

John J. Jacko, III

- *Pritchett v. Alternative Bearings Corp.*, 2020 WL 2847865 (M.D. Pa. June 2, 2020) (ordering transfer of the case to Illinois federal court upon grant of defendants' motion to transfer pursuant to 28 U.S.C. § 1404(a) and denying defendants' motion to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(2) & 12(b)(6) with opportunity for defendants to reassert their Rule 12(b)(6) motion to dismiss in transferee court)
- *ABC Capital Investments, LLC v. Nationwide RentSure, et al. Nationwide RentSure Rent Protection Association, Inc.*, No. CV 17-4980, 2019 WL 6877059 (E.D. Pa. Dec. 17, 2019) (partially granting Motion for Partial Judgment on the Pleadings in favor of the defendants as to the claims for unjust enrichment and civil conversion)
- *First Specialty Ins. Corp. v. Hudson Palmer Homes, Inc.*, 2018 WL 6002318 (E.D. Pa. Nov. 14, 2018) (granting dismissal of declaratory judgment claim for lack of ripeness and denying plaintiff's request for attorney's fees for lack of legal basis)
- *Tepper v. Amos Financial, LLC*, 898 F.3d 364 (3d Cir. Aug. 7, 2018) (successfully defended appeal resulting in precedential opinion affirming Federal Debt Collection Practices Act judgment awarded in *Tepper v. Amos Financial LLC*, 2017 WL 3446886 (E.D. Pa. Aug. 11, 2017), and holding that businesses that purchase and collect defaulted debts are debt collectors subject to enforcement under that Act)
- *Customers Bank v. Reitnour Inv. Properties, LP*, 453 N.J. Super. 338, 343, 181 A.3d 1038 (App. Div. 2018) (affirming, in favor of defendant mortgagor against plaintiff bank that breached settlement agreement with unclean hands, trial court's order 1) vacating an earlier foreclosure judgment by default, 2) reinstating the foreclosure judgment and declaring it satisfied, and 3) ordering the return of nearly \$29,000 of overpayment)
- *Tepper v. Amos Financial LLC*, 2017 WL 3446886 (E.D. Pa. Aug. 11, 2017) (Joyner, J.) (granting judgment after bench trial awarding statutory damages and reasonable attorneys' fees and costs in favor of plaintiff consumers for defendant debt collector's wrongful actions in violation of Fair Debt Collection Practices Act)
- *Berger v. Weinstein*, 2016 WL 1359459 (E.D. Pa. Apr. 6, 2016) (as to intervenors and alleged 50% partner that were not judgment debtors and their opposition to a motion for preliminary injunction against an alleged family partnership, district court refused to (1) declare the existence of a partnership, (2) issue a charging order thereon, or (3) "retitle assets that were legally placed into [the judgment debtor's wife's] name" in post-judgment supplementary execution proceedings and only granting preliminary injunction as to judgment debtor's and his wife's property interests), *aff'd sub nom. Berger v. Zeghibe*, 666 F. App'x 119 (3d Cir. 2016)
- *Garnas v. Rimon, P.C.*, 2015 WL 4578922 (E.D. Pa. July 30, 2015) (denying defendant law firm's motion to dismiss as to personal jurisdiction, improper venue, breach of contract and unjust enrichment and only granting dismissal of equitable accounting claim)
- *Universal Enterprise Group, L.P. v. Duncan Petroleum Corporation*, 2013 WL 3353743 (Del. Ch. July 1, 2013) (granting judgment of nearly \$1.5 million for breach of real estate sales contract against sellers of portfolio of gas stations after securing settlement of \$2.3 million against co-defendant environmental consulting firm)
- *ADI Technologies, Inc. v. MILSPRAY, LLC and KTCB Enterprises, LLC*, No. 1:06CV1383, 2012 WL 13018655 (E.D. Va. Dec. 10, 2012), *amended in part*, No. 1:06CV1383, 2013 WL 12250012 (E.D. Va. Jan. 16, 2013) (granting judgment of \$409,856.25 to government marketer in settlement enforcement proceeding due to defendant contractors' failure to pay commissions on sales of products and services under the parties' settlement and rejecting defendant contractors' "clawback" claims for reimbursement of approximately \$178,000 in alleged overpayments of commissions under the settlement)

