

JENNIFER RICHNAFSKY

86 South 24th Street
Pittsburgh, PA 15203

jrichnafsky@gmail.com
(814) 746-5378

PROFESSIONAL EXPERIENCE

SHERRARD, GERMAN & KELLY, P.C., Pittsburgh, PA

September 2015 - Present

Senior Associate

Represent clients in all aspects of diverse disputes, with significant experience in commercial litigation, regulatory compliance and insurance coverage litigation. Develop and execute litigation strategies, negotiate settlement agreements and collaborate with clients and colleagues to obtain positive case outcomes. Prepare for and participate in hearings, arbitrations and civil trials at the first and second chair levels. Manage younger associates and interact extensively with clients. Assess and update client policies and procedures to ensure compliance with applicable regulatory requirements. Conduct and defend depositions and engage in significant, complex document discovery, including electronic discovery. Spearhead the drafting, submission and, if appropriate, presentation of numerous pleadings, briefs and motions, including dispositive motions. Analyze corporate policies, records and commercial contracts for purposes of representing clients at hearings, assessing the strength of claims and advising clients as to risk, regulatory exposure and strategy.

SCHULTE ROTH & ZABEL LLP, New York, NY and Washington, DC

April 2012 - July 2015

Litigation Associate

Engaged in a broad commercial litigation practice and developed experience with all aspects of the litigation case cycle, including extensive discovery, briefing and participation in high-level depositions and a complex misappropriation of trade secrets trial at the second chair level. Prepared numerous witnesses to testify at depositions and trial such as a C-Suite executive, economic damages expert and the British Minister of State for Energy, Business and Enterprise. Prepared legal documents, including pleadings, motions and discovery responses, on wide-ranging topics. Organized responses to regulatory investigations and frequently represented highly-regulated clients, including investment advisors, broker-dealers and commercial banks. Conducted audits of commercial documentation and corporate practices for purposes of identifying potential violations, negotiating settlement agreements with the SEC and, if necessary, planning litigation strategies.

LINKLATERS LLP, New York, NY

September 2009 - March 2012

Summer Associate and Associate, Litigation and Capital Markets

May - August 2008

Litigated complex commercial matters, investigated alleged regulatory violations and facilitated capital markets transactions. Conducted extensive legal research and statutory analysis on a broad assortment of topics, including the Dodd-Frank Act, fiduciary duties and the Foreign Corrupt Practices Act (FCPA). Reviewed and negotiated documents containing complex corporate data, such as financial statements, prospectuses and security agreements. Examined voluminous documents and liaised with forensic accountants for purposes of investigating facts and preparing presentations to the government concerning potential statutory violations.

HSBC, London, UK

February - May 2011

Legal Seconded, Global Banking & Markets

Collaborated with a significant firm client to lead negotiations with international business and compliance teams for purposes of balancing local regulatory concerns with HSBC's broader goal of developing standard global documentation for high-end business customers. Successfully drafted and revised a variety of banking documents, including corporate resolutions and data protection forms, to reflect the consensus reached on legal and regulatory issues.

SPARKLING PONDS WINERY, Ripley, NY

2006 - 2010

Founder and Co-owner

Founded and formulated the business plan for a start-up winery and wine production facility in Western New York. Actively involved in developing and executing business solutions, creating marketing materials and drafting formation and licensing documents that complied with regulatory requirements. Sold the business for a profit in 2010.

K&L GATES, LLP, Pittsburgh, PA

May - August 2007

Summer Associate

Completed legal research and writing assignments in connection with commercial litigation and health care regulatory matters. Drafted research memoranda to assist with commercial contract and product liability disputes. Prepared for and attended hearings on discovery issues, developed presentations on electronic discovery and delivered the opening statement and cross-examination during a mock trial.

NBC SPORTS, New York, NY

January - May 2004

2004 Olympics Intern

Performed a broad array of legal, broadcasting and marketing assignments in preparation for the 2004 Athens Olympics. Assisted the legal department in the review and negotiation of vendor agreements and temporary employment contracts for Olympic commentators. Worked with broadcasting and marketing professionals to conduct research on athletes, develop video profiles and organize promotional materials.

EDUCATION

HARVARD LAW SCHOOL, J.D., June 2009

Activities: *Harvard International Law Journal*
Harvard Association for Law and Business
Intramural Skiing, Football and Basketball

UNIVERSITY OF CAMBRIDGE, TRINITY COLLEGE, M.Phil. Linguistics, July 2006

Honors: Honors Dissertation, *Ambiguous Exemplars and Phonemic Restoration*
Cambridge Overseas Trust Scholarship

COLUMBIA UNIVERSITY, B.A. History and Psychology, May 2004

Honors: Phi Beta Kappa, Early Selection (Top 2% of Graduating Class)
summa cum laude
Dean Hawkes Memorial Prize, First Place for Excellence in the Humanities

Activities: Model European Union, President
Women's Club Ice Hockey Team
Columbia University in Paris, French Phonetics Program, Summer 2002

PERSONAL

Interests include ice hockey, golf, classic cinema, Eastern European travel and tennis.

