

Wesley A. Prichard

Partner

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OVERVIEW

Wesley Prichard is a partner and trial lawyer whose practice focuses on class-action defense, mass actions, and business disputes.

Wes has diversified experience that includes industrial incidents, emerging chemicals such as ethylene oxide, deal litigation, mass torts, environmental claims, breach of contract, breach of fiduciary duties, closely held businesses, and construction disputes for clients in a variety of industries, with a particular focus on manufacturing and specialty chemicals. He has represented clients in state and federal courts across the nation, including numerous cases in the Allegheny County Court of Common Pleas's Civil / Commerce and Complex Litigation Center.

Wes also has significant experience representing companies on both sides of the “v.” in business disputes and deal litigation, and in defending class actions and mass actions regarding medical monitoring, diminution of property value, permitted and unpermitted emissions, and nuisance. He serves as a lead member on trial teams, where he focuses on developing trial narratives and strategy at the earliest stages of litigation, developing an evidentiary record to support trial objectives with the assistance of a deep expert network, breaking down complex issues into straightforward arguments, and litigating with his clients' objectives in mind. In developing his clients' claims and defenses, Wes has prepared and deposed numerous expert witnesses and argued and authored many *Daubert and Frye* motions across various disciplines, including exposure, injury, causation, damages, mass appraisal, air modeling, toxicology, epidemiology, and standard of care.

Wes also maintains an active counseling practice, advising clients on internal and external risk management and resolving disputes through cost-effective strategies.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Wes worked in chambers for the Honorable D. Michael Fisher of the United States Court of Appeals for the Third Circuit and the Honorable Maurice B. Cohill Jr. of the United States District Court for the Western District of Pennsylvania.

ACHIEVEMENTS

- Recognized by *The Legal 500 United States* as a Recommended Lawyer for General Commercial Disputes, 2025

PROFESSIONAL / CIVIC ACTIVITIES

- Board Member, Noah's Legacy Foundation (Local Childhood Cancer Advocacy Non-Profit), 2023-present
- K&L Gates Complex Commercial Litigation and Disputes Editorial Board
  - Member, 2023-2024
  - Co-Chair 2022-2023

SPEAKING ENGAGEMENTS

- "ESG Workforce Class Actions," Under the Wire: Coloring Within Shifting Lines-2023 Workforce Edition, K&L Gates, 6 April 2023
- "Mass Arbitrations," Class Action Money & Ethics 2020: Aligning Interests & Optimizing Outcomes in Class Action Litigation, Beard Group, 21 September 2020
- "Investigating, Litigating, and Avoiding Issues under the False Claims Act Applied to Healthcare Providers," K&L Gates, 20 February 2019.

EDUCATION

- J.D., University of Pittsburgh School of Law, *(magna cum laude; Order of the Coif; University of Pittsburgh Law Review Editorial Board; Law School Trial Advocacy Award (Top Trial Advocate); Appellate Court Competition Award (Top Appellate Advocate))*
- B.S.B.A., Geneva College, *(Valedictorian)*

ADMISSIONS

- Bar of Pennsylvania
- United States Bankruptcy Court for the Western District of Pennsylvania
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Fourth Circuit
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Western District of Pennsylvania

