

Thomas R. DeCesar

Partner

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OVERVIEW

Thomas DeCesar is a partner in the firm's Harrisburg office. He focuses his practice on the following.

LITIGATION

Tom's litigation experience involves matters relating to commercial litigation, contract disputes, tort and product liability claims, constitutional issues, construction disputes, Telephone Consumer Protection Act (TCPA) defense, and energy and oil and gas-related litigation. He has litigated cases before the Third Circuit Court of Appeals, the Middle, Eastern, and Western Federal District Courts of Pennsylvania, the Northern District of Illinois, the Commonwealth Court of Pennsylvania, the Superior Court of Pennsylvania, and various Pennsylvania courts of common pleas. Tom has litigated cases at both the trial and appellate level.

TRANSPORTATION

Tom has experience with various federal regulatory compliance, contracting, and transaction issues in the transportation and intelligent transportation fields. His experience includes Department of Transportation compliance, including matters relating to the National Highway Traffic Safety Administration (NHTSA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Aviation Administration (FAA), and the Surface Transportation Board (STB). In addition, Tom has assisted several clients on aircraft and aviation-related acquisitions and sales, along with Part 91 compliance matters.

UNMANNED AIRCRAFT

Tom has provided legal counsel to a variety of clients on regulatory, legal, and contract-related issues involving the burgeoning unmanned aircraft industry (also known as UAS or “drones”). He has assisted clients on unmanned aircraft issues in the oil and gas, utility, telecommunications, unmanned aircraft-delivery, transportation, and retail sectors.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Tom was a law clerk for Judge Samuel G. Wilson for the United States Federal District Court in the Western District of Virginia. He also worked as a SLIP Intern for the Land Acquisition Section of the Environmental and Natural Resources Division of the U.S. Department of Justice, and for the United States Attorney's office in Anchorage, Alaska.

PROFESSIONAL / CIVIC ACTIVITIES

- Transportation Research Board, Emerging Technology Law Section (Young Member, 2017-2022)
- Pennsylvania Bar Association, Aeronautical and Space Law Committee (Vice Chair, 2018-Present;Treasurer and Secretary, 2016-2018)
- Marcellus Shale Coalition, Pipeline and Midstream Committee, Unmanned Aircraft System Working Group (Chair)
- Dauphin County Bar Association
- The Hon. William L. Lipsitt American Inn of Court (Former Member)

SPEAKING ENGAGEMENTS

- Opportunities and Pitfalls of State Drone Policies, Transportation Research Board Annual Workshop on Transportation Law (July 2018) (Moderator)
- Drones, Commuter Planes and Helicopters – Drone Law Update, Midair Collisions and Other Advanced Drone Law Topics, PBA Annual Meeting (May 2018)
- Legal and Regulatory Implications of Emerging Aviation Technologies, Transportation Research Board Annual Meeting (January 2018)
- Drones and Disruption in the Healthcare Field, K&L Gates Triage Podcast (November 2017)
- Using Drones in Medicine, K&L Gates Triage Podcast (October 2017)
- States and New Transportation Technologies: The Deployment and Regulation of Unmanned Aircraft, Transportation Research Board Annual Workshop on Transportation Law (July 2017)
- Drones, Methane Detection Devices, and Other New Technologies: Legal Overview, PBI 9th Annual Oil and Gas Colloquium (June 2017)
- 2016 Associated Pennsylvania Constructors/PennDOT Fall Seminar, Drones: Legal, Industry, and Insurance Aspects (November 2016)
- Shale Insight 2016, The Sky's the Limit: Unmanned Aircraft in the Natural Gas Industry (September 2016) (Moderator)

- Reaching New Heights: An Overview of the Unmanned Aircraft Atmosphere for 2016 (June 2016)
- FutureFlight Conference, The Regulation of Unmanned Aircraft – Present and Future (April 2016)
- Aviation's Next Frontier: UAS Outlook for 2016 (February 2016) (Moderator)
- The Law of Commercial Unmanned Aircraft Systems, K&L Gates Webinar (October 2014)
- Legal and Regulatory Issues related to Intelligent Transportation Systems and Automated Vehicles, Intelligent Transportation Systems & Automated Vehicle Summit, ICCVE 2013 Conference (December 2013)

