

Francis P. Devine, III

Pepper Hamilton, LLC

Francis P. Devine, III, a senior trial lawyer and former chancellor of the Philadelphia Bar Association, is a partner with Pepper Hamilton LLP and co-chair of the firm's Litigation and Dispute Resolution Department. He is a fellow of the American College of Trial Lawyers and is listed in *The Best Lawyers in America* and *Chambers USA: America's Leading Lawyers for Business*.

Mr. Devine focuses his practice on complex business and commercial disputes, products liability, insurance coverage, professional liability and malpractice, directors and officers liability, and intellectual property disputes. He is experienced in resolving disputes through negotiation, mediation, arbitration and litigation. His clients include public and privately held companies, including manufacturers, distributors, technology vendors and software designers. He also serves as national counsel for numerous national and international insurance companies.

Mr. Devine is a Judge Pro Tempore for the Philadelphia County Court of Common Pleas; a member of the Lawyers Advisory Committee of the U.S. Court of Appeals for the Third Circuit; a member of the Civil Justice Advisory Group of the U.S. District Court for the Eastern District of Pennsylvania; and a member of the First Judicial District of Pennsylvania's Administrative Governing Board, Committee on Gender and Racial Fairness.

He is an arbitrator for the Financial Industry Regulatory Authority, Inc. and the Philadelphia County Court of Common Pleas, and a mediator for the U.S. District Court for the Eastern District of Pennsylvania and the Commerce Program of the Philadelphia Court of Common Pleas.

Mr. Devine was Chancellor of the Philadelphia Bar Association in 1996. He currently is co-chair of the association's Committee to Promote Fairness in the Philadelphia Legal System. In the past, he has served as chairman of the bar association's Ad Hoc Committee on Race, Gender and Ethnic Bias; a member of the board of governors; chairman of the Long Range Planning Committee; a member of the Commission on Judicial Selection, Retention and Evaluation; and chairman of the Young Lawyers Section.

At the state level, Mr. Devine is a member of the Pennsylvania Bar Association's House of Delegates and tri-chair of its Council on Judicial Independence. He also served as a member of the American Bar Association's House of Delegates from 1999 to 2001.

Mr. Devine is a leader in a number of other professional and community organizations, including serving as Master of the Bench of the University of Pennsylvania Law School American Inn of Court. He was a co-founder and past chairman of the board of directors of the Philadelphia Volunteers for the Indigent Program; a past president of The Lawyers' Club of Philadelphia; a past president of the Philadelphia Bar Foundation; and a past president of the Philadelphia Association of Defense Counsel.

Mr. Devine has received numerous legal and professional awards, including the Pennsylvania Bar Association's Special Achievement Award and its Pro Bono Award; the Pennsylvania Defense Institute's "Lawyer of the Year" Award; the American Jewish Committee's Judge Learned Hand Human Relations Award; Community Legal Services, Inc.'s Equal Justice Award; the Philadelphia Volunteers for the Indigent Program's Outstanding Leadership Award and its Founders Award; the Philadelphia Bar Association's Fidelity Award; and the Chapel of the Four Chaplains' Legion of Honor.

He is a regular speaker before industry and bar association groups.

Before joining Pepper in January 2004, Mr. Devine was a partner in the Commercial Litigation Department of White and Williams LLP and chairman of that firm's General Commercial Litigation Practice Group.

Education

B.S. 1970 University of Pennsylvania

J.D. 1973 Villanova University School of Law; case and comment editor, *Villanova Law Review*

Bar Admissions

Admitted to practice in Pennsylvania and New Jersey

James T. Giles

Pepper Hamilton, LLC

James T. Giles, a former U.S. District Judge, is of counsel with Pepper Hamilton LLP, resident in the Philadelphia office. He joined the firm in 2008, after serving on the bench in the Eastern District of Pennsylvania for more than 28 years.

Mr. Giles focuses on mediation and arbitration matters, local, national and international in scope. He also provides advice and counsel to firm clients, and assists the firm's lawyers with briefing and trial strategies. Further, he is active in advancing the firm's diversity goals and initiatives.