- *Amentler v. 69 Main Street, LLC*, 2012 WL 28194 (D.N.J. 2012) (representing the plaintiffs who successfully secured a partial denial of a motion for summary judgment to significant portions of the claims asserted in a multi-defendant civil rape and wrongful termination action where the court allowed the plaintiffs to proceed to trial as to a number of intentional tort, Dram Shop Act and multiple statutory civil rights claims)
- *Edible Arrangements Intern., Inc. v. Chinsammy*, 446 Fed. Appx. 332 (2nd Cir. 2011) (affirming district court's discretionary denial of competitor franchisor's motion and claim for punitive damages exceeding \$450,000, and holding that the jury's verdict award of punitive damages on a claim of unjust enrichment contravened Connecticut law)
- *PNC Bank, N.A. v. Bluestream Technology, Inc.*, 14 A.3d 831 (Pa. Super. 2010) (holding pendency of a prior action can be a meritorious defense even where strict identity of actions not present and reversing trial court, opening confessed judgment, and remanding with direction to stay proceedings pending disposition of judgment debtor's prior action against judgment creditor and others)
- *Syngy, Inc. v. ZS Associates, Inc.*, 2009 WL 1532117 (3d Cir. June 1, 2009) (vacating district court's dismissal on Rule 19 failure to join indispensable parties and forum non conveniens grounds and remanding for reconsideration and careful evaluation of multiple issues raised by the dismissal motion)
- *In the Matter of: Colamco, Inc.*, SBA No. SDBA-176, 2007 WL 5614085 (S.B.A. Oct. 18, 2007) (granting recertification of small disadvantaged business on appeal and determining denial by DC/SDBCE to be arbitrary, capricious, and contrary to law)
- *Athlete's Foot Marketing Associates, LLC v. FL Consulting, Inc.*, 2007 WL 1321199 (D.N.J. May 4, 2007) (granting preliminary injunction against franchisee)
- *Foundation Credit Funds, LLC v. Branch Banking and Trust Co.*, 2006 WL 3780677 (D.N.J. Dec. 21, 2006) (granting dismissal of abuse of process, malicious use of process, and tortious interference with contract claims)
- *Lavelle v. M&T Mortgage Corp.*, 2006 WL 2346320 (E.D. Pa. Aug. 11, 2006) (granting dismissal in case of first impression under federal TiLA statute)
- *Size Appeals of Technical Support Services and Vanguard Resources Corp.*, Nos. SIZ-2006-04-03-22 and SIZ-2006-04-07-25, 2006 WL 1810837 (S.B.A. Jun. 20, 2006) (sustaining size appeal relating to familial affiliation issues)
- *KJ Loughery, Inc. v. KRK, Inc.*, CCH Bus. Fran. Guide Par. 13170 (E.D. Pa. 2005) (granting preliminary injunction enforcement of restrictive covenant against franchisee)
- *Philadelphia Factors, Inc. v. The Working Data Group, Inc.*, 2003 WL 22250345 (Pa. Com. Pl., Phila. Cnty. Sept. 16, 2003) (grant of preliminary objections to counterclaims for conversion), affirmed, 2004 Pa. Super. 153, 849 A.2d 1261, 2004 WL 944064 (2004)
- *Saint-Gobain Calmar, Inc. v. National Products Corp.*, 230 F. Supp.2d 655 (E.D. Pa. 2002) (granting motion for transfer in patent infringement action)
- *Century 21 Real Estate Corp. v. DiGennaro Real Estate, Inc.*, 2002 U.S. Dist. LEXIS 1456, 2002 WL 126631, CCH Bus. Fran. Guide Par. 12,260 (E.D. Pa. 2002) (granting motion for contempt against former franchisee)
- *Saladworks, Inc. v. Fornito*, CCH Bus. Fran. Guide Par. 11683 (D.N.J. 1999) (granting motion to compel arbitration against franchisee)