

ALLEGHENY COUNTY BAR ASSOCIATION

JUDICIAL CANDIDATE PLEDGE

I, Bryan S. Neft, a candidate for judicial office, have familiarized myself with the Code of Judicial Conduct and the Code of Civility, as promulgated by the Supreme Court of Pennsylvania. I have directed special attention to Canon 4 of the Code of Judicial Conduct, including Rules 4.1, 4.2 and 4.4. I agree to conduct my judicial campaign consistent therewith and further consistent with *Republican Party v. White*, 536 U.S. 765 (2002). I further pledge that all campaign advertising will be done fairly, accurately, truthfully, and will maintain the dignity appropriate to the judicial office which I am seeking.



Signature of Candidate

December 31, 2024
Date

ALLEGHENY COUNTY BAR ASSOCIATION JUDICIARY COMMITTEE
ACKNOWLEDGMENT AND AUTHORIZATION

As a candidate or potential candidate for Allegheny County Court of Common Pleas the Pennsylvania Appellate or Federal Courts, I hereby acknowledge and authorize the procedures of the Allegheny County Bar Association Judiciary Committee, including the following:

1. If I become a candidate, the Allegheny County Bar Association Judiciary Committee will make available to the public the Questionnaire, and my responses, except for the questions and responses which are acknowledged to be confidential, which information shall remain available only to the Committee.
2. My responses are provided without breaching client confidentiality as embodied in Rule 1.6 of the Rules of Professional Conduct.
3. If I become a candidate, the rating assigned to me by the Committee will be publicly announced. Ratings remain valid for 2 years but are subject to reevaluation upon request.
4. Should I receive a *Not Recommended* rating the Committee will endeavor to notify me prior to a public announcement. If I withdraw from the race, the rating will not be announced, and the questionnaires will not be published.
5. I hereby authorize the Pennsylvania Judicial Conduct Board, the Disciplinary Board of the Supreme Court of Pennsylvania, and the Pennsylvania Board of Law Examiners to transmit my entire file and record, including confidential information contained therein, to the Allegheny County Bar Association Judiciary Committee. I hereby specifically waive any confidentiality rights I may have in those records.
6. I hereby authorize the Judicial Conduct Board, the Disciplinary Board, and the Board of Law Examiners, or the equivalent, in any jurisdiction where I have practiced, been admitted to practice or have applied to either take a bar examination or for admission to the bar to transmit my entire file and record, including confidential information contained therein, to the Allegheny County Bar Association Judiciary Committee. I hereby specifically waive any confidentiality rights I may have in those records.
7. The Allegheny County Bar Association Judiciary Committee may change, during the course of my campaign for office, the original rating assigned to me for cause.

Bryan S. Neft

Type or print name



December 31, 2024

Date

Signature

ACBA JUDICIARY COMMITTEE QUESTIONNAIRE FOR LAWYER APPLICANTS

I am seeking a rating for the following court:

- Allegheny County Court of Common Pleas
- Pennsylvania Commonwealth Court
- Pennsylvania Superior Court
- Pennsylvania Supreme Court

1. State your full name and list any other name by which you have ever been known.

Bryan Scott Neft

2. Date and place of birth.

**Pittsburgh, PA
September 19, 1964**

3. Are you a naturalized citizen? If so, give date and place of naturalization.

No.

4. Family status:

- a) Are you married? If so, state the date of marriage and your spouse's full name, including maiden name, if applicable.

I am married.

Date of Marriage: August 21, 1994

Spouse: Julie Kim Cohen

- b) Have you been divorced? If so, state the date, the number of the case and the court.

No.

5. Have you served in the military? If so,

I did not serve in the military.

- a) Give dates, branch of service, rank of rate and present status;
- b) Have you ever been rejected or released from the armed services for reasons other than honorable? If so, give details.

6. List each college and law school you attended, including dates of attendance, any scholastic honors, and the degrees awarded. If you left any institution without receiving a degree, state the reason for leaving.

University of Pennsylvania, September 1982-May 1986, B.A., Political Science received May 1986.

Boston University School of Law, September 1986-May 1989, J.D. received May 1989

7. List all jurisdictions in which you have applied to take a bar examination, have applied for admission or have been admitted to practice. Include dates of admissions and if not admitted, give application dates and explain the outcome.

