Michael G. Connelly

Partner

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Companies facing their most difficult challenges and commercial disputes turn to Mike for his client-centric approach based on his more than 25 years handling complex commercial litigation throughout the United States. He has gained particular recognition representing pharmaceutical and energy companies in a broad array of matters ranging from nationwide multidistrict litigation to complex state court disputes in challenging venues.

OVERVIEW

Mike is a partner in the firm's Business Litigation Practice Group. With more than 25 years of complex commercial litigation experience spanning a broad range of industries and subject areas, Mike is particularly experienced working with energy and pharmaceutical clients to address their most important challenges, including the defense of multidistrict litigation and class action claims.

Mike advises pharmaceutical clients on a broad array of complex commercial and operational issues. He serves as North American coordinating counsel for a pharmaceutical manufacturing company in the defense of opioid-related claims brought in the Opioid Multidistrict Litigation and state Mass Litigation Panels. In addition to providing advice on commercial issues and leading due diligence teams in the pharma space, Mike has led teams in the successful defense of claims against pharmaceutical companies in a wide variety of matters, including involving licensing, pricing, vendor issues, insurance coverage, and competitor disputes.

He represents oil and natural gas companies in all areas of development in the Marcellus and Utica Shale, and beyond. Additionally, Mike represents midstream companies in all aspects of pipeline projects, including multibillion-dollar projects bridging numerous states. Mike's experience includes representing energy companies in litigation in the Northeast and elsewhere, involving a wide variety of disputes in connection with commercial parties and landowner groups. Energy companies also call on Mike to handle insurance-related matters.

REPRESENTATIVE MATTERS

Pharmaceutical Companies

- Serving as North American coordinating counsel for defense of opioid-related claims for pharmaceutical manufacturers in state, federal, and provincial courts, including in the federal Multidistrict Litigation (MDL) and before state Mass Litigation panels.
- Advised on issues related to insurance coverage of opioid claims involving pharmaceutical manufacturer.

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- Defended against claims of off-label use and improper marketing in multiple jurisdictions.
- Advised on a broad range of commercial and operational issues including licensing disputes.
- Represented pharmaceutical companies in commercial litigation claims in connection with a wide variety of matters, from breach of contract to vendor misconduct.
- Successfully resolved matters brought on behalf of pharmaceutical manufacturer against a contract research organization involving a complex research dispute.
- Performed litigation due diligence as part of M&A process.
- Coordinated cross-disciplinary teams for M&A deal work.
- Responded to and resolved government investigations at the federal and state level.

Energy/Oil and Gas

- Obtained summary judgment for midstream company that was upheld by the Pennsylvania Superior Court in a case involving contract and tort claims regarding placement of a pipeline.
- Defended cases involving a wide variety of claims, including claims for breach of contract for violations of Right-of-Way/Easement agreements, negligence, fraud, trespass, claims brought under state Hazardous Sites Cleanup Acts, and private and public nuisance claims for activities related to pipeline construction and the operation of compressor stations, including for noise, dust, and release of hazardous materials.
- Defended a major midstream company in defeating injunction action brought in federal court by landowner attempting to stop access to and work on his property related to the repair of a pipeline rupture.
- Handled all aspects of multibillion-dollar pipeline projects spanning numerous states, including putting protocols in place for activities in Pennsylvania, West Virginia, Ohio, and elsewhere for issues ranging from acquisition of options for rights-of-way to drafting construction documents.
- Advised pipeline companies regarding viability of eminent domain and pre-condemnation activities in Pennsylvania, West Virginia, Ohio, and elsewhere.
- Negotiated with landowners on pre-litigation matters involving all manners of potential claims.
- Represented oil and gas companies in insurance coverage actions.
- Represented exploration and production companies in litigation in state and federal courts in Pennsylvania and elsewhere, including defending construction claims, defending claims for bonus and anniversary payments under oil and gas leases, defending declaratory judgment actions, defending against claims attempting to repudiate leases, quiet title actions, and in disputes over the sale of natural gas, mineral rights ownership, lease formation, and held by production status.
- Represented field services companies supporting the oil and gas industry, including drilling companies, trucking companies, water supply companies, and others, in all aspects of operations, including negotiating and drafting Master Service Agreements, Master Drilling Contracts, advising on hiring and termination issues, Department of Transportation issues, locating operations in multiple states, and representing these companies in litigation.
- Served as coordinating counsel for multistate utility company with respect to matters including litigation, labor and employment, environmental, real estate, and power plant issues.

Financial Industry Litigation

- Obtained successful motion to dismiss on behalf of leading provider of analytical solutions and credit scoring products and services in first of its kind antitrust class action. *Black v. JP Morgan Chase & Co., et al.*, 2:10-cv-00848-DSC-LPL, ECF No. 84 (W.D.Pa. Aug. 10, 2011).
- Defended one of the two largest financial institutions in the nation against claim brought in Pennsylvania state court seeking more than $1 billion.
- Obtained summary judgment for lender based on recoupment and setoff arguments in action brought under the state Unfair Trade Practices and Consumer Protection Law. *Detwiler v. CitiFinancial*, No. 10735 GD 2009, Court

of Common Pleas of Indiana County, PA (February 2010).

- Defended numerous banks and other financial services institutions in actions brought in state, federal, and bankruptcy courts, and before arbitration panels involving allegations of predatory lending, violations of TILA, RESPA, HOEPA, FCRA, FACTA, FDCPA, FCEUA, fraud, and other statutory and common law claims.

AWARDS

- *Best Lawyers in America®:* Litigation – Environmental (2023-2024); Commercial Litigation (2027)

TOP AREAS OF FOCUS

- Antitrust
- Business Litigation
- Class Action
- Energy
- Environmental + Natural Resources
- Health Care + Life Sciences
- Oil + Gas

ALL AREAS OF FOCUS

- Antitrust
- Business Litigation
- Class Action
- Energy
- Environmental + Natural Resources
- Health Care + Life Sciences
- Litigation + Trial
- Oil + Gas

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Vice president, Board of Directors, Mt. Lebanon Montessori School
- Volunteer mentor, Big Brothers/Big Sisters of Greater Pittsburgh (1998-2003)
- Former member, Organizing Committee for Coaches vs. Cancer, Pittsburgh Chapter
- Member, Corporate Subcommittee of the Pittsburgh Opera

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Pittsburgh School of Law, J.D., 1997, staff member and lead articles editor, *University of Pittsburgh Journal of Law and Commerce*
- University of Notre Dame, B.A., *magna cum laude*, 1994, government/international relations and history

BAR ADMISSIONS

- Pennsylvania
- West Virginia

COURT ADMISSIONS

- Supreme Court of the United States
- U.S. Court of Appeals, Third Circuit
- U.S. District Court, Western District of Pennsylvania
- U.S. District Court, Northern District of West Virginia
- U.S. District Court, Southern District of West Virginia

MEDIA COMMENTARY

- Quoted, "Energy Litigation to Watch in 2022," *Law360*, January 3, 2022.
- Quoted, "Climate Change Dominated Energy Court Rulings of 2021," *Law360*, December 13, 2021.
- Quoted, "Energy M&A Roared Back to Life in 2021," *Law360*, December 3, 2021.