BAR MEMBERSHIPS

New York and Pennsylvania

ADDENDUM: REPRESENTATIVE EXPERIENCE

SHERRARD, GERMAN & KELLY, P.C., Pittsburgh, PA
Senior Associate

September 2015 - Present

- Represented an international franchisor in a contentious arbitration with one of the client's international franchisees, which arose from the client's alleged breach of contract and bad faith termination of the franchise relationship.
 - Drafted pre-hearing and post-hearing briefs, prepared witnesses and examined witnesses at the arbitration.
 - Obtained an arbitration award in favor of the client and against the franchisee.
- Lead litigation efforts in an insurance coverage action involving a fiduciary liability policy, in which the plaintiff insureds dispute the limit of liability applicable to a lawsuit that the United States Department of Labor brought against the insureds.
 - Drafted and argued a partial motion to dismiss, response in opposition to plaintiffs' motion to amend the complaint and response in opposition to plaintiffs' motion for partial summary judgment.
 - Manage discovery efforts and relationship with local counsel.
 - Collaborate extensively with the client in matters such as developing litigation strategies and preparing witnesses for depositions.
- Defended the purchaser of a chemical manufacturing facility against claims that the purchaser was obligated to defend and indemnify the seller corporation in multiple litigations arising from alleged injuries caused by exposure to asbestos.
 - Analyze and provide advice regarding strategy and potential liability exposure under the relevant transaction documents, with emphasis on the indemnification provisions therein.
 - Draft and argue multiple sets of preliminary objections.
 - Defend against plaintiffs' tort claims in the underlying asbestos litigations.
 - Successfully obtained insurance coverage under a commercial general liability policy in effect during the early 1980s, when the alleged asbestos exposure occurred. Efforts to obtain coverage involved extensive policy analysis, written communications with the insurer and requests that the insurer reconsider its initial denial of coverage.
 - Drafted and negotiated settlement agreements to resolve (1) the dispute with the seller corporation and (2) outstanding insurance coverage issues.
- Defend an operator of storage facilities against the United States Department of Labor's claims that the relevant entity and its owner violated the Fair Labor Standards Act's overtime and recordkeeping requirements.
- Represented a provider of nursing home and health care services in a widely-publicized dispute with a Pennsylvania county arising from the provider's purchase of a nursing home's assets, operations and real estate from the county.
 - Developed strategies for responding to press reports and an independent forensic audit commissioned by the county, which allegedly concluded that the provider owed the county over \$1.2 million.
 - Conducted extensive analyses of the forensic audit and operative contracts underlying the nursing home purchase.
- Successfully negotiated settlement agreements in two breach of contract actions, one on behalf of a film capacitor manufacturer and the other on behalf of a tooling services provider.
- Served as interim in-house counsel for a major financial institution, which involved advising the client on diverse retail banking matters, including compliance with the Uniform Commercial Code and assessment of potential regulatory and liability exposure.
- Represented on a *pro bono* basis a client convicted of second degree murder as a fifteen-year-old juvenile in 1981 at the client's resentencing hearing; the client had initially received a mandatory sentence of life without the possibility of parole, which the United States Supreme Court banned as unconstitutional with respect to juvenile offenders in 2012.

Litigation Associate

- Represented an interdealer broker in a New Jersey misappropriation of trade secrets and RICO action from the beginning of discovery through a four-month trial.
 - Liaised with outside vendors and utilized electronic discovery software and techniques while overseeing document productions, developing document discovery strategies and drafting discovery responses.
 - Conducted research for and drafted numerous briefs, including responses to four dispositive motions filed by our adversary.
- Was the sole associate responsible for formulating and arguing economic damages theories based on lost profits and decreased market capitalization in the New Jersey misappropriation of trade secrets and RICO litigation.
 - Conducted qualitative and quantitative analyses of complex financial information and equity analyst reports to refine damages theories and refute opposing arguments.
 - Developed deposition and trial outlines to prepare our economic damages expert to testify at deposition and trial and to depose our opponent's damages experts. Participated in the depositions and at trial at the second chair level.
- Oversaw fact investigation and witness preparation in connection with DOJ and FSA investigations arising from the LIBOR price-fixing scandal; served as second chair at the client's primary witness interview with the FSA.
- Drafted submissions and negotiated settlement agreements with the SEC for prospective SEC enforcement actions.
- Scrutinized stock exchange rules, organized document productions and drafted discovery responses in a federal Illinois action concerning the trading ahead of securities on four major stock exchanges.
- Worked with the *pro bono* organization Sanctuary for Families to spearhead the drafting and submission of an appeal arising in the domestic violence context to the Supreme Court of the State of New York, Appellate Division: Second Department. Won the appeal following oral argument.
- Drafted amicus briefs related to individuals wrongly convicted through DNA testing for the Innocence Project.

LINKLATERS LLP, New York, NY

September 2009 - March 2012

Summer Associate and Associate, Litigation and Capital Markets

May - August 2008

- Sole associate responsible for managing document productions, preparing presentations and analyzing payment flows for an international software company in an FCPA investigation run by the SEC and DOJ.
- Advised clients on regulatory considerations for over-the-counter derivatives under the Dodd-Frank Act.
- Negotiated and updated covered bond programs reliant on Rule 144A and Regulation S under the Securities Act of 1933.
- Drafted a Demand for Arbitration and participated in settlement negotiations for a hedge fund administrator in an international arbitration.
- Updated the antitrust treatise, *Antitrust Law Developments*, in two consecutive years, with emphasis on relevant markets; researched recent developments in antitrust case law and revised the text in accordance with such developments.
- Collaborated extensively with the *pro bono* organization *Lawyers Without Borders*: developed a Westlaw-style database of Liberian Supreme Court decisions and created publicly-distributed comic books on human trafficking law.
- Represented a former New York State Senator on a *pro bono* basis in connection with federal mail fraud and conspiracy charges arising from the alleged theft and misuse of federal funds.