Jurisdiction	Date of Admission
California	June 11, 1990
Pennsylvania	December 19, 1990
West Virginia	January 23, 1996
Ohio	February 9, 2000
United States District Court for the Western District of Pennsylvania	December 11, 1990
United States Court of Appeals for the Fourth Circuit	December 12, 1995
United States Court of Appeals for the Third Circuit	December 18, 1995
United States District Court for the Northern District of West Virginia	January 9, 1996

Jurisdiction	Date of Admission
United States District Court for the Southern District of West Virginia	January 23, 1996
United States District Court for the Northern District of Ohio	April 24, 2000
United States District Court for the Southern District of Ohio	July 19, 2000
United States Supreme Court	February 24, 2003
United States District Court for the Middle District of Pennsylvania	June 29, 2006
United States District Court for the Eastern District of Pennsylvania	July 9, 2008
United States District Court for the Central District of California	December 7, 2009

8. List your professional mailing address and telephone number including the name of any associated law firm. Please also list any personal and professional social media usernames and/or handles and any websites you maintain or to which you know that your profile is shared.

Spilman Thomas & Battle PLLC
301 Grant Street
Suite 3440
Pittsburgh, PA 15219
(412) 325-3317

9. Describe chronologically your law practice and experience after your graduation from law school, including:
- a) Whether you served as clerk to a judge and, if so, the name of the judge, the court, and the dates of the period you were a clerk;
 - b) Whether you practiced alone and, if so, the addresses and the dates;

Bryan Neft
Candidate for Pennsylvania Commonwealth/Superior Court
Candidate for Court of Common Pleas of Allegheny County

- c) The dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been connected and the nature of your connection with each; and,
- d) Any other relevant particulars.

Organization	Address	Dates of Employ	Position
Wolf & Leo f/k/a Parkinson Wolf Lazar & Leo	1900 Avenue of the Stars Los Angeles, CA 90067	September 1989- May 1990	Associate
Law Clerk for Attorneys Lawrence Zurawsky, and Zittrain & Zittrain	Pittsburgh, PA (no longer established)	September 1990 - January 1991	Law Clerk
The Honorable William F. Cercone, Superior Court of Pennsylvania	310 Grant Street 26 th Floor Pittsburgh, PA 15219	February 1991 - January 1995	Law Clerk
Frankovitch, Anetakis, Colantonio & Simon	337 Penco Rd. Weirton, WV 26062	February 1995 - November 1999	Associate
Bower Greer & Panzarella	707 Grant Street 38 th Floor Pittsburgh, PA 15219	November 1999 - June 2000	Associate
Klett Rooney Lieber & Schorling	One Oxford Centre 41 st Floor Pittsburgh, PA 15219	June 2000 - May 2004	Associate
DKW Law Group	600 Grant Street 58 th Floor Pittsburgh, PA 15219	May 2004 - August 2004	Associate
Pietragallo Gordon Alfano Bosick & Raspanti LLP	One Oxford Centre 38 th Floor	December 2004 - August 2017	Associate (May 2004 - September 2006);

Organization	Address	Dates of Employ	Position
	Pittsburgh, PA 15219		Partner (September 2006 - August 2017)
Spilman Thomas & Battle PLLC	One Oxford Centre Suite 3440 Pittsburgh, PA 15219	August 2017 - Present	Member

10. Regarding your practice:

- a) What has been the general character of your practice, dividing it into periods with dates if its character has changed over the years?

- b) Describe your typical clients and mention the areas in which you have concentrated your practice.
 - **1989-90:** While working at Wolf & Leo, I worked on first-party insurance defense matters for various insurance company clients. The firm defended the clients in claims for insurance coverage and bad faith. My work was done for other attorneys. This work took place prior to my admission to the bar.
 - **Areas of Practice:** Insurance Coverage and Bad Faith handling claims brought by homeowners seeking insurance for land subsidence
 - **Typical Clients:** Insurance Companies

 - **1990-91:** Upon returning to Pittsburgh, I clerked for two law firms handling research assignments and writing briefs. Attorney Larry Zurawsky handled municipal law matters. Zittrain and Zittrain acted as outside general counsel for individuals and small companies, and also represented plaintiffs in personal injury litigation and estate disputes.
 - **Areas of Practice:** Municipal law, Plaintiff’s Personal Injury, Estate Disputes
 - **Typical Clients:** Municipalities, individuals, sports figures.

 - **1991-95:** While serving as a law clerk for the Honorable William F. Cercone of the Pennsylvania Superior Court, I drafted opinions and memoranda for Judge Cercone on cases assigned to him, and also made recommendations on the opinions and memoranda of

other judges serving on the same panels as him. The Superior Court handled criminal cases, family law cases and civil cases between private parties.

