

Jeannette M. Brian

Partner

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Practice Areas

- Business & Insurance
- Class Actions
- Complex Commercial Litigation
- Legal Malpractice

Education

- State University of New York at Buffalo Law School (J.D., *summa cum laude*, 1992), Law Review
- Northwestern University (M.A., 1973)
- University of Pittsburgh (B.A., *summa cum laude*, 1972)

Bar and Court Admissions

- Pennsylvania
- U.S. District Court, Eastern District of Pennsylvania
- U.S. Court of Appeals, Third Circuit

Memberships

- Philadelphia Bar Association

Biography

During her 16-year career, Jeannette Brian has focused her practice on complex commercial litigation including breach of contract claims, business torts such as misappropriation of trade secrets, interference with economic advantage, and violation of restrictive covenants, class action litigation, and legal malpractice cases.

Representative Matters – Commercial Disputes

- Defense of San Francisco-based computer software company in breach of contract claim brought against it by internet remote access reseller; prosecution of claims against accounting firm and bank for recovery of funds embezzled from client by former controller; defense of building project owner in zoning violation lawsuit.
- Represented regional Pennsylvania bank against national insurance company to recover losses due to employee dishonesty under financial institution bond; defended start-up steel plant entrepreneur for alleged violation of covenant not to compete and misuse of confidential information.
- Prosecuted declaratory judgment action on behalf of utility company against another utility company, seeking declaration of rights and obligations under long-term contract in the wake of Pennsylvania's electricity customer choice program, resulting in judgment on the pleadings on client's behalf.
- Represented Pennsylvania Insurance Department, Office of the Liquidator, in action against failed auto insurance company's officers and directors for breach of fiduciary duty, waste and conversion of assets.
- Secured dismissal in federal district court on behalf of individual alleged to have violated the Pennsylvania Anti-Wiretapping and Electronic Surveillance Control Act.
- Early in career, served as third chair at trial on behalf of computer software company; as member of trial team secured \$12.5 million breach of contract jury verdict in favor of client against joint software development partner; subsequently filed complaint to collect judgment against defendant and successor corporation in federal court.

Representative Matters – Class Actions

- Defense of attorney and law firm in class action by former asbestos personal injury clients alleging breach of fiduciary duty; defense of automobile accident medical insurer in class action brought by durable medical equipment providers alleging failure to reimburse providers according to statutory guidelines; defense of international computer manufacturer in class actions by customers alleging failure to disclose; representation with other firm attorneys of national insurance company in class action in New Mexico state court alleging failure to disclose modal premium rates.
- In her appellate practice, Jeannette has written and collaborated on briefs to the U.S. Court of Appeals for the Third Circuit and the Pennsylvania Superior Court, and successfully argued before the Superior Court in a pro bono representation.

Jeannette has represented children as a guardian *ad litem* through the Support Center for Child Advocates, including a case she successfully co-tried before the Court of Common Pleas, Family Court Division, for involuntary termination of parental rights. She began her law career with the Philadelphia firm of Schnader, Harrison, Segal & Lewis. Before entering the legal profession, she was in the public relations and publishing fields, including serving as publicist and program editor for the Pittsburgh Symphony Orchestra, and editor of the employee newsletter and special advertising supplements for *The Buffalo News*.