

Justin E. Proper

Partner

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Justin handles all of his cases with the same passion and energy and believes that success in litigation happens before you ever walk into the courtroom. He has a proven track record of handling cases successfully having arbitrated and tried hundreds of cases.

OVERVIEW

For more than 20 years, Justin has been trying cases. Justin has been lead counsel in more than 30 bench and jury trials and has never lost a jury trial where he has been lead counsel. He has a multi-jurisdictional practice that includes representing both plaintiffs and defendants in all aspects of complex commercial litigation, including bet-the-company litigation. His extensive experience includes representing franchisees in claims against franchisors for breach of contract, fraud and violations of State franchise laws as well as defending franchisees against wrongful termination claims. Justin has been lead counsel in at least 10 partnership disputes since 2020. He also has significant experience handling cases involving allegations of product defects, lender liability, patent and trademark infringement, unfair competition, false advertising, mortgage fraud, RICO violations, professional malpractice, securities fraud, defamation, breach of warranty and breach of contract.

Justin handles all of his cases with the same passion and energy. He believes that success in litigation happens before you ever walk into the courtroom. Justin has a proven track record of handling cases successfully having arbitrated and tried hundreds of cases. He prides himself on being accessible to his clients; in giving his clients sound advice; and in working tirelessly to achieve his clients' objectives. Justin understands that litigation is incredibly stressful for clients. He strives to provide clients with confidence and peace of mind in knowing that he has their best interests in mind at all times and that if their case cannot be resolved amicably; their attorney is a trial attorney.

PRACTICES

Commercial Litigation
Intellectual Property
Professional Liability

BAR AND COURT ADMISSIONS

Pennsylvania
Connecticut
Georgia
Massachusetts
New York
West Virginia

EDUCATION

Albany Law School, JD, *magna cum laude*, 1999
Siena College, BA, 1996



RECOGNITION AND INVOLVEMENT

Justin loves all sports but he has a particular passion for basketball. For the past 8 years, he has coached various girls travel basketball teams and provides year-round training. Justin's teams have competed at regional and national AAU tournaments.

REPRESENTATIVE MATTERS

Construction Group Wins Final Judgment on Indemnity Claims and Defeats Bad Faith Claims
7.19.19

Appeal Secures Seven-Figure Settlement for Philadelphia-Based Food Manufacturer
5.31.18

Obtained two, seven-figure arbitration awards totaling over \$6.5 million. One case involved a partnership dispute and the other involved claims of fraud and negligence by a national finance company.

In one four month period, acted as lead counsel in three complex commercial litigation matters which resulted in jury verdicts totaling \$4.275 million, two of which included awards of punitive damages

A Florida jury returned a verdict for the client on claims for fraud and violations of the Florida Deceptive Trade Practices Act in the amount of \$430,000, which included punitive damages of \$300,000

A New Jersey jury awarded the client \$310,000 in a lease dispute with a commercial landlord involving property taxes and environmental costs

Successfully tried a case in Rome County, Georgia where the trial court found that the defendants violated the Georgia Deceptive Trade Practices Act. The court awarded client injunctive relief and \$50,000 in punitive damages. The case was affirmed on appeal.

Represented a client who was severely injured by a defective consumer product; the case settled for over \$6 million

Represented a private lender in a professional negligence case in Suffolk County, New York that settled for \$1 million

Represented a food manufacturer in a professional negligence case against a food broker in the Western District of Arkansas that settled for \$1 million after getting an adverse summary judgment decision reversed by the United States Court of Appeals for the Eighth Circuit

Defended FINRA arbitration where client was accused of failing to repay the terms of a promissory note; counterclaimed against the employer for alleged misrepresentations in connection with her hiring

Represented a court appointed receiver in an action to recover monies on behalf of investors who were victims of a Ponzi scheme

Represented three directors who served on the board of an association for allegedly breaching fiduciary duties when the executive director misappropriated over \$1 million dollars that was being held in trust for its members

Represented a home healthcare company against allegations of trademark infringement with the case settling for a walk away after the close of expert discovery

Obtained complete defense verdict following a six-day jury trial in Pittsburgh on behalf of a major automotive manufacturer in a case involving products allegations

Represented an electric motor manufacturer in a products liability case where a factory worker allegedly lost two fingers when an injection molding machine allegedly malfunctioned

Obtained a preliminary injunction in Georgia shutting down a competing business for violating the terms of a non-competition agreement

Obtained a \$2.56 million compensatory and punitive damages award after a two-plus week jury trial on behalf of a Philadelphia-based food manufacturer in a case involving claims for false advertising and unfair competition

Obtained a \$660,000 verdict after a two-week jury trial involving a dispute over the ownership of a brand

Obtained a \$1.06 million verdict after a three-plus week jury trial on behalf on an individual and his businesses that was defamed by a former customer

Obtained a complete defense verdict in a case involving allegations of breach of contract and fraud against a construction company

Defeated a motion for a preliminary injunction in federal court which sought to declare that the client was selling an infringing product, finding instead that the product did not infringe the patent in suit and that the Plaintiff failed to prove either a likelihood of success on the merits or irreparable harm

Obtained \$500,000 settlement for a client who received negligent estate planning advice that resulted in exposure to additional estate taxes

Obtained two multimillion-dollar settlements for banking clients that purchased fraudulent loans

Obtained substantial settlement on behalf of an individual against a trustee who breached certain fiduciary duties in connection with the administration of an estate

IN THE NEWS

The Ninth Annual Coverage College Features True-to-Life Case Study
10.8.15

PUBLICATIONS

White and Williams Team Persuades the PA Supreme Court to Recognize Claim for Aiding and Abetting Fraud
Litigation Alert, 2.10.23