- **Areas of Practice:** Criminal Law, Family Law, Juvenile Law, Contract Disputes, Shareholder Disputes, Estate Disputes, Personal Injury.
- **1995-99:** My work at Frankovitch, Anetakis, Colantonio & Simon was as a general practitioner. I worked on civil, family law and criminal matters in West Virginia and Pennsylvania. Civil matters included both plaintiff personal injury matters, defense cases and probate matters. I also worked with the firm partners as general counsel for various hospitals, physician practices, steel manufacturers and financial institutions. The work included client counseling, court appearances, discovery and trial.
 - **Areas of Practice:** Criminal Law, Family Law, Estate Disputes, Asbestos Toxic Tort Defense, Health Care law including fraud and abuse, Plaintiff personal injury matters, environmental matters, corporate regulatory matters and due diligence
 - **Typical clients:** Individuals, Multi-National Corporations, Steel Manufacturers, Health Care Providers, Financial Institutions
- **1999-2004:** During this time period, while at Bower Greer & Panzarella, Klett Rooney Lieber & Schorling and DKW Law Group, my practice consisted primarily of commercial litigation. These firms represented medium-sized and large corporations in high stakes litigation. I also represented a number of smaller companies and governmental agencies in litigation pending in courts and administrative bodies. The work included all phases of litigation.
 - **Areas of Practice:** Commercial Litigation, Health Care Litigation, Shareholder Disputes, Antitrust, False Advertising and Unfair Trade Practices
 - **Typical Clients:** Integrated health care systems including hospitals and health care insurers; physicians, closed corporation shareholders and officers; real estate brokers; financial institutions.
- **2004 - present.** Upon beginning work at Pietragallo Gordon Alfano Bosick & Raspanti and continuing to the present at Spilman, Thomas and Battle, not only did my defense litigation work increased substantially but also work for plaintiffs. I have handled and continue to handle accounts for several large multi-national corporations defending their asbestos liabilities in Western Pennsylvania. I also handled some insurance defense matters involving first-party and third-party liability claims. In 2008, Pietragallo Gordon Alfano Bosick & Raspanti took on a *qui tam* practice in which I participated, primarily triaging potential claims to determine their viability. In that capacity I was able to work with several United States Attorneys regarding cases and potential cases. I have also continued to represent plaintiffs in personal injury matters when opportunities have

presented themselves. I handled a number of commercial litigation matters for various clients. I have acted as outside general counsel for one company for the last eleven years. In that role, I have reviewed contracts, evaluated risks and handled most of their litigation needs. Finally, I currently represent several companies that have been sued for failing to meet ADA standards for web accessibility.

- **Areas of Practice:** Commercial Litigation, Product Liability/Toxic Tort litigation; insurance and bad faith, personal injury matters; commercial litigation; closed corporations and shareholder disputes; false claims act/qui tam litigation; general counsel services
- **Typical Clients:** corporations with asbestos liabilities; insurance companies; individuals; whistleblowers; small to medium size companies including a broker of raw materials to the steel industry, health care insurers and e-commerce.

11. Regarding the last ten years:

- a) Did you appear in court regularly, occasionally, or not at all? If the frequency of your appearances in court has varied during this period, describe each such variance, giving the dates thereof;

Within the last ten years, I have appeared in court regularly to argue motions, to commence trial and to participate in court-ordered conciliations. My appearances haven't varied significantly.

b) What percentage of these appearances was in:

1. Federal courts:
2. State courts of record:
3. Other courts:

- | | |
|-----------------------------------|---------------|
| 1. Federal courts: | 5-10% |
| 2. State courts of record: | 90-95% |
| 3. Other courts: | 0% |

c) What percentage of your litigation was:

- 1. Civil: **97%**
- 2. Criminal: **0%**
- 3. Family: **2%**
- 4. Orphans' Division: **1%**

d) State the number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel or associate counsel.

None within the last ten years. I have a case that is going to trial by jury on January 13, 2025 in the United State District Court for the Western District of Pennsylvania. I represent one of five defendants in this case, which is a civil rights case based on 42 U.S.C. § 1983. Upon completion of the trial, I will supplement this response.

e) What percentage of these trials were:

- 1. Jury:
- 2. Non-jury:

Not applicable.

