

Stevens & Lee

Powerful partnerships. Standout solutions.



Karl S. Myers

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Areas of Focus

Practice

Litigation

Karl co-chairs Stevens & Lee's Appellate Practice Group with Hon. Thomas I. Vanaskie (Ret.). He is a leading Pennsylvania appellate lawyer with two decades of experience arguing and briefing a wide variety of high-profile, precedent-setting cases before the appellate courts of Pennsylvania and other jurisdictions. Throughout his career, clients have entrusted Karl with numerous high-risk appeals valued, in aggregate, at a half-billion dollars. He focuses on cases before the Pennsylvania Supreme, Commonwealth and Superior Courts, as well as the United States Court of Appeals for the Third Circuit, and has particular experience in the areas of:

- State and federal constitutional challenges
- State administrative agency disputes
- Original jurisdiction proceedings in Commonwealth Court
- Pennsylvania Right-to-Know Law requests
- Government contracting and bid protest disputes
- Insurance insolvency and guaranty association matters
- Complex commercial actions

Karl has served as counsel of record in hundreds of cases before Pennsylvania's appellate courts. Clients also engage him to author amicus curiae briefs before the U.S. Supreme Court and other appellate courts in cases of significance to trade, industry and other groups.

Because of the prominent nature of his appellate advocacy, Karl has frequently presented televised arguments on the Pennsylvania Cable Network and his arguments are often quoted

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in the *Pennsylvania Law Weekly*, *The Legal Intelligencer*, *Law360* and other regional and national publications. As a thought leader in his area of law, he comments on notable issues before the appellate courts and often serves as a panelist and moderator for appellate practice presentations and seminars.

Karl also serves in prominent roles within the community of appellate practitioners. He is Co-Chair of the Appellate Advocacy Committee of the Pennsylvania Bar Association, and is a charter member of that Committee, having been a member since its formation in 2003. Karl serves on the Board of Directors and as Pennsylvania State Chair for the Council of Appellate Lawyers of the American Bar Association's Appellate Judges Conference, the first and only national appellate bench-bar organization. He also serves as a member of the Board of Governors of the Third Circuit Bar Association. Additionally, Karl is an active member of the Pennsylvania Commonwealth Court Historical Society. Through his advocacy and professional activities, Karl has developed a strong rapport with the appellate bench.

Complementing his appellate practice, Karl also is an experienced trial court lawyer who has overseen disputes from inception through verdict, decision or resolution in hundreds of cases pending before state and federal courts. His litigation practice has touched virtually every type of civil matter, including insurance coverage and bad faith cases, commercial disputes, and contract, tort and personal injury matters.

Karl has been trained as a mediator by the American Arbitration Association and is certified as a state and a federal court arbitrator. He has assisted in the judicial selection process by serving three terms as a reviewer in the Investigative Division of the Philadelphia Bar Association's Commission on Judicial Selection and Retention.

Immediately after law school, Karl began to develop his appellate capabilities and experience while serving as a law clerk for the Hon. Russell M. Nigro of the Supreme Court of Pennsylvania. He also served as a clerk for the Hon. John T.J. Kelly Jr. of the Superior Court of Pennsylvania while still in law school.

During his distinguished law school career, Karl was selected as a member of the Appellate Moot Court Board, Dickinson Law Review, and Woolsack Honor Society. At that time, he also served as a clerk for the Hon. Yvette Kane of the U.S. District Court for the Middle District of Pennsylvania. Karl began his legal career as an intern for the Montgomery County District Attorney's Office.

