

# Stephen F. Raiola

## Counsel

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## Biography

Stephen F. Raiola is an experienced and versatile trial litigator and business lawyer who has represented companies in business negotiations, assisted companies as an outside general counsel, served on several trial teams, deposed over a dozen witnesses, and led discovery strategy in nationwide litigation in matters ranging from intellectual property litigation to constitutional rights litigation to commercial litigation to product liability litigation, mass torts, and class actions. Those representations, in turn, have been national in scope, spanning federal and state courts throughout the country, including courts in Alabama, California, Connecticut, Delaware, Georgia, Florida, Massachusetts, Minnesota, Missouri, Ohio, Pennsylvania, Nevada, New Jersey, New York, and West Virginia.

In addition, Stephen is an emerging member of the Appellate Bar who has served as counsel of record on two certiorari petitions before the U.S. Supreme Court and briefed over a dozen appellate matters across six federal circuits, the U.S. Supreme Court, the New York State Appellate Division, the California Court of Appeal, and the Pennsylvania Superior Court. He also has presented oral argument on seven occasions before the California Court of Appeal as well as the U.S. Courts of Appeals for the Third, Fourth, Seventh, and Ninth Circuits, and has served as court-appointed amicus curiae for both the U.S. Court of Appeals for the Third Circuit and the U.S. Court of Appeals for the Fourth Circuit.

Before joining Kibler Fowler & Cave LLP, Stephen practiced at Simpson Thacher & Bartlett LLP in New York, Covington & Burling LLP in Washington, D.C., and Pietragallo Gordon Alfano Bosick & Raspanti, LLP in Pittsburgh.

Stephen's representative matters prior to joining Kibler Fowler & Cave include:

- Successfully representing clients as lead counsel in the United States Courts of Appeals for the Third and the Ninth Circuits.
- Prevailing in the United States Court of Appeals for the Third Circuit on a significant jurisdictional question that was the subject of a circuit split.
- Serving as counsel of record on a cert petition that was supported by two amici in the U.S. Supreme Court.

- Serving as court-appointed *amicus curiae* to advise the United States Court of Appeals for the Third Circuit on the constitutionality of a New Jersey law that allows courts to mandate that parents pay for the college tuition of their adult children.
- Representing a leading technology company as well as several Fortune 500 companies facing privacy litigation brought under Pennsylvania's Wiretap Act.
- Defending a major pharmaceutical distributor in the nationwide opioid litigation.
- Representing Takeda and Lundbeck in Hatch-Waxman litigation involving the antidepressant Trintillex, adverse to sixteen generic manufacturers.
- Advising companies in business negotiations and as an outside general counsel.
- Prevailing in the Pennsylvania Superior Court on an issue of first impression regarding the type of injury that is required for a Plaintiff to have standing to bring a lawsuit in Pennsylvania under FACTA.

Active in community service, Stephen has performed thousands of hours of pro bono legal services for indigent litigants in Courts of Appeals throughout the country and has served in several leadership roles in the Federalist Society. At present, Stephen is the Vice President of the Pittsburgh Chapter of the Federalist Society. Prior to that, Stephen served on the Board of the D.C. Young Lawyers Chapter of the Federalist Society.

Stephen graduated *magna cum laude* from both Georgetown University Law Center and the College of the Holy Cross, where he was a Rowing National Champion. Following his graduation from Georgetown Law, Stephen served as a clerk for Judge D. Michael Fisher of the U.S. Court of Appeals for the Third Circuit.

## Areas of Practice

- Appellate Litigation
- Business Litigation
- Entertainment & IP Litigation
- Financial Services Litigation

## Education

- Georgetown University Law Center, J.D., *magna cum laude*
- College of the Holy Cross, B.A., *magna cum laude*

## Clerkships

- Hon. D. Michael Fisher, U.S. Circuit Judge, U.S. Court of Appeals for the Third Circuit

## Bar & Court Admissions

- District of Columbia
- New York
- Pennsylvania
- United States Supreme Court
- U.S. Court of Appeals for the D.C. Circuit

- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Middle District of Pennsylvania
- U.S. District Court, Western District of Pennsylvania
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York