12. Summarize your experience in court the last ten years, indicating:

a) Whether your appearances in court were more or less frequent;

- b) Any significant changes in the percentages stated in your answers to question 11(b), (c) and (e); and,
- c) Any significant changes in the number of cases per year in courts of record you tried to verdict or judgment (rather than settled), as sole counsel, chief counsel or associate counsel.

I estimate that the percentage of my practice in civil litigation has been approximately 90%. Since I began private practice in 1995, I have been in court regularly to argue motions and participate in hearings and try cases. In 2005, when I began to handle more toxic tort matters, I argued more discovery and summary judgment motions given the large number of cases set for trial during each trial term. I prepared cases for trial. In toxic tort matters, those cases frequently settled during voir dire. During this time, I also tried cases in court and through AAA arbitration. In 2020, I was appointed by the Honorable Kimberly Clark of the Court of Common Pleas of Allegheny County to represent the privacy interests of jurors in a case where the trial judge was accused of racial bias. A newspaper attempted to obtain their names and addresses. More recently I have represented shareholders in closed corporations involved in disputes with other shareholders, and companies engaged in e-commerce being sued for alleged failure to comply with ADA web accessibility standards

- 13. Describe five of the most significant litigated matters which you personally handled (give the citations if the cases were reported and docket numbers if unreported) by providing a capsule summary of each case and a succinct statement of what you believe to be the particular significance of the case; the party or parties whom you represented; the name of the Court, Judge and contact information if known of counsel for any other party; your role in the litigation; and the final disposition.

1. McGuigan v. Guardian Insurance:

Court: United States District Court for the Northern District of West Virginia

Docket No.: 5:1995cv00128

Judge: Frederick P. Stamp, Jr.

Dates of Representation: August 1995 - May 1997

Case Summary: ERISA claim against Health Insurer for hospital expenses associated with the birth of the Plaintiff's son. I represented the Plaintiff.

Party Represented: Plaintiff, Nancy McGuigan

Bryan Neft
Candidate for Pennsylvania Commonwealth/Superior Court
Candidate for Court of Common Pleas of Allegheny County

Co-Counsel:

M. Eric Frankovitch
Frankovitch, Anetakis, Colantonio & Simon
337 Penco Rd.
Weirton, WV 26062-3828
304-723-4400

Opposing Counsel:

Samuel H. Foreman
Weber, Goldstein, Greenberg, & Gallagher, LLP
Two Gateway Center
Suite 1450
Pittsburgh, PA 15222
412-281-4541

Nature of my participation. I prepared the pleadings and papers in this matter for another attorney until I was admitted to the Northern District of West Virginia, at which time I took over the entire representation of the Plaintiff. The Plaintiff lived in Ohio across the river from Wheeling, West Virginia. We filed this claim in the Northern District of West Virginia against the insurer even though the hospital services they refused to cover were rendered in New York. I was successful in having the Court retain jurisdiction and venue over the defendant based upon nationwide service of process and the convenience to the Plaintiff. The case settled for an amount that satisfied the outstanding hospital bills and paid my attorney fees. This was one of my first cases in private practice and I was so happy that I could help a mother in financial distress so that she did not have to pay hospital expenses that should have been covered by insurance.

2. Commonwealth v. Firman

Courts: Superior Court of Pennsylvania, Supreme Court of Pennsylvania

Docket Nos. Superior Court No. 402 WDA 2000; Supreme Court Allocatur Docket No. 64 WAL 2002; Supreme Court Appeal Docket No. 29 WAP 2002

Judges:

Superior Court Panel: Joan Orié Melvin, Zoran Popovich, Joseph Hudock

Superior Court En Banc Panel: Joseph Del Sole, Kate Ford Elliott, J. Michael Eakin, Michael Joyce, Correale Stevens, John Musmanno, Joan Orié Melvin, Stephen McEwen, Justin Johnson

Supreme Court of Pennsylvania Panel: Stephen Zappala, Ralph Cappy, Ronald Castille, Thomas

Saylor, Russell Nigro, Sandra Schultz Newman

Dates of Representation: September 1999, May 2000 - January 2003

Party Represented: Defendant, David Firman

Case Citations: 571 Pa. 610, 813 A.2d 643 (Pa. 2002); 789 A.2d 297 (Pa. Super. 2001)

Opposing Counsel:

Kevin Francis McCarthy

Allegheny County District Attorney's Office
436 Grant St
Pittsburgh, PA 15219
(412) 350-4377

Summary of Case: Appellate litigation of an order suppressing the evidence of a crime pretrial based on the arresting officer's lack of jurisdiction.

