

Jason E. Murtagh, Esq., *Shareholder*

Mr. Murtagh is a litigator with extensive experience in court, both at both the trial and appellate level, and in arbitrations.

He has represented clients at trial in both individual and class action lawsuits throughout the United States, often in “bet the company” cases. In addition, he has authored briefs submitted to courts and arbitration panels across the country, and presented appellate arguments before both state and federal courts, including a recent successful argument before the United States Supreme Court.

His current practice includes representing employers in a variety of disputes, including those involving restrictive covenants and non-compete agreements, trade secrets, and intellectual property rights. In addition, Mr. Murtagh represents clients in various other types of commercial litigation throughout the United States.

Mr. Murtagh’s background includes work for an international law firm based in Philadelphia, and a clerkship for the Hon. Diane K. Vescovo in the Western District of Tennessee in Memphis.



Contact

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Education

University of Georgia (A.B., cum laude,
1996)

Cornell Law School (J.D., magna cum
laude, 1999)

Practice Focus

Restrictive Covenants and Trade Secrets
Employment Litigation - Employers
Employment Counseling - Employers
Employment and Related Agreements

Admitted to Practice

Pennsylvania Supreme Court, 1999
US District Court for the Eastern District
of Pennsylvania, 2001
US Supreme Court, 2003
US Court of Appeals for the Fourth
Circuit, 2003
US Court of Appeals for the Third
Circuit, 2004



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Awards & Honors

- Editor, Cornell Law Review
- Managing Editor, Cornell International Law Journal
- Bench Brief Editor, Cornell Moot Court
- Cornell University Judicial Codes Counselor

Practice Highlights

- *Canavesi v. Merrill Lynch* (FINRA Case Number 10-04207, Sept. 16, 2011): In multi-day arbitration, successfully defended client against numerous claims by former employee, resulting in panel denying all claims
- *Merrill Lynch International Finance, Inc. and Merrill Lynch, Pierce, Fenner & Smith, Inc. v. Lynn* (FINRA Case Number 10-01448, April 1, 2011): After multi-day arbitration, panel awarded full amount owed on an outstanding promissory note, plus interest and attorney's fees, totaling more than \$780,000, and denying counterclaims for more than a quarter of a million dollars in deferred compensation
- *Merrill Lynch v Blackburn* (FINRA Case Number 11-01711, Sept. 1, 2011): Obtained an arbitration judgment for the full amount owed to client on an outstanding promissory note, plus interest and attorney's fees, totaling more than \$950,000
- *Merrill Lynch v. Bishop*, (FINRA Case Number 09-05841, Jan. 6, 2011): After multi-day arbitration, panel awarded \$1,118,400 to client on promissory note, including interest and attorney's fees, and denied respondent's counterclaims for fraudulent inducement, negligent misrepresentation, breach of contract, and defamation in their entirety
- *Merrill Lynch v. Long* (FINRA Case Number 10-01881, May 24, 2011): Obtained an arbitration judgment for the full amount owed on an outstanding promissory note, plus interest and attorney's fees, totaling more than \$100,000
- *Merrill Lynch, Pierce, Fenner & Smith Inc. v. William A. Claridge, Martin A. Coleman III, Patrick G. Lewis, et al.*, FINRA Dispute Resolution No. 09-03424 (2010): obtained \$552,875 in compensatory damages, \$400,000 in punitive damages and forum fees against competitor Morgan Stanley for the raiding of Merrill Lynch's Bozeman, MT office
- *Haywood v. Drown*, 129 S. Ct. 2108, 556 U.S. (2009): The U.S. Supreme Court held that the Supremacy Clause prohibits state courts from refusing to allow federal claims against state employees where they regularly hear analogous claims against other parties
- *Merrill Lynch v. Weitz*, No. 09-60871, (S.D. Florida 6/10/09): Temporary restraining order obtained preventing former employee from soliciting customers or keeping trade secret information.
- *Merrill Lynch v. Gregory*, No. CV-2009-900186 (Cir. Ct. Montgomery Co., Alabama 2/14/09): Motion granted for temporary restraining order preventing former employees from soliciting customers and requiring the return of trade secret information
- *Kubrick, et al. v. Allstate Insurance*, No. 01-06541, 2004 U.S. Dist. LEXIS 358 (E.D. Pennsylvania Jan. 7, 2004), *aff'd*, *Kubrick v. Allstate Ins. Co.*, 121 Fed. Appx. 447, 2005 U.S. App. LEXIS 1440 (3d Cir. 6/28/05): On a motion for summary judgment, the Court dismissed all claims against our client in a bad faith action, a decision which was affirmed on appeal to the Third Circuit



News, Events, & Publications of Interest

- “From boardroom to courtroom,” Daily Local News, 1/1/11
- Listed in Securities Awards Monthly, Vol. 2011, No. 1 " Awards of \$500,000 and Over" Segment for Merrill Lynch v. Bishop, FINRA #09-05841, where panel awarded \$1,118,400 to client on promissory note and denied counterclaims.
- Rubin Fortunato Often at the Center of Big Securities Litigation, Trends: rubinfortunato.com/news, 12/15/10
- Listed in Securities Awards Monthly, Vol. 2010, No. 12 "Award Highlights/Awards of \$500,000 and Over" Segment for Merrill Lynch v. Claridge, FINRA #09-03424, where panel awarded \$952,900 to client for raiding and punitive damages
- “Invigorating and Thrilling’: Main Line attorney appears before US Supreme Court,” Main Line Suburban Life 7/29/09, Main Line Times 8/6/09
- Young Attorney Victorious in First Supreme Court Case: rubinfortunato.com/news, 6/30/09