EDUCATION

- J.D., Wake Forest University School of Law, 2010 *(magna cum laude; Order of the Coif; Wake Forest Law Review; Wake Forest Law Honor Council, Chairman)*
- B.A., University of Delaware, 2006 *(cum laude)*

ADMISSIONS

- Bar of Pennsylvania
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Middle District of Pennsylvania
- United States District Court for the Western District of Pennsylvania

THOUGHT LEADERSHIP *POWERED BY HUB*

- 16 May 2023, Litigation Minute: Protecting Against Session Replay Suits
- 18 April 2023, Litigation Minute: Pennsylvania and Florida Emerge as Fertile Ground for Session Replay Litigation
- 4 April 2023, Litigation Minute: Website Analytics or Illegal Wiretapping?
- 4 October 2022, Third Circuit Gives Pennsylvania Consumers New Footing for Internet Tracking Claims
- 20 September 2022 , Pennsylvania's Growing Electric Vehicle Charging Network: What's All the Buzz About NEVI Plans?
- 6 January 2021, FAA Announces Final Rules to Further Integrate Drones Into the National Airspace System
- 4 September 2020, COVID-19: Proposed SAFE TO WORK Act Would Provide Businesses Broad COVID-19 Liability Protections
- 8 August 2018, Drones (and Insurable Risk) are in the Real Estate Air

- 21 November 2017, K&L Gates Triage: Drones and Disruption in the Healthcare Field
- 20 October 2017, K&L Gates Triage: Using Drones in Medicine
- 21 December 2016, NHTSA Pushes For Smartphones to Incorporate Automatic Pairing and Driver Mode in New "Guidelines"
- 29 August 2016, Building from the Sky Down: New FAA Rules Affect Use of Drones in Construction Industry
- 18 August 2016, White House Initiatives Look Toward the Future of Civilian Drone Technology
- 5 July 2016, New Commercial Drone Rules Take Flight: Understanding Implications, Opportunities, and What's Next
- 22 June 2016, New Era of Commercial Drone Operations Cleared for Takeoff
- 14 April 2016, NHTSA's Claimed Jurisdiction Over Software and Applications May Stifle Innovation

OTHER PUBLICATIONS

- "Third Circuit Court of Appeals Gives Pennsylvania Consumers Footing for Internet Tracking Claims," *Pratt's Privacy & Cybersecurity Law Report*, November-December 2022
- "Prepare For Pa. Consumer Suits After Website Wiretap Ruling," *Law360*, 18 October 2022
- "Cybersecurity in the Era of Unconventional Development: Is the Energy Sector Ready for Cyber Attacks?," Proceedings from the 36th Annual Energy & Mineral Law Institute, 2015
- Comment: An Evaluation of Eminent Domain and a National Carbon Capture and Geologic Sequestration Program: Redefining the Space Below, 45 Wake Forest L. Rev. 261.

NEWS & EVENTS

- 18 September 2024, K&L Gates Receives FAA Approval for Pyrotechnics Client to Use Fireworks From Drones in LA Getty Show
- 21 June 2024, K&L Gates Files Application With FAA on Behalf of Pyro Spectaculars by Souza to Allow Pyrotechnics on Drones
- 24 February 2020, K&L Gates Names 41 New Partners Across Global Platform

OTHER MEDIA MENTIONS

- A *Pennsylvania Law360, Real Estate Law360*, and *Tax Law360* article notes Harrisburg partner Thomas DeCesar is representing Pennsylvania American Water Co. in a tax suit.

AREAS OF FOCUS

- Commercial Disputes
- Appellate Litigation
- Construction and Infrastructure
- Environment and Energy

INDUSTRIES

- Aviation
- Energy
- Oil and Gas
- Power
- Transportation and Logistics