Nature of my Representation: I represented the Defendant, David Firman, at the preliminary hearing, and later in the Commonwealth's appeal of an order suppressing evidence of his driving under the influence of alcohol because the transit police officer who arrested him was outside of his jurisdiction. I argued the case to a Superior Court panel that *sua sponte* referred the case to the full court for *en banc* consideration. I argued the case again to the *en banc* panel. That panel reversed, finding that the police officer was within his jurisdiction as long as he was on duty at the time of the arrest. I filed a petition for allowance of appeal, which was granted. I briefed and argued the appeal before the Pennsylvania Supreme Court. My argument was that the jurisdictional statute was more nuanced, and restricted the authority of transit police to a greater extent than the Superior Court's "on duty" standard. Although the Supreme Court agreed with my interpretation of the jurisdictional statute, they carved a narrow exception that found the police officer was within his jurisdiction as long as he was protecting himself and his squad car. The Supreme Court therefore affirmed the Superior Court. I was able to take this case all the way through appeal to the Supreme Court of Pennsylvania. And, although my client did not prevail in the end, I was successful in establishing standards that apply to transit police officers to this day.

3. Highmark et al. v. UPMC Health System, Inc.

Court: United States District Court for the Western District of Pennsylvania

Docket No: 2:2001cv01114

Dates of Representation: February 2001 - April 2002

Party Represented: Defendant, UPMC Health System, Inc.

Judge: Gary Lancaster

Co-Counsel:

Edwin Klett (deceased)
The Honorable Christine L. Donohue
Supreme Court of Pennsylvania
One Oxford Centre
42nd Floor
Pittsburgh, PA 15219
(412) 565-2750

Charles E. Koob

Bryan Neft
Candidate for Pennsylvania Commonwealth/Superior Court
Candidate for Court of Common Pleas of Allegheny County

Simpson, Thacher & Bartlett
425 Lexington Avenue
New York, NY 10017-3954
(212) 455-2000

Opposing Counsel:

Daniel I. Booker
Reed Smith LLP
Reed Smith Centre
225 Fifth Avenue, Suite 1200
Pittsburgh, PA 15222
412-288-3132

Samuel P. Kamin
Goldberg, Kamin & Garvin
437 Grant Street
1806 Frick Building
Pittsburgh, PA 15219
(412) 281-1119

Gary L. Kaplan
DeForest, Koscelnik, Yokitis & Kaplan
436 Seventh Avenue
3000 Koppers Building
Pittsburgh, PA 15219
(412) 227-3100

Steven B. Silverman
Babst, Calland, Clements and Zomnir, P.C.
Two Gateway Center, 9th Floor
Pittsburgh, PA 15222
(412) 253-8818

Summary of the Case: Lawsuit to enjoin the merger of UPMC Health System, Inc. (“UPMC”) with Children’s Hospital of Pittsburgh on antitrust grounds.

Nature of my Participation in the Case. This was the largest case that I ever litigated. The plaintiffs filed for a preliminary injunction to enjoin the merger between UPMC and Children’s Hospital of Pittsburgh from taking place. My role was to supervise the document productions and review, and to outline the applicable antitrust law regarding hospital mergers. The document review alone involved approximately fifteen to twenty attorneys reviewing the documents over several weeks. The number of documents was in the hundreds of thousands, which then had to

Bryan Neft
Candidate for Pennsylvania Commonwealth/Superior Court
Candidate for Court of Common Pleas of Allegheny County

be reviewed and refined for relevancy, privilege and confidentiality. The case concluded with the entry of a consent decree that allowed the Plaintiffs continuing access to Children's Hospital for a period of years. Working on this case was exhilarating, and it sealed my passion for antitrust jurisprudence.

4. Bognar and Company v. AEP Memco et al.

Court: United States District Court for the Eastern District of Louisiana

Docket No: 2:2008cv01290

Judge: Martin L.C. Feldman

Party Represented: Plaintiff, Bognar and Company

Dates of Representation: April 2009 - November 2009

Co-Counsel:

William Pietragallo, II
Pietragallo Gordon Alfano Bosick & Raspanti, LLP
One Oxford Centre
38th Floor
Pittsburgh, PA 15219
412-263-1818

Andrew Struben de Klerk
Frilot L.L.C.
Energy Centre
1100 Poydras St.
Suite 3800
New Orleans, LA 70163-3700
(504) 599-8010

Opposing Counsel:

