

**PITTSBURGH,  
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**PRACTICE AREAS:**

[Financial Services Litigation](#)

[Litigation](#)

[Telephone Consumer Protection Act \(TCPA\)](#)

[Commercial Litigation](#)

**STATE ADMISSIONS:**

Pennsylvania

Ohio

**COURT ADMISSIONS:**

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the Western District of Pennsylvania

U.S. District Court for the Middle District of Pennsylvania

U.S. District Court for the Northern District of Ohio

U.S. District Court for the Southern District of Ohio

U.S. Court of Appeals for the Third Circuit

**EDUCATION:**

J.D., University of Pittsburgh School of Law, 2011; Notes and Comments Editor, *Journal of Law and Commerce*

B.A., Northwestern University, 2006

# Michael P. Pest

## MEMBER

Michael Pest practices in the area of commercial litigation. He represents a wide range of clients in litigation involving financial services, contractual disputes, alleged business torts, real estate transactions, shareholder disputes, and claims under various federal and state consumer protection laws. Michael has extensive experience in trial and appellate courts in multiple jurisdictions and before the American Arbitration Association.

Prior to joining Eckert Seamans, Michael served as a law clerk to the Honorable Dan Pellegrini, President Judge of the Commonwealth Court of Pennsylvania.

## REPRESENTATIVE MATTERS

- Obtained summary judgment on behalf of parent company, subsidiary corporations, and a group of individual shareholders in action seeking dissolution of corporations and the appointment of a liquidating receiver.
- Obtained trial verdict for damages on behalf of oil and gas company following one of the first virtual civil trials in the United States District Court for the Western District of Pennsylvania due to the impact of Covid-19.
- Successfully defended national financial institution through trial and appeal in case involving various claims under Pennsylvania's Uniform Commercial Code.
- Successfully defended limited partnership and general partner in commercial arbitration involving claims by limited partner for breach of contract and breach of fiduciary duty.
- Represents financial services institutions and loan servicers in contested foreclosures, quiet title actions, and matters arising under statutes regulating the consumer finance industry, including the Truth-in-Lending Act, Fair Credit Reporting Act, and Fair Debt Collection Practices Act.
- Represents energy companies in cases involving alleged violations of the Telephone Consumer Protection Act.

## PROFESSIONAL AFFILIATIONS

- Allegheny County Bar Association

## COMMUNITY INVOLVEMENT

- Reading is FUNdamental Pittsburgh, elementary school reading mentor

## AWARDS AND RECOGNITION

- Received a 2021 & 2022 Best Lawyers: Ones To Watch recognition for Commercial Litigation
- Selected for inclusion in *Pennsylvania Super Lawyers – Rising Star*

## NEWS AND INSIGHTS

### PUBLICATIONS

- [“2020 in Review: Virtual Litigation,”](#) pages 28-29, Bloomberg Law Practice Perspectives, December 2020.
- [“Avoid Losing Control of a Remote Witness: Some Suggestions.”](#) Bloomberg Law Insight, November 9, 2020.
- [“Guidelines for Handling Exhibits in a Socially Distanced Courtroom,”](#) Bloomberg Law Professional Perspective, November 2020.
- [“Is This the End of the TCPA? High Court Hears Oral Arguments in ‘Barr.’”](#) The Legal Intelligencer, May 2020.
- [“Pennsylvania’s Donated or Dedicated Property Act: A Potential Hurdle for your Gas Development Project,”](#) The PIOGA Press, February 2020.
- [“INSIGHT: Third Circuit Continues to Rein in Runaway TCPA Claims,”](#) Bloomberg Law, July 3, 2018.
- [“TCPA Alert: Third Circuit Continues to Rein in Runaway TCPA Claims,”](#) Eckert Seamans’ Legal Update, June 27, 2018.

### MEDIA COVERAGE

- [“Energy Co. Is Owed \\$500K For Withheld Gas Sale Proceeds,”](#) Law360, January 13, 2021.