

ACBA NOMINATION APPLICATION FORM

To be completed by all individuals seeking nomination as an ACBA officer or member of the Board of Governors or the Judiciary Committee.

Return to the Nominating Committee, c/o David A. Blaner, Executive Director, ACBA, 400 Koppers Building, 436 Seventh Avenue, Pittsburgh PA 15219 or to dblaner@acba.org.

Attach a copy of your current resume.

Deadline for submission is Wednesday, February 9, 2022 by 4:00 p.m.

Name: Daniel C. Garfinkel

Employer/Place of Business: Buchanan Ingersoll & Rooney PC

Address: Union Trust Building, 501 Grant Street, Suite 200, Pittsburgh, PA 15219

Telephone Number: 412-427-4193 Email Address: daniel.garfinkel@bipc.com

Year you became a member of the ACBA: 2003 Year of Bar Admission: 2003

Step 1: Identify any positions for which you would like to be considered by the Nominating Committee. If you would like to be considered for more than one position, please state your preference in numerical order (i.e., 1, 2, 3, 4).

President-Elect _____ **Treasurer** _____ **Board of Governors** _____

Judiciary Committee 1

Step 2: (For Judiciary Committee Applicants Only) Please state your preference in numerical order (i.e., 1, 2, 3, 4) for any seats for which you are interested in holding and/or for which you are qualified to hold.

At-Large Seats 3 Two (2) seats available

Court Seats (Five (5) seats available)

Appellate Court 2

Civil Court 1

Criminal Court _____

Family Court _____

Elder Law and

Probate & Trust _____

Diverse Seats _____ Three (3) seats available*

Young Lawyer _____ One (1) seat available
(0 to 10 years of practice experience)

* If applying for a Diverse Seat on the Judiciary Committee, your signature on page 3 of the application shall serve as verification that you have read and understand the term “diverse” as set forth in Section 1.3 of the ABCA By-Laws and confirm that you identify under one of the characteristics enumerated in the definition as outlined below.

ACBA By-laws - Section 1.3

“Diverse.” A person will be considered diverse for purposes of the diverse seats on the judiciary committee and for participation in the Allegheny County Bar Association Summer Clerkship Program, if they self-identify as one or more of the following:

American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Black or African American. A person having origins in any of the Black racial groups of Africa. Hispanic or Latinx. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Middle Eastern or North African. A person having origins in any of the original peoples of the Middle East or North Africa including, for example, Algeria, Bahrain, Egypt, Iran, Iraq, Israel,

Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, Turkey, the United Arab Emirates, and Yemen.

Native Hawaiian or Other Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

LGBTQ+. A person who is lesbian, gay, bisexual, transgender, queer (or questioning), plus. The "plus" is inclusive of the gender identities and sexual orientations that are not specifically covered by the other five initials.

An individual with a disability as defined under the Americans with Disabilities Act.

This definition may be amended by resolution of the Board of Governors from time to time as needed.

ACBA Nominating Committee Application

Practice Areas/Courts in which you practice:

I am a commercial litigator with a focus on the energy sector. I practice in Pennsylvania State Court in Allegheny County and in the surrounding Counties. I also practice in Federal Court, including at the appellate level.

Please describe your involvement in ACBA Committees, Divisions/Sections, or activities over the last five (5) years:

I have not been involved in these activities over the past five years, but am looking to become more involved.

If you are applying for nomination to the Judiciary Committee, please describe experience, other than or in addition to litigation experience that makes you particularly able to evaluate candidates for judicial office:

In addition to my litigation experience, I have been working with a variety of people in a variety of fields for the almost 20 years in which I have been an attorney. During that time, I like to think that I have become skilled at “reading” people, and evaluating their skills, strengths, and weaknesses.

Signature /s/ Daniel C. Garfinkel Date 2/9/2022

NOTE: Please submit this form with a copy of your current resume.