Representative Experience

- Secured the return of over \$18 million in guaranty association assessments for several health plans by obtaining a unanimous decision of the en banc Commonwealth Court after personally briefing and arguing the case before the appellate court in televised proceedings
- Defeated a constitutional Establishment Clause challenge to the tradition of the Pennsylvania House of Representatives of opening each session day with a religious prayer offered by guest chaplains of diverse faith traditions by obtaining a favorable Third Circuit ruling after personally arguing the case before the appellate court
- Won a decisive appellate victory in the Pennsylvania Supreme Court allowing comfort dogs to accompany vulnerable testifying witnesses on behalf of several pro bono clients
- Successfully shielded Philadelphia's Amazon second headquarters or "HQ2" proposal from

- public disclosure prior to Amazon's selection of a second (and third) headquarters in multiple Right-to-Know Law litigation disputes before the Pennsylvania Supreme and Commonwealth Courts, the Philadelphia Court of Common Pleas, and the Pennsylvania Office of Open Records
- Secured a victory for several health plans seeking to protect their confidential and secret rate information by obtaining a favorable Right-to-Know Law ruling from the en banc Commonwealth Court after personally briefing and arguing the case in televised proceedings
- Defeated class action lawsuits against the Pennsylvania legislature challenging the constitutionality of Pennsylvania laws and seeking over \$200 million in relief, including by defeating multiple requests for injunctions in the Pennsylvania Commonwealth Court and obtaining a unanimous Pennsylvania Supreme Court decision in the legislature's favor after personally arguing the case before the Court during televised proceedings
- Negated nearly all of a \$12 million claim in an insolvent insurance company's liquidation proceedings by way of a unanimous, published decision by the Pennsylvania Supreme Court of national significance in the insurance insolvency setting
- Won a decisive appellate victory in the Pennsylvania Superior Court upholding the dismissal of a claim for benefits under a vehicle fleet insurance policy issued by a national insurance company
- Preserved \$11 million in public funding awarded for conversion of a former school building to apartments for lower-income senior citizens by obtaining a Pennsylvania Supreme Court decision awarding zoning to the project after personally briefing and arguing the case before the court in televised proceedings
- Obtained a unanimous Pennsylvania Supreme Court decision of first impression holding that legislative enactments by the Pennsylvania General Assembly are not subject to belated procedural constitutional challenges after personally briefing and arguing the case before the court in televised proceedings
- Defeated an attempt by another state's insurance guaranty association to apply that state's laws to Pennsylvania's insurance insolvency proceedings in a \$700,000 reimbursement dispute by obtaining a favorable 4-to-3 ruling of the en banc Commonwealth Court after personally arguing the case before the court during televised proceedings
- Blocked an alleged participant in the Luzerne County "Kids for Cash" scandal from obtaining insurance coverage in an appeal before the Third Circuit
- Tried a half-million-dollar dispute between packaging companies before a federal jury over five days, securing a partial victory at trial, followed by a complete victory on appeal before the Third Circuit

Affiliations

- Pennsylvania Bar Association, Appellate Advocacy Committee, Co-Chair; Administrative Law Section, Past Chair
- American Bar Association, Appellate Judges Conference, Council of Appellate Lawyers, Board of Directors; Appellate Judges Conference, Council of Appellate Lawyers, Pennsylvania State Chair; Tort Trial and Insurance Practice Section, Appellate Advocacy Committee, Past Chair
- Pennsylvania Commonwealth Court Historical Society
- Third Circuit Bar Association
- Third Circuit Historical Society
- Court of Common Pleas, Philadelphia County, Certified Arbitrator
- U.S. District Court, Eastern District of Pennsylvania, Certified Arbitrator
- Court of Common Pleas, Philadelphia County, Judge *Pro Tempore*

Recognition

- *Chambers USA: America's Leading Lawyers for Business*, Band 1 in Litigation: Appellate, Pennsylvania, 2021
- Recognized every year since 2017 as a Pennsylvania Super Lawyer in the area of Appellate Law; Named to "Rising Stars," 2010-2016
- *Suburban Life Magazine*, "Top Attorney," 2021

Education

- Pennsylvania State University Dickinson School of Law, J.D., *cum laude*
- University of Delaware, B.A.

Bar Admissions

- Pennsylvania
- New Jersey

Court Admissions

- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. District Court for the District of New Jersey