



### Jayne Anderson Risk

**Partner**

[jayne.risk@dlapiper.com](mailto:jayne.risk@dlapiper.com)

**Philadelphia**

T: +1 215 656 3328

F: +1 215 606 3328

Jayne Risk is an experienced litigator, trial attorney and problem solver whose primary areas of practice include complex commercial and business litigation, class action, toxic tort, insurance, FCA and product liability litigation.

Jayne represents domestic and international clients including national fiber optics, technology, data storage, software, insurance, real estate services and pharmaceutical companies, as well as manufacturers of flavorings and food, vertical and horizontal transportation devices, environmental containment, industrial machinery, automotive and consumer products.

Jayne's experience includes counseling, litigation, mediation, trial and appellate practice in state and federal courts. She has tried and mediated cases in state and federal venues throughout the US and has managed teams of lawyers nationwide and globally including developing and managing clients' national litigation programs. She counsels clients on complex issues including global litigation and risk management, planning, training, coordination and strategy, risk avoidance and management, as well as privacy, compliance, training and code development.

Jayne is the Hiring Partner for DLA Piper's Philadelphia office.

- Leadership Alliance for Women, Global Steering Committee

## EXPERIENCE

### REPRESENTATIVE MATTERS

- Representation of software developer in commercial/intellectual properties lawsuit alleging trade secrets misappropriation and contract licensing issues brought by a competing software developer in federal court. The case raised complex licensing issues as well as legal issues regarding the scope of the 2016 Defend Trade Secrets Act. Worked with client and counsel for plaintiff resulting in very favorable early settlement of the case prior to discovery
- Representation of Major League Baseball minor league team in breach of contract lawsuit in federal court involving naming rights and licensing issues. After litigation and appeal of discovery-related issue of first impression involving Pennsylvania's Right To Know law, client prevailed on motion for summary judgment on the merits of all issues

### RELATED SERVICES

- Product Liability, Mass Torts and Product Stewardship
- Litigation, Arbitration and Investigations
- Insurance and Reinsurance Disputes

### RELATED SECTORS

- Energy and Natural Resources
- Insurance

- Defended global real estate firm in breach of contract/breach of fiduciary duty double-derivative shareholder lawsuit involving litigation in New York and Delaware to include underlying licensing issues. We filed a pre-answer motion to dismiss on the basis of res judicata and collateral estoppel that was granted by the New York trial court. Plaintiffs appealed to the Supreme Court's Appellate Division, which unanimously affirmed the lower court's decision, with costs. The Appellate Division *further* denied plaintiff's motion for leave to reargue the appeal or, alternatively, to appeal to the Court of Appeals of New York
- Manage global representation of leading global provider of managed information, cloud and recovery services technology
- Manage representation of global leader in manufacture and distribution of flavorings/seasonings in mass tort litigation involving exposure to products; resulting in dismissal from all cases
- Representation of global pharmaceutical company in False Claims Act qui tam litigation
- Representation of national bank in banking data access services class action
- Representation of leading global tire manufacturer as regional trial counsel and national discovery counsel
- Representation of Pennsylvania State Insurance Commissioner in long term care insurance receivership including related appeal to PA Supreme Court
- Representation of baseball team and entertainment company including appeal to PA Commonwealth Court and PA Supreme Court relating to third- party disclosure obligations under new state Right to Know Law
- Representation of global package delivery company as national coordinating counsel, including all aspects of litigation and trial in general litigation matters
- Representation as national trial counsel for general liability cases for a global delivery company, including all aspects of litigation and trial in general litigation matters as well as management of counsel on a national level
- Representation as multi-regional trial counsel for a global vertical transportation company, including all aspects of litigation and trial in product liability, general and commercial matters as well as management of counsel and trial teams on a national level
- Represented global pharmaceutical company in all aspects of litigation arising from the distribution of federally approved drugs including multi-district litigation and class action claims
- Representation of sports management company and baseball team in naming rights litigation
- Defended and prosecuted copyright and trademark matters for global materials manufacturers
- Defended to verdict and through appeal numerous product liability matters
- Defended to verdict and through appeal commercial matters involving complex contract issues
- Defended foreign parent company of a global automotive component manufacturer to numerous successful dismissals in state and federal jurisdictions nationwide
- Obtained favorable decisions from Pennsylvania Supreme Court affirming trial and appellate court rulings relating to Pennsylvania procedural law
- Obtained favorable decision from Pennsylvania Supreme Court relating to issue of authority of Commonwealth Court in review of Insurance Commissioner decisions in insurance receiverships
- Obtained favorable rulings from Pennsylvania Superior Court relating to admissibility of evidence
- Successful affirmation on appeal of district court decision in executive employment action on behalf of global software corporation
- Defended global pharmaceutical company to successful dismissal of lawsuits in multi-district litigation
- Case dismissal of banking and data access services class action against national bank
- Case dismissal of global product manufacturer in state court on basis of lack of personal jurisdiction
- Case dismissal on summary judgment of global insurance company on high exposure coverage issue
- Obtained favorable decision from Pennsylvania Supreme Court relating to issue of authority of Commonwealth Court in review of Insurance Commissioner decisions in insurance receiverships
- Case dismissal of global tire manufacturer in product liability action case of first impression
- Case dismissal of global real estate corporation in fraud and conspiracy action including affirmance of ruling on appeal
- Negotiated voluntary dismissal for client national advertising corporation relating to allegations of discriminatory business and advertising practices
- Negotiated dismissal of mass tort actions against global flavorings manufacturer on basis of lack of product identification

- Negotiated successful resolution in case against media technology company involving on line streaming services
- Negotiated successful resolution for client telephone service and routing provider relating to FCC claims, including successful defense against Motion to Dismiss or Transfer and appeal in United States District Court District New Jersey and the United States Circuit Court Third Circuit
- Negotiated successful resolution for client health care services provider in commercial dispute with Pennsylvania Department of Labor and Industry

## CREDENTIALS

---

### Admissions

- New York
- Pennsylvania

### Education

- Harvard Leadership Program 2010
- J.D., Villanova University School of Law 1997  
Theodore Reimel Moot Court Winner
- M.P.A., Public Policy and Management, Pennsylvania State University 1986  
*summa cum laude*  
Presidential Intern Scholar
- B.A., Political Science, Gettysburg College 1977

### Courts

- Supreme Court of New York
- Supreme Court of the United States
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Middle District of Pennsylvania
- United States District Court for the Southern District of New York
- United States District Court for the Western District of Pennsylvania

### Memberships

- Defense Research Institute (DRI)
- American Bar Association
- Pennsylvania Bar Association
- Philadelphia Bar Association

## INSIGHTS

---

Jayne lectures on such civil litigation practice topics as management of the in-house/local counsel/national counsel relationship, management of electronic discovery from a national and global perspective, evidentiary issues and expert and in-house expert development.

## Publications

- Pennsylvania tightens rules for drilling in the Marcellus Shale, *Energy Alert*, 1 Mar 2012
- Co-author, "Pennsylvania Tightens Rules for Drilling in the Marcellus Shale," *DLA Piper Energy Alert*, March 1, 2012

## Events

- Presenter, "In A Flash A Lesson in Cyber Security," July 21, 2015
- Co-Presenter, "At What Cost," Client In-House Annual Meeting (November 2013)
- Instructor, "Trial Advocacy and Anti Corruption Training", Tanzania Prevention and Combating of Corruption Bureau, May 2015
- Co-Presenter, "In-house Counsel and Privilege Issues", March 2015