Richard B. Foster
Beirne, Maynard & Parsons, LLP (New Orleans)
601 Poydras Street
Suite 2200
New Orleans, LA 70130
504-586-1241

Gary Alan Hemphill
Phelps Dunbar, LLP (New Orleans)
Canal Place
365 Canal St.
Suite 2000

New Orleans, LA 70130-6534
(504) 566-1311

Summary of the Case: Our client, a broker of raw materials to the steel and other industries, sued a shipping company responsible for transporting a loan of calcined carbon pitch coke from New Orleans to Charleroi. During the transport, the load was contaminated with fresh corn kernels that rendered the load unusable to the plaintiff's client. The plaintiff sued the shipping company for damages. The Court rendered a verdict for the Plaintiff, which the defendant satisfied.

Nature of My Involvement: I began working on the case several months before trial and was responsible for deposing key witnesses. I was also responsible for briefing summary judgment motions, particularly on Federal Rule of Civil procedure 17 governing "real parties in interest." The court ultimately allowed the case to go forward finding that the Plaintiff was the "real party in interest." I was associate counsel at trial and was responsible for ensuring that all trial materials were shipped to and received in New Orleans in time for trial. I also participated in preparing witnesses to testify. Because of the favorable results, achieved, I continue to represent the Plaintiff as outside general counsel to this day on a variety of matters concerning the business.

5. Commonwealth v. Kondus

Court: Court of Common Pleas of Washington County

Docket No.: Criminal Division No. 1690 of 2000

Judge: District Judge: Gary Havelka, Court of Common Pleas Judge: John Bell

Party Represented: Defendant, Alma Kondus

Dates of Representation: April - September 2000

Opposing Counsel:

Joseph Schwera

Office of the District Attorney

Washington County Courthouse

One Main Street

Washington, PA 15301

(724) 228-6790

Summary of the Case: The Administratrix of an estate brought a private criminal complaint against the caretaker of the decedent for theft. The case was dismissed on a motion to dismiss based on the statute of limitations prior to the preliminary hearing.

Nature of My Representation: I had been representing the caretaker of the decedent in a dispute with the decedent's family over bequests in the decedent's will, which the Administratrix refused to honor. There were separate proceedings in the Orphan's Court that addressed the estate disputes.

The case culminated in criminal charges being brought against the caretaker for theft many years after the alleged theft had concluded. I proactively filed a motion to dismiss based on the statute of limitations with the district judge assigned to handle the arraignment. He transferred the case to Washington County's central court. At that time, the court administrator assigned the motion to a common pleas court judge. I successfully argued that the charges were time-barred under the applicable statute of limitations. The critical issue related to application of the discovery rule under the applicable statute. Once the criminal charges were concluded, the Executrix had no choice but to pass on the property bequeathed to the caretaker. This was an example of my being able to help an individual with significant criminal exposure to overcome them and ultimately obtain the property that was rightfully left to her.

14. If a substantial period of your practice has been before administrative boards, commissions or agencies during the past ten years, identify the boards, commissions or agencies before which you have practiced and estimate percentages of practice time devoted thereto.

Not applicable.

15. If a substantial portion of your practice has been before Appellate courts during the past ten years, identify the Appellate Courts before which you have practiced and estimate percentages of practice time devoted thereto.

In the last ten years, I have had two appellate case before the Commonwealth Court of Pennsylvania that included briefing and argument. The amount of practice time devoted to the cases is a small percentage, less than 5%.

16. Have you ever held judicial office? If so, give dates and details, including the court involved, whether elected or appointed, periods of services and a description of the jurisdiction of each of such courts with any limitations upon the jurisdiction of each court indicating the time(s) that you were the subject of a Motion or Petition for Recusal.

I have never held a judicial office

17. Have you ever held public office other than judicial office? If so, give details, including the office, whether elected or appointed and the length of your service, giving details.

I served as an elected committee member for the Mt. Lebanon Democratic party. I held this position as an associate member beginning in 2016. In May 2018, I was elected as a full committee member. I resigned that position in 2020 to pursue judicial election. I

was reappointed to the committee in May 2021 after I lost my judicial election. I was elected again to the position as a full committee member in May 2022. I resigned from my position in November 2022 to pursue election for an open seat on the Commonwealth Court of Pennsylvania. When I lost that election, I was reappointed as a member of the Mt. Lebanon Democratic Committee.

18. Have you ever been an unsuccessful candidate for elective, judicial or other public office? If so, give details, including dates.