THOUGHT LEADERSHIP *POWERED BY HUB*

- 8 April 2025, Litigation Minute: Emerging Contaminants: Defending Litigation
- 25 March 2025, Litigation Minute: Emerging Contaminants: Minimizing and Insuring Litigation Risk
- 4 March 2025, Litigation Minute: Emerging Contaminants: What's on the Horizon?
- 26 January 2024, Litigation Minute: 2023 Year in Review and 2024 Look Ahead
- 16 May 2023, American Law Institute Vote on Medical Monitoring Could Spur Increased "No-Injury" Claims
- 8 March 2023, Litigation Minute: Ethylene Oxide—Where Regulators Are Going and How We Got Here
- 22 February 2023, Litigation Minute: Ethylene Oxide—Could Your Company Be a Litigation Target?
- 7 February 2023, Litigation Minute: Ethylene Oxide—What it Is and Why You Should Care
- 28 June 2022, Litigation Minute: Has the Supreme Court Left ESG Class Actions a Leg to Stand On?
- 21 June 2022, Litigation Minute: The "G": Governance Issues Keep the Board From Getting Bored
- 14 June 2022, Litigation Minute: The "S": Suits Based on What a Company Says and Does
- 7 June 2022, Litigation Minute: The "E": Environmental Regulation and Ethos
- 15 April 2022, Look At Me, Not Through Me: Supreme Court Limits Federal Jurisdiction for Post-Arbitration Award Petitions
- 29 June 2021, Where's the Harm in Class Certification? The United States Supreme Court Confirms: It Must Be in Plaintiffs' Evidence
- 15 April 2021, Litigation Minute: Drafting Considerations for Protective Orders
- 24 June 2020, Mass Arbitration, Más Problems: Class-Action Procedures May Guide Solutions to Issues in Mass Arbitrations
- 30 April 2018, Boots on the Ground: PIL Task Force Targeting Opioid Providers in the War on Drugs

OTHER PUBLICATIONS

- "Emerging contaminants: Defending litigation," *Westlaw Today*, May 2025
- "Emerging contaminants: Minimizing and insuring litigation risk," *Westlaw Today*, April 2025
- "Litigation minute: Emerging contaminants: What's on the horizon?" *Westlaw Today*, March 2025
- "Using Rule 23(f) To Review Class Certification Orders," *Law360*, 22 April 2024
- "Class Action Defense: Don't Give Up On Bristol-Myers Squibb," *Law360,* 25 October 2023
- ALI's Medical-Monitoring Proposal May Encourage Claims, *Law360,* 28 June 2023

- EPA Accepting Public Comments on Amended Ethylene Oxide Regulations, *Washington Legal Foundation,* 9 June 2023
- How To Navigate Class Incentive Awards After Justices' Denial, *Law360*, 7 June 2023
- What 5-Year BIPA Time Limit Means For Class Action Defenses, *Law360*, 6 March 2023
- 5th Circ. Class Action Rulings Reflect Post-TransUnion Trends, *Law360*, 1 December 2022
- Survey of Pennsylvania Privacy and Related Claims Against the Media, *MLRC 50-State Survey: Media Privacy and Related Law*, 2018-2019, Articles, 2018-2019
- What You Don't Know Can't Hurt You, Right? Resolving the Inherent Tension between the Yates Memo and the Collective Knowledge Doctrine in Environmental Criminal Enforcement Actions, *39 Energy & Min. L. Inst. 255,* 2018

NEWS & EVENTS

- 6 January 2026, K&L Gates Names More Than 25 New Partners Across Firm

OTHER MEDIA MENTIONS

- Mentioned in "5th Circ. Rejects Late Claims Over Arkema Plant Explosions," *Law360*, 31 October 2025
- Mentioned in "Nippon, US Steel Hit Back With Suits After Biden Blocks Deal," *Law360*, 6 January 2025
- Mentioned in "Plant Gas Emissions Suit Tossed For Lack Of Injury Standing," *Law360*, 14 May 2024
- Quoted in "CORRECTED: Pittsburgh Dentist Told To Give Back $1.25M, For Now," *Law360*, 14 November 2023
- Mentioned in "Samsung Biometric Data Door Opens New Mass Arbitration Front," *Bloomberg Law,* 21 October 2022

AREAS OF FOCUS

- Commercial Disputes
- Appellate Litigation
- Class Action Defense
- Construction and Infrastructure
- Industrial Incidents
- International Arbitration
- Mass Tort

- Product Liability

INDUSTRIES

- Aerospace and Defense
- Energy
- Manufacturing
- Specialty Chemicals

EMERGING ISSUES

- Data Centers and Energy Intensive Infrastructure
- Emerging Contaminants
- ESG - Sustainability and Responsible Business

