



## KEVIN F. BERRY

SENIOR COUNSEL

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### BIOGRAPHY

Kevin F. Berry is a commercial trial lawyer with extensive trial experience, having tried over 200 civil jury trials to verdict. His practice focuses on the representation of corporate entities and individuals in financial disputes in the banking, insurance, reinsurance and real estate industries. Kevin has handled corporate governance disputes, special committee investigations and recommendations and has extensive experience in turnaround and workout work for troubled companies.

### Experience

- Trials
- Financial disputes
- Corporate governance disputes

### REPRESENTATIVE MATTERS

- Recently secured a significant win on behalf of a client seeking to develop and bring to market new, disruptive technology, obtaining a preliminary injunction preventing counterparties from violating non-circumvention agreements and competing unfairly with the client. The court's decision recognized, under a clear and convincing standard, that the client had shown a likelihood of success on the merits and it would be irreparably harmed in the absence of injunctive relief.
- Collected \$1.6 billion in disputed reinsurance claims on behalf of a domestic carrier for losses stemming from the World Trade Center attack on September 11, 2001.

### HONORS

Pennsylvania Super Lawyers, Business Litigation, 2004-2005, 2015-2018, 2020-Present

Litigation Counsel of America, Senior Fellow, Member of the Advisory Board, Charter Member, Institute of Trial Presentation

Martindale-Hubbell, AV Rated, 1986 - present

### EDUCATION

J.D., *cum laude*, Suffolk University Law School, 1979

- *Suffolk University Law Review*, Case Comment Editor, '78-'79; Staff Member '77-'78
- AmJur Award (highest grade) Trusts & Estates, Business Organizations

B.A., Columbia University, Political Science, 1976

- Ferdinand J. Sieghart Scholar

### ADMISSIONS

U.S. Supreme Court

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Third Circuit

U.S. Court of Appeals for the Fifth

- Represented a national real estate broker in collecting \$500,000 of unpaid commissions in connection with the lease of a property.
- Defended a commercial real estate appraisal firm in an \$8 million malpractice claim.
- Defended an insurance company in a \$150 million commercial claim involving an insurance product used to support the financing of independent motion pictures.
- Secured a \$10.2 million verdict against a municipality for civil rights violations on behalf of a real estate developer.
- Secured a \$1.9 million verdict on behalf of a product designer against a Fortune 500 company for breach of oral contract.
- Secured a \$1 million verdict on behalf of a franchisee in a dispute with the franchisor and another franchisee involving breach of contract, fraud and breach of fiduciary duties.
- Secured a \$500,000 verdict against a Fortune 50 company on behalf of a local heavy equipment distributor.
- Assisted in the workout of a \$100 million loan portfolio, including the collection of more than \$36 million in loan losses at a cost of 4 cents per dollar.
- Defended banks and financial creditors in lender liability cases involving environmental damage claims and cleanup claims asserted under CERCLA and state environmental statutes.
- Evaluated environmental claim exposure (cleanup and damage claim exposure) in insurance and reinsurance coverage settings.
- Defended clients in more than 80 matters involving product liability, premise liability, contract disputes and maritime claims.
- Closed 15 acquisitions for a client in execution of an expansion plan that transformed the client into a regional industry leader.

Circuit

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the Middle District of Pennsylvania

U.S. District Court for the Western District of Pennsylvania

U.S. District Court for the District of New Jersey

Pro hac vice admissions in numerous jurisdictions

## **PRACTICE FOCUS**

- Trials
- Financial Disputes
- Corporate Governance Disputes

## **NEWS**

ROYER COOPER COHEN BRAUNFELD (RCCB) ANNOUNCES FOURTEEN 2023 PENNSYLVANIA SUPER LAWYERS® AND RISING STARS®

Firm News, *Super Lawyers*, June 5, 2023

Royer Cooper Cohen Braunfeld (RCCB) Announces Fourteen 2022 Pennsylvania Super Lawyers® and Rising Stars®

Firm News, May 26, 2022

## **PUBLICATIONS**

2022 Litigation Year In Review

Publication, *RCCB Litigation Alert*, March 2, 2023