located throughout the country. Aramark has more than 700 collective bargaining agreements throughout North America. The LR Group is responsible for negotiating and administering collective bargaining agreements, arbitrating grievances, litigating unfair labor practice charges with the National Labor Relations Board, monitoring compliance with union health & welfare and pension funds, assisting with compliance with federal labor laws, and conducting training on matters related to labor relations.

Scott earned his Juris Doctor from Villanova Law School and his BS from Cornell University's College of Industrial and Labor Relations. Scott is admitted to practice in New Jersey and Pennsylvania. Prior to joining Aramark, Scott was an associate in the Employment, Labor and Benefits Group at Blank Rome LLP. Scott also serves as a member of the Garnet Valley School Board.



Anthony A. Mingione

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Anthony Mingione has extensive experience in complex commercial, employment, and ERISA litigation matters. He is a member of Blank Rome's Corporate Litigation and Labor and Employment Practice Groups.

Mr. Mingione represents corporate clients in commercial litigation matters involving fraud, breach of contract, shareholder disputes, internal investigations, and bankruptcy. In employment litigation, Mr. Mingione defends companies and fiduciaries in all aspects of employment and ERISA litigation, including discrimination, hostile work environment, workplace tort, breach of fiduciary duty, denial of benefits, withdrawal liability, and nonqualified plan lawsuits.

In addition to his employment litigation work, Mr. Mingione also advises employers to ensure compliance with federal and state employment, labor, and employee benefits laws and regulations, and assists in the negotiation, preparation, and administration of collective bargaining agreements.

Mr. Mingione is a frequent speaker at seminars and presentations, including the following recent topics:

- *Social Media Policies in the Workplace*;
- *The ADA/AA: The Regulations are Final; Now What?*;
- *Tip of the Iceberg: The Depths of ERISA Fiduciary Responsibility*;
- *The Termination Process: An Employer's Right to Fire and Its Limitations*; and
- *How to Comply with the New Jersey Civil Union Law*.

Before entering private practice, Mr. Mingione served as a judicial law clerk for the Honorable Erminie L. Conley, presiding judge of the Appellate Division of the Superior Court of New Jersey. Prior to receiving his law degree from the College of William & Mary, Mr. Mingione earned a BS in Industrial and Labor Relations from Cornell University.



Joseph G. Poluka

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Joseph Poluka concentrates his practice in the area of white collar, internal, and government investigations, and represents clients in the investigation and defense of a wide variety of criminal offenses, including violations of:

- Foreign Corrupt Practices Act
- bribery and gratuity statutes
- mail and wire fraud statutes
- money laundering
- securities fraud
- antitrust crimes
- tax crimes

Prior to joining Blank Rome, Mr. Poluka served as an assistant U.S. attorney in the Criminal Division of the United States Attorney's Office, Eastern District of Pennsylvania. Mr. Poluka's prosecutorial experience included the investigation and prosecution of complex white collar fraud and corruption matters, including bank fraud, bribery, embezzlement, environmental crimes, export (Trading with the Enemy Act), healthcare fraud, securities fraud (including insider trading), tax, and terrorism crimes.

While at the U.S. Attorney's Office, Mr. Poluka also served as the deputy chief of the Violent Crimes, Terrorism & Immigration Fraud Section, as well as the coordinator of the Anti-Terrorism Advisory Council (ATAC), consisting of over 85 local, state, and federal law enforcement agencies that coordinate information sharing and cooperation on terrorism matters. Mr. Poluka also was the USA PATRIOT Act spokesperson for the district.

Mr. Poluka has received the highest possible rating from Martindale-Hubbell. In 2013, he was named as a "Top Rated Lawyer in White-Collar Criminal Defense," a "Top Rated Lawyer in Philadelphia," and a "Top Rated Lawyer in Labor & Employment" by American Lawyer Media. In 2014, he was named as a top investigations lawyer by *The International Who's Who of Investigations Lawyers & Forensic Experts*.



Julie E. Reid

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Julie Reid concentrates her practice in employment and labor law. She provides strategic advice and counseling to clients regarding matters involving employment discrimination, harassment, and retaliation, employment policies and practices, FMLA, ADA, and medical leave issues, employment contracts and separation agreements, reductions in force and risk management, employment and labor aspects of corporate transactions, wage and hour compliance, restrictive covenants and protection of corporate assets, technology and social media issues, affirmative action compliance, and defamation.

Ms. Reid represents clients in litigation before federal and state courts and various administrative agencies in matters involving claims of discrimination, harassment, retaliation, restrictive covenant violations, breach of contract, and wage and hour violations. Ms. Reid conducts training seminars on a variety of topics including handling harassment and discrimination complaints, litigation avoidance, the intersection of various medical leave laws, wage and hour issues, and workplace technology and privacy.

Ms. Reid advises federal contractors and subcontractors in affirmative action compliance and in preparing and defending affirmative action programs, and has handled a number of government audits. Ms. Reid also represents employers in traditional labor matters including collective bargaining negotiations, labor arbitrations, representation proceedings, and unit clarification proceedings.



Nancy Oliphant Ryan

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Nancy Ryan is of counsel in Blank Rome’s employee benefits and executive compensation practice. Her practice encompasses all aspects of benefit and compensation arrangements.

In addition, Ms. Ryan works with corporations, partnerships, and LLCs in all stages of development, in the design and implementation of equity-based compensation arrangements, long-term incentive plans, and other bonus arrangements. She also counsels both employers and executives in the negotiation and documentation of senior executive employment, change in control, and severance agreements.

