



H. W. Turner

Of Counsel

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OVERVIEW

Mr. Turner concentrates in complex commercial litigation and appeals. He has handled litigation involving toxic tort, trust and probate claims, defamation, antitrust, railroad law, product liability, RICO, ERISA, as well as international litigation. Mr. Turner has trial and appellate experience throughout the United States, including appearances before the United States Supreme Court.

PROFESSIONAL BACKGROUND

Mr. Turner joined K&L Gates in 1964.

PROFESSIONAL / CIVIC ACTIVITIES

- Allegheny County Academy of Trial Lawyers (Fellow)
- American Bar Foundation (Fellow)
- American Law Institute (Life Member)
- American, Pennsylvania and Allegheny County Bar Associations (Member)
- Federal Judicial Nominating Commission (Chairman, 1995-2008)
- International Academy of Trial Lawyers (Past Fellow)

CIVIC ACTIVITIES

- American Heart Association, Director (1993 - 2003)
- Benz Foundation, Chairman (1986-present)
- Fox Chapel Volunteer Fire Department, Firefighter
- Foxwall Emergency Medical Service, Inc. Director, President (2007 – 2013)

- Historical Society of Western Pennsylvania, Trustee (1995 – 2006, 2007-present)
- Pittsburgh Cultural Trust, Director (2000 – 2004, 2007-present)
- Pittsburgh Opera, Director and Past President (1985-present)
- University of Pittsburgh (Trustee, 1995 – 2003)
- Wilson College, Trustee (1979 – 1991), Secretary (1980 – 1991)

EDUCATION

- J.D., Harvard Law School, 1964
- B.A., University of Pittsburgh, 1961

ADMISSIONS

- Bar of Pennsylvania
- Court of Common Pleas of Allegheny County
- Superior Court of Pennsylvania
- Supreme Court of the United States
- United States Court of Appeals for the Eleventh Circuit
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Sixth Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Western District of Pennsylvania

AREAS OF FOCUS

- Antitrust, Competition, and Trade Regulation
- Appellate Litigation
- Commercial Disputes
- Estate Planning and Trusts & Estates
- Maritime

- Nonprofit Organizations
- Oil and Gas
- Public Policy and Law

REPRESENTATIVE EXPERIENCE

- *U.S. v. Allegheny Ludlum Corp.* 366 F.3d 164 (3rd Cir. 2004). Environmental Law - Clean Water Act.
- *Moody v. Security Pacific Business Credit, Inc.*, 85 B.R. 319, 1988 WL 27780 (W.D. Pa. 1988). Bankruptcy.
- *Wittekamp v. Gulf & Western, Inc.*, 788 F. Supp. 246 (W.D. Pa. 1992). Misrepresentation.
- *Rearick v. Holstein-Friesian Ass'n of America*, 472 F. Supp. 464 (W.D. Pa. 1979). Sherman Act.
- *Treibacher Industrie, A.G. v. Allegheny Technologies, Inc.*, 464 F.3d 1235 (11th Cir. 2006), 2006 WL 2595225. Commercial Law - Sales.
- *Hart-Carter Co. v. J.P. Burroughs & Son, Inc.*, 654 F. Supp. 23 (E.D. Mich., S. Div. 1986). Corporations.
- *Pendrell v. Chatham College*, 370 F. Supp. 494 (W.D. Pa. 1974). Civil Rights.
- *Agency Holding Corp. v. Malley-Duff & Associates, Inc.*, 483 U.S. 143 (1987). RICO Statute of Limitations.
- *Sampson-Miller Associated Companies v. Washington Homes, Inc.*, 303 F. Supp. 739 (W.D. Pa. 1969). Jurisdiction.
- *In re Browarsky's Estate*, 437 Pa. 282, 263 A.2d 365 (1970). Estates - Attorneys' Fees.
- *Baltimore Bank for Cooperatives v. Farmers Cheese Cooperatives*, 428 F. Supp. 635 (W.D. Pa. 1977). Creditor's Rights.
- *Moody v. Simmons*, 858 F.2d 137 (3rd Cir. 1988). Mandamus.
- *Malley-Duff & Associates, Inc. v. Crown Life Ins. Co.*, 792 F.2d 341 (3rd Cir. 1986). RICO Statute of Limitations.
- *FMC Corp. v. Holliday*, 885 F.2d 79 (3rd Cir. 1989). ERISA Preemption.
- *Dow Chemical Co. v. Nova Chemicals Corp. (Canada)*, 726 F.Supp.2d 459 (D. Del. 2010). Patent Standing.
- *Dow Chemical Co. v. Nova Chemicals Corp. (Canada)*, 2010 WL 3083023 (D. Del. 2010). Patent Injunction.
- *Dow Chemical Co. v. Nova Chemicals Corp. (Canada)*, 458 Fed.Appx. 910 (Fed. Cir. 2012). Patent Standing.
- *NOVA Chemicals Corporation (Canada), et al. v. The Dow Chemical Co.*, (U.S. Sup. 2012). Petition for Certiorari - Patent.
- *GTE Sylvania Inc. v. Consumer Product Safety Commission*, 404 F. Supp. 352 (D. Del. 1975). Consumer Product Safety Act.

