

Stevens & Lee

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Wade D. Koenecke

Shareholder

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Princeton

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Practice

Administrative Law and Government Contracts

Litigation

Wade is a counselor and advocate for all phases of consequential civil disputes, from pre-complaint investigations through complex discovery, trial, and appeals. He regularly represents businesses and higher education clients in a wide variety of complex litigation matters, including contract and real estate disputes, shareholder and employment disputes, and significant charitable trust and probate matters. Wade also has experience in complex bankruptcy litigation, including adversary proceedings concerning the recovery of contested or misappropriated assets.

As part of his litigation practice, Wade has a depth of knowledge in handling equity actions that involve pursuing and defending injunctions and actions for declaratory relief. This equity experience also includes matters involving the administration and reformation of charitable assets and trusts, including judicial actions aimed at modifying decades-old charitable assets and trusts to comply with a charitable organization's modern needs, present law and the original donor's charitable purpose, like cy pres actions. Wade's litigation practice is backed by extensive appellate experience, including both defending and prosecuting appeals as well as stays of trial court or administrative agency decisions.

Moreover, Wade has significant experience with government contracting disputes and administrative law. He has successfully litigated numerous bid protests in a range of contract awards, including multibillion dollar healthcare contracts and cannabis licensing, both as a challenger and defender. Several of these representations resulted in published opinions that have shaped New Jersey's public procurement and cannabis licensing landscape. As part of his administrative law practice, he also has represented lawyers in ethics-related issues, including in proceedings before the Committee on Character and the Disciplinary Review Board.

Finally, Wade has a depth of knowledge with government records matters, including litigation concerning the Open Public Records Act and the common law right of access.

Wade is a former Judicial Law Clerk to The Honorable Joseph L. Yannotti, New Jersey Superior Court, Appellate Division. While in law school, he was an editor on *Rutgers University Law Review*.

Experience

Representative Matters

- Three insurance and financial services companies and one reinsurer based in Bermuda, on behalf of their Bermuda liquidators, in United States bankruptcy proceedings to recover more than \$700 million of assets misappropriated by their former North Carolina-based owner.
- Princeton Theological Seminary, in a lawsuit against Rider University involving ownership of the Westminster Choir College campus.
- A New Jersey higher education institution in an arbitration involving a performance bond for a disputed construction project.
- A landlord in a litigation concerning the buildout and lease for a substantial commercial building.
- A business purchaser in an arbitration involving the recovery of damages and assets arising from seller's breach of the asset purchase agreement.
- A New Jersey municipality in several litigation matters involving the release of government records under the Open Public Records Act and the common law right of access.
- A cannabis business in an appeal to overturn New Jersey's award of medicinal cannabis licenses. *In the Matter of the Application for Medicinal Marijuana Alternative Treatment Center for Harvest of New Jersey, LLC*, N.J. Super. (App. Div. 2020)
- A pharmaceutical business in an appeal of a \$6.5 billion contract award for pharmacy benefits management services. *In the Matter of Request for Proposals #17DPP00144*, 454 N.J. Super. 527 (App. Div. 2007)
- Investors and homeowners in lawsuits concerning deed restricted land in Princeton, New Jersey.

Affiliations

- Robert Wood Johnson University Hospital Hamilton Young Professionals, Board Member
- Mercer County Bar Association
- New Jersey State Bar Association

Education

- Rutgers University School of Law, J.D., *magna cum laude*
- Susquehanna University, B.S., *summa cum laude*

Bar Admissions

- New Jersey
- Pennsylvania

Court Admissions

- U.S. District Court for the District of New Jersey