Mr. Giles practiced with Pepper for 11 years before he joined the bench. In 1968, he was the first African-American lawyer to join Pepper, and in 1974, he was the first person of color to be elected to the firm's partnership.

Mr. Giles was appointed to the bench by President Carter in November 1979. He joined the U.S. District Court for the Eastern District of Pennsylvania on January 3, 1980, and was Chief Judge for seven years, from 1999 until 2006. He retired from the court on October 3, 2008.

Mr. Giles has almost 29 years of trial judge experience, having handled a docket spanning the wide spectrum of civil and criminal cases typical of a busy metropolitan district. He was appointed by the Multi-Litigation Panel to manage for trial readiness, and attempt to settle, significant MDL cases, among them *In re Asbestos Products Liability Litigation*, which now involves more than 13 million claims and was first presided over by the Honorable Charles R. Weiner, and *In re Air Crash near Peggy's Cove*, which involved a Swiss Air crash over international waters near Nova Scotia in September 1998.

Other complex mass tort class actions over which he presided include *In re Asbestos School Litigation*, which was national in scope, and *Hurt v. Philadelphia Housing Authority*, which resulted in a landmark decision that lead paint injuries do not create claims under certain federal statutes. Through settlement processes in the *Hurt* case, important changes were made to PHA regulations involving relocation rights of tenants where lead paint abatement was necessary. Mr. Giles presided over the first criminal RICO cases prosecuted in the Third Circuit.

In addition to his regular and MDL calendars, Mr. Giles maintained a calendar of civil and criminal cases in the District Court of the U.S. Virgin Islands, through appointment by the Chief Judge of the Third Circuit, to reduce case backlogs in the district. On the civil side, often significant legal issues arose from parties' invocation of federal civil rights statutes that were silent as to coverage of the Virgin Islands as a territory. On the criminal side, cases involved complex, multi-defendant drug or government employee corruption charges. One of his accomplishments as Chief Judge was to reach out to all the county bar associations in the district and encourage them to function within the Eastern District through federal court committees.

In 2004, Mr. Giles invited all federal court committees to participate in the planning and activities of the Just The Beginning Foundation's convocation of African-American federal judges in Philadelphia, which was sponsored by the Philadelphia Bar Association. The endeavor was a rich educational vehicle for the telling of American legal history without omission and without regard to race, color, national origin, gender or religion. From the planning activities came a traveling exhibit on *Brown v. Board of Education* (1954), which is now available to public, private and parochial schools.

Mr. Giles is a member of the boards of directors of the American Arbitration Association, the Independence Seaport Museum, the Center for Literacy and the Lawyers Club of Philadelphia. He also is a neutral with ADR Options, Inc. Mr. Giles is a member of the Historical Society of the U.S. District Court for the Eastern District of Pennsylvania, as well as the American, Pennsylvania and Philadelphia bar associations. Early in his career, he was elected secretary of the Philadelphia Bar Association's Young Lawyers Section, and was actively involved in the association's endeavors, including the Lawyers Committee on Civil Rights when attorney Edwin D. ("Ned") Wolf was its executive director.

Mr. Giles' presentations include:

- "Ethical Issues in the Courtroom: A Judge's Perspective," Pennsylvania Bar Institute, Philadelphia, PA (April 15, 2009)
- "Ethical Issues in the Courtroom: A Judge's Perspective," Pepper Hamilton LLP, Philadelphia, PA (December 17, 2008)
- "The Americans with Disabilities Act Amendments Act of 2008," Webinar, Pepper Hamilton LLP, Philadelphia, PA (December 10, 2008)
- "Transatlantic Disputes: Is Arbitration an Effective Alternative to U.S. Courts for Europeans?" European American Chamber of Commerce, New York, NY (December 4, 2008)
- "Mediation: What's in it for Lawyers and Their Clients," 13th Annual Bankruptcy Institute, Philadelphia, PA (October 16, 2008).

Education

B.A. 1964 Amherst College
LL.B. 1967 Yale Law School

Bar Admissions

Admitted to practice in Pennsylvania