- *In re Browarsky's Estate Appeal of Mellon National Bank & Trust Co.*, 428 Pa. 588, 236 A.2d 522 (1968). Estates and Trusts.
- *Malley-Duff & Associates, Inc. v. Crown Life Ins. Co.*, 734 F.2d 133 (3rd. Cir. 1984). Sherman Act.
- *In re Browarsky's Estate*, 43 Pa. D. & C.2d 571 (O.C. Allegh. Co. 1967). Estates.
- *Ellwood City Forge Company, et al. v. Bohler-Uddeholm America, Inc.* (U.S. Sup. 2001). Petition for Certiorari. Federal Rule of Evidence 807.
- *In re Fritz' Estate*, 52 Pa. D. & C.2d 483 (O.C., Lawrence Co., 1970). Estates.
- *Fenton v. Stear*, 423 F. Supp. 767 (W.D. Pa. 1976). Civil Rights.
- *GTE Sylvania Inc. v. Consumer Products Safety Commission*, 438 F. Supp. 208 (D. Del. 1977). Consumer Product Safety Act.
- *Haas v. Pittsburgh Nat. Bank*, 77 F.R.D. 382 (W.D. Pa. 1977). Class Action Guardian ad litem.
- *GTE Sylvania Inc. v. Consumer Product Safety Commission*, 443 F. Supp. 1152 (D. Del. 1977). Consumer Product Safety Act.
- *Haas v. Pittsburgh Nat. Bank*, 82 F.R.D. 457 (W.D. Pa. 1979). Recusal.
- *Haas v. Pittsburgh Nat. Bank*, 495 F. Supp. 815 (W.D. Pa. 1980). Class Action.
- *Norfolk & W. Ry. Co. v. United Transp. Union*, 446 F. Supp. 1085 (W.D. Pa. 1978). Railway Adjustment Boards.
- *Norfolk and W. Ry. Co. v. United Transp. Union*, 490 F. Supp. 301 (W.D. Pa. 1980). Interstate Commerce Act.
- *Lessard v. Jersey Shore State Bank*, 702 F. Supp. 96 (M.D. Pa. 1988). Securities Law.
- *Wood & Locker, Inc. v. Doran and Associates*, 708 F. Supp. 684 (W.D. Pa. 1989). Oil and Gas.
- *Lorenz v. CSX Corp.*, 736 F. Supp. 650 (W.D. Pa. 1990). Railway Debentures.
- *Weilersbacher v. Pittsburgh Brewing Co.*, 421 Pa. 118, 218 A.2d 806 (1966). Contracts.
- *Palmieri v. Penn Hills Tp.*, 428 Pa. 464, 239 A.2d 204 (1968). Cable Television - Injunctions.
- *Bidwell v. Zoning Bd. of Adjustment of Pittsburgh*, 4 Pa.Cmwlt. 327, 286 A.2d 471 (1972). Zoning Law.
- *Com., Dept. of Environmental Resources v. Mill Service, Inc.*, 21 Pa.Cmwlt. 642, 347 A.2d 503 (1975). Clean Streams Act.
- *Abd v. Mill Service, Inc.*, 241 Pa.Super 525, 358 A.2d 86 (1976). Corporations.
- *Equibank, N.A. v. Pittsburgh National Bank*, 243 Pa.Super. 611, 364 A.2d 957 (1976), Estates and Trusts.
- *Com. v. Bodamer*, 40 Pa.Cmwlt. 524, 397 A.2d 871 (1979). Prisons.

- *Norfolk & W. Ry. Co. v. Pennsylvania Public Utility Commission*, 489 Pa. 109, 413 A.2d 1037 (1980). Locomotive Equipment - Preemption.
- *Pennsylvania Public Utility Com'n v. Norfolk and Western Ry. Co.*, 75 Pa. Cmwlth 420, 461 A.2d 1353 (1983). Public Utility Law - Locomotive Appurtenances - Boiler Inspection Act.
- *In re Adoption of B.G.S.*, 614 A.2d 1161 (1992). Parental Rights Termination.
- *Knuth v. Erie-Crawford Dairy Co-op. Ass'n.*, 395 F.2d 420 (3rd Cir. 1968). Antitrust.
- *Hayes v. Sealtest Foods Division of Nat. Dairy Products Corp.*, 396 F.2d 448 (3rd Cir. 1968). Sherman Act.
- *Angelo v. Bacharach Instrument Co.*, 555 F.2d 1164 (3rd Cir. 1977). Equal Pay.
- *St. John's General Hosp. of Allegheny-ADR Center v. N.L.R.B.*, 825 F.2d 740 (3rd Cir. 1987), 125 L.R.R.M. (BNA) 3463. Labor Law.
- *GTE Sylvania, Inc. v. Consumer Product Safety Commission*, 598 F.2d 790 (3rd Cir. 1979). Consumer Product - FOIA.
- *Haas v. Pittsburgh Nat. Bank*, 627 F.2d. 677 (3rd Cir. 1980). Class Actions - Recusal.
- *Liberty Mut. Ins. Co. v. Triangle Industries, Inc.*, 957 F.2d 1153 (4th Cir. 1992). Insurance Coverage.
- *Lorenz v. CSX Corp.*, 1 F.3d 1406 (3rd Cir. 1993). Securities Law.
- *Consumer Product Safety Commission v. GTE Sylvania, et al.*, 447 U.S. 102 (1980), FOIA/CPSA.
- *Woosley v. Smith, et al.*, (U.S. Sup. 1999). Opposition to Certiorari - Termination of Parental Rights.
- *Equibank v. Lash*, U.S. Sup. (1992). Petition for Certiorari - ERISA Preemption.