



ROBERT TOLAND II

COUNSEL

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BIOGRAPHY

Robert Toland focuses his practice on litigation and appellate practice in state and federal courts throughout the country. He has worked with clients as national appellate counsel seeking to shape the law in new directions. Bob's goal in the practice is not to accept what the law may be in a given jurisdiction, but to press for what the law should be and why.

Client Experience:

- Automobile, chemical, and pharmaceutical manufacturers
- Businesses in commercial disputes
- Nonprofit and other entities as amici curiae in appeals

REPRESENTATIVE MATTERS

- Represented a national trucking company and successfully argued that New Jersey's regulations requiring that the drivers of their trucks be employees was unconstitutional under the dormant / negative aspects of the Commerce Clause of the U.S. Constitution.
- Retained post-trial for a regional hospital found liable in a medical malpractice action in which compensatory damages were awarded for \$100 million.
- Represented an automobile manufacturer in a product liability action in federal court in Pennsylvania and successfully argued that Michigan law was applicable on punitive damages and that Michigan does not permit the award of punitive damages.

EDUCATION

Villanova University School of Law,
J.D., 1989

- Managing Editor and Co-Founder,
Villanova Environmental Law Journal

Berklee School of Music, B.A., *cum laude*, 1985

ADMISSIONS

Pennsylvania

U.S. Supreme Court

U.S. Courts of Appeals:

Third Circuit

Fourth Circuit

Ninth Circuit

Eleventh Circuit

U.S. District Courts:

Eastern District of Pennsylvania

CLERKSHIPS

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

- Represented an automobile manufacturer and successfully argued that a driver could not have heeded a suggested warning because he reacted reflexively in an accident and could not have acted reflectively.

PRACTICE FOCUS

INDUSTRIES

Automotive industry
Chemical manufacturers
Healthcare industry
Physicians