I ran for an open seat on the Pennsylvania Superior Court in 2021 and lost in the primary in May 2021. I ran for an open seat on the Commonwealth Court of Pennsylvania in 2023 and lost in the primary.

19. Have you ever been engaged in any occupation, business or profession other than the practice of law or the holding of judicial or other public office? If so, give details, including dates.

No. I have not been engaged in any occupation, business or profession other than the practice of law or the holding of judicial or other public office.

20. Are you now an officer or director or otherwise engaged in the management of any business enterprise?

- a. If so, give details, including the name of your enterprise, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service.

I am a member of my law firm's professional limited liability company. I am not an officer and do not hold a management title within the firm. I am not an officer or director or otherwise engaged in the management of any business enterprise. I am an officer and board member of the Allegheny County Bar Foundation.

- b. is it your intention to resign such positions and withdraw from any participation in the management of any such enterprises if you are elected and confirmed? If not, give reasons.

It is my intention to resign from my law firm if elected and confirmed.

21. Are you under any ongoing federal, state or local investigation or indictment for possible violation of a criminal statute? If so, give details.

No. I am not under any ongoing federal, state or local investigation or indictment for possible violation of a criminal statute.

22. Have you ever been charged or convicted of any violation of a local, state or federal law, any misdemeanor or felony, court martialled, been granted immunity from prosecution, been held in contempt of court or been the subject of a final protection from abuse order? If so, give details. Do not include summary traffic offenses.

No. I have never been charged or convicted of violating any federal law or regulation, state law or regulation, or county or municipal law, regulation or ordinance

23. Has a tax lien or other collection procedure been instituted against you by federal, state or local authorities? If so, give details.

No tax lien or other procedure has been instituted against me by federal, state or local authorities.

24. Have you ever been sued by a client? If so, give details.

No. I have never been sued by a client.

25. Have you ever been a party to or otherwise involved in any other legal proceedings? If so, give the particulars. Do not list proceedings in which you were merely a guardian *ad litem* or stakeholder. Include all legal proceedings in which you were a party in interest, a material witness, were named as co-conspirator or a co-respondent and any grand jury investigation in which you figured as a subject or in which you appeared as a witness.

In the 1980's, I was a defendant in a lawsuit concerning an automobile accident. The lawsuit was filed in the Superior Court of the District of Columbia. I was driving a car that was involved in an accident with a motorcycle. A passenger on the motorcycle sued the driver of the motorcycle, me, my brother, and my father's business. The case was settled in or around 1991 before trial.

26. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, bar association, disciplinary committee or other professional group? If so, give the details.

I have never been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, bar association, disciplinary committee, or other professional group.

27. Currently or within the past five (5) years have you suffered from any medical or other condition which could affect or impair your judgment, reliability or ability to perform the essential functions of the judicial position you are seeking? If so, describe.

No. Currently and within the past five (5) years I have not suffered from any medical or other condition which could affect or impair my judgment, reliability, or ability to perform the essential functions of the judicial position I am seeking.

28. Do any circumstances exist that would affect your ability to perform the function of the position you seek or fulfill the term of office? If so, please explain.

No circumstances exist that would affect my ability to perform the function of the position I seek or fulfill the term of office.

29. Furnish one (1) writing sample that reflects your analysis of a legal problem or issue.

I am attaching the brief that I filed in *Commonwealth v. Firman*, 571 Pa. 610, 813 A.2d 643 (Pa. 2002). I wrote and revised the brief a number of times before filing. I also shared the brief with colleagues who offered constructive comments to improve the brief.

30. List all bar associations and professional societies of which you are a member and give the titles and dates of any offices which you have held in such groups. Please also identify any leadership role you have held in such groups.

Pennsylvania Supreme Court

Pennsylvania Disciplinary Board, Member 2024 – present

- Board member performing fiduciary and adjudicative duties regarding violations of the Pennsylvania Rules of Professional Conduct
- Participate in oral argument of objections and exceptions to the decisions of hearing committees
- Perform public and private reprimands of attorneys who have been found to violate the Rules of Professional Conduct
- Attend board and committee meetings and conferences pertinent to attorney discipline.

Pennsylvania Interest on Lawyers' Trust Accounts (Pa. IOLTA) Board, Chair, 2014-15; appointed member, 2009-2012, reappointed 2012 – 2015.

