



## Marc T. Thirkell

### PARTNER

Pittsburgh

412.316.2905

[mthirkell@grsm.com](mailto:mthirkell@grsm.com)

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### RELATED SERVICES

- Commercial Litigation
- Real Estate
- Healthcare

### OFFICES

- Pittsburgh

### OVERVIEW

Marc practices in the areas of commercial and civil litigation, with a concentration on healthcare litigation.

Marc has litigated commercial and civil cases in every level of federal and state court in Pennsylvania, as well as several other states. His cases have involved defense of professional liability claims in the short-term and long-term care settings, breach of contract claims, creditors' rights, misappropriation of trade secrets, antitrust issues, declaratory judgments, defamation, tortious interference, breach of non-compete agreements, and insurance disputes. He is experienced at the trial and arbitration level, including AAA arbitration and other forums for alternative dispute resolution. His experience has allowed him to counsel several for profit and non-profit corporations on a daily basis regarding general legal matters such as policy making, risk-management and lawsuit prevention.

## REPRESENTATIVE EXPERIENCE

### Representative Experience

- Counsel for one of the nation's leading providers of healthcare services from short-term to long-term clinical services.
- Counsel for a multi-billion dollar company for nationwide handling of breach of contract and creditors' rights cases.
- Counsel for a multi-state petroleum and fuel rewards company against a Texas corporation for injunctive relief, defamation, tortious interference and other damages arising out of the shutdown of a fuel rewards program and other acts and omissions — suit resulted in settlement including fees and published retraction.
- Counsel for a national retailer in dispute with a web host provider arising out of a multi-day system outage and resultant inoperability of retail website.
- Obtained favorable settlement on behalf of a national company arising out of a construction defect claim in Florida.
- Obtained outright dismissals and/or judgments in favor of a variety of defendants in commercial, general negligence and product liability lawsuits prior to the time of trial.
- Ongoing representation for one of the region's largest and most high-profile companies in commercial disputes.
- Ongoing representation of one of the nation's largest long-term care corporations, along with several regional long-term care providers, in relation to contract disputes, claims of regulatory violations, and professional liability.
- Procured summary judgment in favor of a university in the Western District of Pennsylvania in a matter concerning claims of sexual assault.
- Representation of real property owners in boundary disputes with a local government concerning issues of eminent domain.
- Secured numerous, favorable verdicts for corporations in front of arbitration tribunals in general negligence litigation.

## CREDENTIALS

### Admissions

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

### Memberships

- Pennsylvania Bar Association

**Education**

- J.D., *magna cum laude*, University of Pittsburgh School of Law, 2003  
- Editor for the Pittsburgh Journal of Technology, Law and Policy
- M.B.A., Robert Morris University, 2000
- B.A., University of Pittsburgh, 1997

**Honors**

- *Rising Stars*® distinction in the field of Business Litigation (2011, 2013, *Law & Politics*)