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Daniel B. Huyett

daniel.huyett@stevenslee.com

Philadelphia, Reading

215.751.1956

610.478.2219

Practice

Litigation

Dan specializes in complex business and commercial litigation and has tried more than 40 cases to verdict.

Dan is a Fellow in the American College of Trial lawyers, an invitation only organization composed of the best of the trial bar in the U.S. and Canada and is recognized as the preeminent organization of trial lawyers in North America. The College thoroughly investigates each nominee and selects only those who have demonstrated the very highest standards of trial advocacy, ethical conduct, integrity, professionalism and collegiality.

Most recently, he was on the trial team representing a manufacturer in one of the Department of Labor's top enforcement actions for alleged wage-hour violations at 24 factories. In May 2023, after a two-month trial, the jury returned a verdict that rejected the overwhelming majority of the government's claimed damages.

Dan was twice lead appellate counsel in False Claims Act appeals argued before the U.S. Court of Appeals for the Fourth Circuit. He was trial counsel to a defendant in the federal class action litigation stemming from the Kids-For-Cash scandal involving the Luzerne County Juvenile System, where the trial judge commented that Dan "has extensive experience defending complex litigation and class actions."

In the fall of 2016, he was trial counsel in an ERISA case tried to verdict in federal court in the Southern District of New York, and he was trial counsel in a 2005 federal class action jury trial involving an FLSA claim for overtime resulting in a unanimous verdict for his client after a trial that lasted more than two weeks. In 2004, he was involved in the largest class action price fixing case at the time in the history of the U.S. District Court for the Eastern District of Pennsylvania.

Over the past 30 years, Dan has represented major corporations in their litigation, including International Paper Company, EnerSys, Independence Blue Cross, Capital Blue Cross, Erie Insurance Group, Carpenter

Technology Corporation, Santander Bank and Wells Fargo.

As a former federal prosecutor in Philadelphia, Dan headed a number of grand jury investigations and prosecuted complex and lengthy criminal cases. He was promoted to the Special Prosecutions Division of the U.S. Attorney's Office, where he specialized in complex criminal investigations and political corruption cases. He was an instructor for the U.S. Attorney General's Advocacy Institute in Washington, D.C. He was awarded a Special Commendation for Outstanding Service by the U.S. Department of Justice for his prosecution of an international drug smuggling ring.

Twice Dan was appointed to Magistrate Judge Merit Selection Panels for the U.S. District Court for the Eastern District of Pennsylvania. He was selected to head an investigative panel on the qualifications of a Pennsylvania Superior Court judge candidate as part of the Pennsylvania Bar Association Judicial Evaluation Commission. He also was a gubernatorial appointee to the Governor's Judicial Advisory Commission for Berks County. He was appointed as a Hearing Committee Member for the Disciplinary Board of the Supreme Court of Pennsylvania.

Experience

- *U.S. Department of Labor v. East Penn Manufacturing Co, Inc*, Eastern District of Pennsylvania – on the trial team representing East Penn in a \$100 million FLSA overtime enforcement action during a two-month jury trial.
- *Tower Health v. Community Health Systems*, Eastern District of Pennsylvania – represented Tower Health in a \$140 million contract action during a four week trial.
- *U.S. ex rel Oberg v. Pennsylvania Higher Education Assistance Agency*, Eastern District of Virginia and Fourth Circuit Court of Appeals – represented PHEAA in a \$350 million False Claims Act action before the Fourth Circuit and the District Court.
- *Harley (Wellspan Pension Plan) v. Bank of New York Mellon*, Southern District of New York – represented a pension plan in a multi-million dollar ERISA action during a trial in the Southern District of New York.
- *Wallace v. Powell*, Middle District of Pennsylvania – represented the owner of a juvenile detention facility in a class action arising from the Kids-For-Cash scandal in the Luzerne County Juvenile System
- *Material Technologies v. Carpenter Technology*, District of New Jersey – successfully represented Carpenter Technology in a business interference and trade secrets action in which the plaintiff claimed over \$1 billion in damages.
- *Goldman v. RadioShack Corp.*, Eastern District of Pennsylvania – successfully defended RadioShack in an FLSA class action during a jury trial of more than two weeks.

Affiliations

- American College of Trial Lawyers, Fellow
- Litigation Counsel of America, Senior Fellow
- The Justice William Strong American Inn of Court, Master
- Berks County Bar Association, past President and Former Director
- PA Chamber of Business and Industry (PAC), Member of 2015 Judicial Task Force to evaluate

candidates for the Pennsylvania appellate courts

- Law Foundation of Berks County, Former Director
- Pennsylvania Bar Association
 - Judicial Independence Committee, Former Chair
 - House of Delegates, Former Member
- Albright College, Board of Trustees
- Caron Treatment Centers, Board of Trustees and Former Chair
 - Co-Chair of the 2008 Capital Campaign
- United Way of Berks County, Former Director
 - Co-Chair of the 2014 Annual Campaign (\$9.6 million raised)
- Greater Reading Chamber of Business & Industry, Former Director and Vice Chair
- South Mountain YMCA, Past President and Former Director
- YMCA of Reading & Berks County, Former Director
- Berks County Government Study Commission, elected Commissioner and appointed Secretary

Recognition

- Dan is a Fellow in the American College of Trial Lawyers and a Senior Fellow in the Litigation Counsel of America, both invitation only honorary societies of trial lawyers.
- He is AV® Preeminent™ rated by LexisNexis Martindale-Hubbell, which is the highest rating for legal ability and general ethics.
- As published in *Philadelphia* magazine, Dan has been recognized as a Pennsylvania Super Lawyer, having been selected by his peers as among the top 5 percent of lawyers in the Commonwealth.
- He was awarded a Special Commendation for Outstanding Service in the U.S. Attorneys Office for the Eastern District of Pennsylvania by the U.S. Department of Justice.
- He has been recognized in *The Best Lawyers in America* in the fields of media law and commercial litigation since 2008.
- Dan received the 2023 Harold L. Schappell Lifetime Achievement Award, the highest honor awarded by South Mountain YMCA Camps.
- Dan, with his wife Ellen, received the 2019 Wilbur H. Doran Award, the highest honor for community service bestowed by the United Way of Berks County.
- He received the 2016 Champion for Youth Award from the YMCA of Reading and Berks County.
- Dan, along with his wife Ellen, received the 2012 Richard J. Caron Award of Excellence, the highest honor bestowed by Caron Treatment Centers for leadership, excellence and unselfish service to others.

Education

- Dickinson School of Law of The Pennsylvania State University, J.D.
 - *Dickinson Law Review*, Editor
- Denison University, B.A., *cum laude*

Bar Admissions

- Pennsylvania

Court Admissions

- Pennsylvania Supreme Court
- U.S. Supreme Court
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. Tax Court