



## Tara L. Pehush

### Partner

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## OVERVIEW

Tara Pehush is a litigation partner in the firm's New York office who focuses on the commercial and industrial manufacturing industries. She splits her practice between litigating and arbitrating toxic tort, products liability, and commercial disputes and providing clients with strategic counseling in a variety of areas, including risk management and litigation needs, to help them achieve their current and long-term business objectives.

Tara has significant trial experience, appearing as trial counsel for cases venued in New York, New Jersey, California, Connecticut, Delaware, and Missouri, and has also done extensive work briefing and arguing both appeals and lower court motions.

In addition, Tara is committed to pro bono representation and regularly represents minor children seeking asylum and Special Immigrant Juvenile Status in the United States and victims of human trafficking seeking post-conviction relief.

## PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Tara practiced as an associate at a New Jersey law firm. She was a clerk to the Honorable Joseph J. Riva of the Superior Court of New Jersey.

## ACHIEVEMENTS

- Recognized in *The Best Lawyers in America*® 2023 for work in Mass Tort Litigation / Class Actions - Defendants

## ADDITIONAL BACKGROUND

Tara is deeply committed to developing the firm's talent. She is extensively involved in the New York office's recruitment of summer associates and she is also a member of its Associate Development Committee.

## EDUCATION

- J.D., University of Baltimore School of Law, 2006 (*cum laude*; *articles editor, University of Baltimore Law Review*)
- B.A., Loyola College in Maryland, 2003 (*cum laude*)

## ADMISSIONS

- Bar of New Jersey
- Bar of New York
- United States District Court for the District of New Jersey
- United States District Court for the Northern District of New York
- United States District Court for the Southern District of New York

## THOUGHT LEADERSHIP *POWERED BY HUB*

- 8 January 2024, "Right to Repair" Law Requires Manufacturers to Give Up the Fix in New York
- 15 May 2020, COVID-19: Update – What You Need to Know As New Jersey and New York Construction Projects Begin to Reopen
- 10 April 2020, COVID-19: Update – New Jersey and New York Executive Orders' Impact on Construction Projects
- 30 March 2020, COVID-19: Update – New Jersey and New York Executive Orders' Impact on Construction Projects
- 25 March 2020, COVID-19: Businesses Face Supply Chain Challenges as Pandemic Triggers State 'Stay at Home' and Business Curtailment Orders
- 21 February 2019, Taking Out the "Junk": New Jersey Supreme Court Adopts Daubert "Factors" in Landmark Decision on Scientific Evidence
- 27 July 2017, *Schwartz v. Accuratus Corp.*: Nonspouse's "Take-Home" Liability Case
- 12 December 2016, EPA Announces 10 Chemicals to Be Evaluated for Risks to Human Health and the Environment

## OTHER PUBLICATIONS

- "The Litigation Issue 2023," *Best Lawyers*, 1 September 2023

- “Delaware Rapid Arbitration Act – a new avenue for dispute resolution,” *International Law Office*, 14 May 2015
- Comment, Maryland is Dying For a Slayer Statute: The Ineffectiveness of the Common-Law Slayer Rule in Maryland, 35 U. Balt. L. Rev. 271, 2005

## NEWS & EVENTS

- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 17 February 2016, K&L Gates Names 50 New Partners

## AREAS OF FOCUS

- Mass Tort
- Appellate Litigation
- Commercial Disputes
- Product Liability

## REPRESENTATIVE EXPERIENCE

- National coordinating counsel for various companies, including manufacturers and sellers of engineered countertops, medical devices, flow solutions, and drug manufacturers, faced with repetitive or mass tort litigation
- Post-trial and appellate counsel for international supplier of process systems for food, beverage, and pharmaceutical industry
- Representation of manufacturer of hair care products in a dispute regarding its product labeling and the sales and marketing of its products
- Representation of commercial bakery equipment manufacturer against personal injury claims arising out of alleged design and manufacturing defects
- Representation of sunglasses manufacturer in putative class action based on alleged misrepresentations in product literature
- Representation of topical drug manufacturer in arbitration against claims of misappropriation of trade secrets (drug formulation), breach of confidentiality, and loss of profits because of delayed FDA approval
- Counsel company manufacturing silicone sealants for medical devices in dispute regarding misappropriation of trade secrets (proprietary manufacturing processes) by competitor

- Counsel biotechnology research company in dispute with pharmaceutical services company over destruction of irreplaceable master virus seed stock
- Representation of pharmaceutical development and manufacturing company in dispute with partner company regarding profit-sharing terms of distribution agreement
- Representation of marine construction and dredging company in multimillion dollar Jones Act and unseaworthiness claims that included an issue of first impression regarding punitive damages by acting as both trial and appellate counsel
- Representation of industrial heating manufacturer in personal injury claims, including drafting and arguing successful summary judgment motion based on plaintiff's failure to establish causation between manufacturer's heater and his alleged injury
- Representation of Chinese investor in an LCIA arbitration regarding its termination of a share purchase agreement governing its purchase of an iron ore mine after the seller, a Brazilian metals and mining company, failed to meet certain post-closing obligations
- Representation of U.S.-based water and wastewater equipment manufacturer in an ICDR arbitration concerning the disputed termination of an international distributor agreement with its exclusive distributor in France