



## Michael K. Twersky

Partner

**Philadelphia, PA**  
Tel: 215.299.2923  
Fax: 215.299.2150

[mtwersky@foxrothschild.com](mailto:mtwersky@foxrothschild.com)

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Michael has extensive experience representing clients in commercial, criminal and First Amendment litigation in federal and state courts throughout the country. He has handled matters involving complex contractual disputes, trademark and copyright infringement cases, class actions, restrictive covenants, commercial real estate disputes, admiralty/maritime issues, defamation, environmental crimes, government investigations and general litigation issues. Michael's clients include pharmaceutical and healthcare companies, television stations, newspapers, Internet companies, educational institutions, nonprofit entities and individuals.

Among the matters Michael has handled for his clients, he has:

- Obtained dismissal of defamation and false light invasion of privacy claims in federal court against a multi-media journalism organization involving a database of Facebook posts by police officers.
- Defeated motion for Temporary Restraining Order by former student of private university based on defamation and breach of contract claims.
- Tried and obtained a complete defense verdict in a multimillion-dollar real estate dispute on behalf of a commercial tenant.
- Obtained dismissal of consumer fraud class action claims on behalf of a pharmaceutical client based on allegations that the defendant improperly manipulated the Average Wholesale Price (AWP) charged for medications.
- Obtained dismissal of copyright infringement and related claims on behalf of a media company and producers based on allegations that the idea, characters and themes for their hit television show were stolen.
- Obtained partial dismissal of a securities fraud class action complaint against the CEO and CFO of a publicly traded funeral home and cemetery company.
- Obtained dismissal of securities fraud class action complaint on behalf of pharmaceutical client and its officers stemming from government investigation into pricing practices.
- Successfully defended a television station and one of its reporters against claims for defamation, false light and tortious interference with a prospective business relationship involving a news report.
- Obtained injunctions in several matters on behalf of national retail and restaurant chains against competitors for trademark infringement.
- Argued before the Pennsylvania Commonwealth Court on behalf of a church organization in a breach of fiduciary duty case that resulted in the return of \$100 million in assets to his client.



- Obtained summary judgment on behalf of a television station in a defamation action brought by three police officers and successfully argued the appeal before the Pennsylvania Superior Court.
- Represented dozens of officers and crew members on maritime vessels in numerous federal criminal investigations of environmental crimes occurring at sea.
- Argued before the U.S. Court of Appeals for the Third Circuit in a First Amendment case involving free speech rights on the Internet and the Federal Communications Decency Act. The Third Circuit upheld the lower court's dismissal of a complaint against the client.
- Represented a group of private schools, parents and a public high school student in successfully challenging the constitutionality of a Pennsylvania law on First Amendment grounds and successfully argued the appeal before the Third Circuit.

Within the firm, Michael serves as a co-chair of the Media & Defamation Practice Group and is a member of the Diversity Initiative, which spearheads initiatives to promote firmwide diversity and inclusiveness.

Michael serves as a judge pro tem for the Philadelphia Court of Common Pleas.

### **Before Fox Rothschild**

Michael previously served as vice president, general counsel and corporate secretary to Reon Broadband Corporation, an Internet company.

While in law school Michael served as editor of *Law Review* at the University of Pittsburgh School of Law.

Prior to law school Michael was a legislative aide to former Pennsylvania State Representative Lita I. Cohen.

### **Honors & Awards**

- Selected to the "Super Lawyers" list for Civil Litigation in Pennsylvania (2010)\*
- Selected to the "Super Lawyers - Rising Stars" list for Civil Litigation in Pennsylvania (2005-2007)\*

[\\*Awards Methodology](#)

### **Practice Areas**

- Litigation
- Class Actions
- Entertainment & Sports Law
- Israel
- Media & Defamation
- White-Collar Criminal Defense & Regulatory Compliance

### **Bar Admissions**

- New Jersey
- Pennsylvania

### **Education**

- University of Pittsburgh School of Law (J.D., *magna cum laude*, *Order of the Coif*, 1997)



Fox Rothschild LLP  
ATTORNEYS AT LAW

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- Boston University (B.A., 1989)