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2021

DANIEL C. GARFINKEL

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Email: daniel.garfinkel@bipc.com

Telephone: (412) 427-4193

EXPERIENCE

BUCHANAN INGERSOLL & ROONEY PC, Pittsburgh, Pennsylvania (*May 2006 – Present*)

Shareholder

- Member of Buchanan Ingersoll & Rooney PC's Energy Section.
- Represent oil and gas exploration and production companies and coal companies in litigation matters throughout the United States.
- Over 18 years of experience in all aspects of civil litigation, including: developing case strategy, advising clients on likely outcomes, drafting pleadings and motions, conducting legal research, propounding and responding to discovery, supervising large-scale and complex electronic discovery projects, taking and defending depositions, and appearing in Court on a variety of matters.
- Representative experience includes:
 - Initiated several successful injunction actions on behalf of a Fortune 200 oil and gas company to reaffirm client's right to conduct seismic testing for the exploration of oil and gas.
 - Defended oil and gas exploration and development rights in courts throughout Western Pennsylvania.
 - Successfully defended coal sales company in contract litigation in which alleged damages exceeded \$500 million.
 - Obtained a personal judgment against a sitting Governor for breach of contract.
 - Represented numerous purchasers and sellers of goods in connection with issues of contract formation, performance, and interpretation.
 - Represented clients in injunction proceedings involving the improper solicitation of customers, misappropriation of trade secrets, and failure to comply with non-compete obligations.
 - Represented national coal mining company in action by Commonwealth of Pennsylvania regarding alleged mine subsidence. Litigation successes included the dismissal of the Commonwealth's claim for approximately \$20 million in alleged "natural resource" damages.
 - Successfully served as first chair trial counsel on behalf of a company seeking damages for defendant's intentional interference with the company's use of its property.

K&L GATES, Pittsburgh, Pennsylvania

Associate (September 2003 – April 2006); Summer Associate (2002)

- Prepared numerous pleadings, motions, and briefs in both state and federal court in a variety of matters.
- Attended numerous depositions on behalf of several defendants.
- Conducted a comprehensive fifty state survey of records management requirements.
- Drafted a detailed records management policy for a large corporation.

JUDGE ANN ALDRICH, U.S. DISTRICT COURT, NORTHERN DISTRICT OF OHIO, Cleveland, Ohio

Extern (Summer 2001)

- Prepared draft opinions and interoffice memoranda for Judge and law clerks.
- Performed extensive legal research, examined evidence, and ascertained facts.
- Assisted Judge with status calls and pretrial conferences.
- Attended various civil and criminal hearings.

EDUCATION

CASE WESTERN RESERVE UNIVERSITY, SCHOOL OF LAW, Cleveland, Ohio

J.D., May 2003 (*Magna Cum Laude*)

GPA: 3.82/4.0

Rank: 6/163

- Law Review, 2001-2003 (*Editor in Chief*, 2002-2003)
- Order of the Coif
- Merit Scholarship

ALLEGHENY COLLEGE, Meadville, Pennsylvania

B.A. May 2000 (*Cum Laude*)

GPA: 3.33/4.0

- Major in Political Science, Minors in English and Economics
- Graduated with honors from the Department of Political Science (GPA: 3.6/4.0)
- Member of Omicron Delta Kappa, the National Leadership Honor Society
- Member of Pi Sigma Alpha, the National Political Science Honor Society
- Alden Scholar, Junior and Senior years (GPA of over 3.3 for the year)
- Recipient of the Dean's Achievement Scholarship
- Member of Theta Chi Fraternity

SHADY SIDE ACADEMY HIGH SCHOOL, Pittsburgh, Pennsylvania

ADMISSIONS

- Commonwealth of Pennsylvania
- United States District Court for the Western District of Pennsylvania
- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Ninth Circuit

RECOGNITION, AFFILIATIONS, AND ACTIVITIES

- Selected as a "Rising Star" by *Pennsylvania Super Lawyers*® in 2012 through 2017
- Allegheny County Bar Association, *member*
- Energy & Mineral Law Foundation, *member*
- *Coal Transaction Agreements in the Current Market*, *presenter*, 2013 Kentucky Mineral Law Conference
- Case Western Reserve University, School of Law, *class agent*
- Board Member for 14th Ward Youth Baseball
- Youth Soccer and Baseball Coach