



Jared Bayer

Member

Philadelphia

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Jared Bayer handles a wide range of commercial litigation matters, including partnership disputes, real estate litigation, oil and gas lease disputes, gaming licensing litigation, and other contract disputes. He tries jury and non-jury cases and has handled appeals before intermediate appellate courts and the Pennsylvania Supreme Court.

Jed serves as co-chair of the firm's Hiring Committee.

Jed earned his law degree from the American University Washington College of Law in 2005, where he graduated *summa cum laude*. He was a note and comment editor for the *American University Law Review* and authored *Toward a Political Principle of Subsidiarity in the United States*, 53 Am. U.L. Rev. 1422. Jed earned his undergraduate degree in economics and Russian and East European studies from Wesleyan University in 2000. He earned an M.A. in European comparative and regional studies from the American University School of International Service in 2009. Jed also studied Spanish and Russian language.

Experience

Secured a \$3.5 million judgment following a multi-day arbitration for a dining and facility management services company in a breach of contract case which also involved liability incurred when the defendant's termination of the contract at issue caused the client to withdraw from a union pension fund to which it had been contributing. After winning a motion for partial summary judgment that secured hundreds of thousands of dollars in past due invoices, attorneys' fees, and defeated a \$670,000 counterclaim, we prevailed at arbitration with the arbitrator finding that the client was entitled to indemnification by the defendant of \$2.4 million of withdrawal liability and entitled to more than \$600,000 on other claims related to the applicable collective bargaining agreement and the termination of the parties' contract.

Secured a favorable ruling from the Pennsylvania Supreme Court on behalf of a law firm facing claims under the Dragonetti Act centered on a request for sanctions/contempt within a post-trial motion it filed in an underlying suit. The Court held 5-2 that intra-case motions are not a basis for suing for wrongful use of civil proceedings under Pennsylvania law.

Secured an important ruling, in conjunction with co-counsel, from the Pennsylvania Commonwealth Court on behalf of the University of Pittsburgh Medical Center (UPMC) in a highly publicized and long-running dispute with Highmark Inc. and Pennsylvania's Attorney General. At issue was whether consent decrees to maintain in-network access for Highmark insureds at UPMC facilities should be extended, and the court ruled that the expiration date should be upheld. This ruling led to renewed negotiation, ultimately an agreement between the parties, and the withdrawal of all related lawsuits by the Commonwealth.

Secured a favorable jury verdict on behalf of a licensed life settlement provider after a two-week trial in federal court in which a large, international conglomerate alleged that it had been defrauded into overpaying for 12 life insurance policies and that the client had an undisclosed fee-sharing agreement with third-party intermediaries. After deliberating for less than five hours, the jury returned a verdict for

Practice Areas

- Commercial Litigation

Industry Sectors

- Gaming
- Real Estate & Construction

Education

- American University, Washington College of Law, J.D., *summa cum laude*, 2005
- American University, M.A., 2009
- Wesleyan University, B.A., 2000

Bar Admissions

- New Jersey
- Pennsylvania

Court Admissions

- Pennsylvania Supreme Court
- Supreme Court of New Jersey
- U.S. District Court -- Eastern District of Pennsylvania
- U.S. District Court -- Middle District of Pennsylvania
- U.S. District Court -- New Jersey

Affiliations

- American Bar Association
- Pennsylvania Bar Association
- Philadelphia Volunteers for the Indigent Program

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our client, including on its defensive counterclaim.

Successfully represented the Southeastern Pennsylvania Transportation Authority (SEPTA) before the Pennsylvania Supreme Court, defeating an effort to overturn the statutory damages cap that limits recovery against state agencies to \$250,000. Responding to the plaintiffs' King's Bench petition, the Cozen O'Connor team argued that the extraordinary relief sought was improper and that the plaintiffs' arguments regarding potential changes to the sovereign immunity statute were inappropriately directed to the Court, rather than to the legislature.

Won summary judgment in a precedent-setting case centering on an oil and gas lease covering a parcel of real property later determined to be subject to a reservation of rights covering half of the parcel. After quieting title to the full parcel, the lessor filed a declaratory judgment action against our client (the lessee oil and gas company) seeking a declaration that the lease applied only to half of the subject parcel. In granting our summary judgment motion, thus securing our client's rights in the full parcel, the trial court accepted our argument that the plaintiffs were estopped from denying that the lease covered the full parcel by both their contractual promises and by the doctrine of estoppel by deed. This win was affirmed by both the Superior Court of Pennsylvania and the Supreme Court of Pennsylvania in written opinions.

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