REPRESENTATIVE EXPERIENCE

SELECT RECENT TRIAL EXPERIENCE

- Represent major dredging contractor at evidentiary hearing on motion for a preliminary injunction for breach of contract claims regarding construction schedule delays.
- Represent major real estate developer in closely held business dispute, successfully defending claims for breach of contract and breach of fiduciary duty and successfully asserting claims for breach of fiduciary duty, relating to disputes over 10 limited-liability real-estate entities. Case resolved during trial following cross-examination of opposing party's first witness.
- Represent major aerospace materials supplier in international arbitration before the Arbitration Institute of the Stockholm (Sweden) Chamber of Commerce in defense of breach of contract claims regarding pricing.

SELECT CURRENT ENGAGEMENTS

- Represent major chemical company in connection with the defense of civil liability and damage claims arising from a series of well-publicized chemical fires at a Texas facility in the wake of Hurricane Harvey in September 2017, including the defense in federal court of a class action involving upwards of 30,000 individuals who allege a variety of personal and property injuries, a Texas state-court MDL proceeding involving more than 750 plaintiffs, and a separate consolidated action in federal court involving more than 750 plaintiffs, who were allegedly injured and/or suffered property damage during the fires. Federal class action reached a class-wide settlement, federal individual actions on appeal after securing dismissal of claims for being time barred, and state-court MDL is pending.

- Represent major chemical company in defense of putative class action regarding ethylene oxide emissions seeking medical monitoring for multiple census tracts pending in federal court and related individual actions involving tens of individual plaintiffs who allege that exposure to ethylene oxide caused them harm pending in state court.
- Represent major expandable polystyrene manufacturer asserting claims for breaches of representations and warranties and tort-based claims pending in state court in connection with its purchase of the membership interests in a limited liability company.
- Represent major manufacturing company in defense of mass action involving hundreds of individual plaintiffs pending in state court who allege that exposure to ethylene oxide emissions caused them harm.
- Represent major chemical company in defense of claims arising under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") pending in federal court.
- Represent major mining company in defense of multiple class actions alleging nuisance and diminution in property value following water event.
- Counsel major steel manufacturer in defense of class action alleging nuisance following industrial incident.
- Represent regional waste management and renewable energy company in prosecuting and defending claims regarding breach of fiduciary duty and in areas regarding the company's internal affairs.

SELECT PRIOR ENGAGEMENTS

- Represent major steel manufacturer in well-publicized litigation asserting claims against competitor and union president arising out of competitor's illegal agreement with a union to pursue a "merge or murder" strategy.
- Represent major investment management company in defense of nationwide class action regarding a vendor's data-security incident pending in federal court. Reached class-wide settlement, pending Court approval, prior to filing dispositive motions.
- Represent co-owner of multiple closely held businesses in defending claims for breach of contract and breach of fiduciary duty and asserting counterclaims for breach of fiduciary duty relating to disputes over income allocation. Case resolved shortly after winning motion for preliminary injunction following an evidentiary hearing.
- Represent utility company in defense of breach of contract and declaratory judgment claims pending in state court in connection with the acquisition of a municipal authority. Case is on appeal after authoring and arguing successful motion to dismiss on preliminary objections.
- Represent major energy company in defense of nationwide class action regarding data-security incident pending in federal court. Reached class-wide settlement, pending Court approval, shortly after filing dispositive motions.
- Represent international engineering firm in international arbitration before the American Arbitration Association International Centre of Dispute Resolution in defense of defective design and delay claims. Case resolved shortly before trial.

- Represent major medical equipment company in defense of putative class action regarding recalled devices pending in state court. Case resolved during discovery.
- Represent manufacturer of tailor-engineered web converting equipment in defending breach of contract and trade secrets dispute with former sales representative. Case resolved following filing of motion to dismiss.
- Counsel Fortune 500 company in defense of multiple nationwide class actions regarding retiree healthcare and life insurance benefits.