Ms. Ryan advises public, private, and tax-exempt entities with respect to the design and administration of qualified retirement plans, including 401(k), profit sharing, and defined benefit pension plans, and non-qualified deferred compensation arrangements and welfare benefit plans. She has extensive experience counseling clients on the employee benefits and compensation aspects of mergers, acquisitions, and other corporate transactions.

Ms. Ryan is a graduate of Northwestern University School of Law, where she served as an Associate Note and Comment Editor of the Northwestern University Law Review. Prior to joining Blank Rome, she worked in the employee benefits groups of international law firms in both Philadelphia and New York.



Frederick G. "Gus" Sandstrom

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Gus Sandstrom concentrates his practice in employment, ERISA and labor litigation and counseling. He has experience in all aspects of litigation, including case management, discovery, depositions, dispositive motions, oral argument, trials, appeals and settlement. Mr. Sandstrom also regularly defends employers against claims filed with the EEOC and state anti-discrimination agencies.

Mr. Sandstrom’s extensive counseling experience includes advising employers on a wide-range of labor and employment law compliance matters and litigation avoidance strategies.

Mr. Sandstrom served as a judicial clerk for the Honorable Ronald M. Gould, U.S. Court of Appeals for the Ninth Circuit. He is also a member of the Order of the Coif, the national honor society for law students.



Stephen E. Tisman

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Stephen E. Tisman concentrates his practice on employment, benefits and labor law, complex corporate and employment litigation (trials and appeals), and corporate business matters and counseling.

Mr. Tisman's U.S. and international clients have included a multibillion dollar insurance company, an internationally-affiliated newspaper, non-profit organizations, a radio station, national consulting and actuarial firms, a reinsurance brokerage, a manufacturer of pates and specialty foods, apparel companies, a large travel agency, an "employee leasing" company, law firms, accounting firms, and a professional sports agent, among many others. He also has represented senior executives in many industries, including financial services, insurance, and the pharmaceutical industries, in litigated and contractual matters.

He has litigated in virtually all of the courts of New York and in state and federal courts throughout the U.S. He has practiced before state and federal administrative agencies and has brought and defended arbitrations before the American Arbitration Association, the New York Stock Exchange, the Financial Industry Regulatory Authority ("FINRA"), and its predecessor, the National Association of Securities Dealers ("NASD").

At the Columbia University School of Law, Mr. Tisman was a James Kent Scholar and International Fellow, an Editor of the Columbia Journal of Transnational Law, and a recipient of a Hague Academy fellowship.

Mr. Tisman has been recognized in the New York edition of Super Lawyers from 2007-2013.

He has received the highest possible rating from Martindale-Hubbell.



Dennis P. Walsh

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Dennis P. Walsh is currently the Regional Director of Region 4 of the National Labor Relations Board in Philadelphia, Pennsylvania. He previously served as Deputy General Counsel at the Federal Labor Relations Authority. Mr. Walsh also previously served as a Member of the National Labor Relations Board on three different occasions. Before that, Mr. Walsh held several staff positions at the NLRB, and served as Chief Counsel to two different NLRB Members. From 1989 to 1994 Mr. Walsh practiced law with Spear, Wilderman, Borish, Endy, Browning & Spear, a Philadelphia firm. Mr. Walsh was an Adjunct Professor of Labor Law at Howard University School of Law for several years. Mr. Walsh holds a J.D. from Cornell Law School and a B.A. from Hamilton College.



Amy R. Webb.

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Amy R. Webb is the president and owner of Saratoga Benefit Services, LLC. Amy has over 25 years experience working in the employee benefits field. Helping employers and employees get the most value from their employee benefits package through benefit education, innovation and communication has been the key to her success and that of her company.

Working in all aspects of plan design, plan management and benefit communication, Amy provides expertise in fully-insured and self-funded plan design and analysis for medical plans and ancillary benefits as well. Amy helps clients develop a strategic benefits plan, develop a proper payroll deduction strategy, negotiate rates and manage an effective open enrollment.

With employee benefit costs the second largest business expense after payroll, it is important that employees have as much appreciation for their benefits as their paycheck. Amy's firm adapts to their clients corporate culture and develops a servicing strategy that works best for their employees and their benefits personnel staff. One size definitely does not fit all for Saratoga clients.

Amy's expertise includes: design, implementation and administration of health and welfare benefit plans including:

- Strategic Planning
- Market Analysis and carrier selection
- Alternate funding analysis
- Rate and plan negotiation
- Open enrollment management
- Development of benefit communications
- Employee education
- HR staff training
- Legislative and industry trend analysis



Larry R "Buzz" Wood, Jr.

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Larry (Buzz) Wood represents clients in litigation matters, with extensive experience litigating cases in the following areas:

- business issues, including breach of contract, breach of representations and warranties in M&A transactions, fraud and other business torts
- intellectual property issues, including misappropriation of trade secrets and non-compete and non-solicit agreements
- employment issues, including discrimination and wrongful termination
- shareholder issues, including minority shareholder oppression

Mr. Wood also has particular experience representing clients in class and collective action matters, as well as counseling and representing clients through the appellate process.

Following graduation from law school, Mr. Wood served as a law clerk first at the trial court level in the Family Court for the State of Delaware and then at the appellate court level in the Supreme Court of Pennsylvania. Early in his career, Mr. Wood also served as an assistant public defender. Mr. Wood has written extensively during his career and recently co-authored the Pennsylvania chapter on class action rules and procedures for the ABA's A Practitioner's Guide to Class Actions (2010). Mr. Wood also regularly represents the National Trust for Historic Preservation and various other state and local preservation organizations on a pro bono basis to protect our nation's and Pennsylvania's historic resources.