- Acted as fiduciary for IOLTA funds and other fee-based funds on behalf of the Pennsylvania Supreme Court.
- Developed policies and grant guidelines for IOLTA grantees.
- Reviewed and voted on annual grant recommendations.
- Worked with members of the Pennsylvania Supreme Court to implement court-driven priorities.
- Developed programs designed to support and increase funding for legal aid programs across Pennsylvania including the *cy pres* rule for class action residual funds and the Loan Repayment Assistance Program.
- Engaged in extensive search process for executive director.
- Attended ABA IOLTA Conferences, 2014 – 15.
- Attended ABA Day on the Hill to lobby for funding for legal services, 2013 – 15.

United States District Court for the Western District of Pennsylvania

Committee to evaluate Magistrate Judge Lenihan for Reappointment, 2019-20

Local Rules Committee, Appointed Member, 2005 – 14.

Wendell Freeland Society. Member 2021-present

Allegheny County Bar Association, Member 1991-Present

Immediate Past-President, 2019 - 20

President, 2018 - 19

President-Elect, 2017 - 18

Treasurer, 2014 – 16.

Board of Governors, July 2017 – June 2020, July 2008 – June 2016, July 2004 – June 2007.

- Member, Ad Hoc Committee concerning the Bench-Bar Conference, 2017-Present.
- Member, Ad Hoc Committee on Emerging Issues in the Profession.
- Chair, Ad Hoc Committee on Code of Professionalism. Drafted Code of Professionalism that the Board approved and adopted in May 2010.
- Member, Ad Hoc Committee on Fee Dispute Resolution Procedures.
- Speaker, *Lawyers and Judges in the Classroom*, Peabody High School, March 2010.
- Member, Gender Equality Task Force, 2005 – 08.
- Member, Task Force for Implementation of Independent Audit Committee in light of best practices under Sarbanes-Oxley, 2004 – 05.

Allegheny County Bar Foundation (501(c)(3)) non-profit charitable subsidiary.

Vice President, July 2023 – present

Trustee, July 2022 – present, July 2001 – June 2007;

Treasurer, July 2005 – June 2007,

Fellow, Sustaining Fellow and Patron Fellow, 2002 – Present.

Attorneys Against Hunger annual charitable campaign, 2001 – present.

Chair, July 2001 – June 2012

- Organized bar association annual campaign to benefit community hunger relief agencies, and coordinated related volunteer efforts.

- During my term as chair, contributions to the annual campaign increased nearly 500%.
- Cumulative contributions to campaign exceeded \$1 million.
- Campaign received the following awards during my tenure:
 - Greater Pittsburgh Community Food Bank, Hunger Awareness Day Award, 2008.
 - National Conference of Bar Foundations, Excellence in Public Service Programming Award, 2006.
 - Just Harvest, Seeds of Justice Award, 2005.
 - Pittsburgh AIDS Task Force, Together We Can Award, 2004.

Member, Fellows Sub-committee, 2004 – Present.

Member, Loan and Scholarship Committee, 2001 – Present.

Member, Lawyers Fund Committee, 2005 – 07.

Homer S. Brown Division, Member 2011 – Present.

Women in the Law Division, Gender Bias Subcommittee, 2007 – Present.

- Field confidential claims of gender bias and work with complainants to resolve claims.
- Member, Committee to Advance Professionalism and End Bias, 2016 – Present.
- Co-develop GBS program on Best Employment Practices for Small and Medium Size Firms in Conjunction with the Institute for Gender Equality, Fall 2012.

Young Lawyers Division

Member, Division Council, July 2000 – June 2001.

Public Service Committee, Co-Chair, July 2000 – June 2001; Member, 1991 – 2001.

- Speaker, VIP Program on Fraud against the Elderly.
- Speaker, Stepping Out Program.
- Participant, Homeless Children's Christmas Party.

Civil Litigation Section

Section Council, Chair, 2012 – 13; Chair-elect, 2011 – 12; Vice Chair, 2010 – 11; Secretary, 2009 – 10; Treasurer, 2008 – 09; Member, 2002 – Present.

- Section devoted to working with state trial court judges on issues concerning civil litigation.
 - Coordinated the development of pro bono program for landlord tenant appeals in the Court of Common Pleas of Allegheny County.

- Coordinate and plan “lunch and learn” and continuing legal education programs on electronic discovery, including scope, case law, limitations, cost, and technology.

Federal Court Section

Vice-chair, July 2006 – June 2007.

Section Council, Member, Sep. 2002 – June 2007.

- Section comprised of federal court practitioners and federal court judiciary working on issues relating to federal civil and criminal practice.
 - Coordinated and planned “lunch and learn” and continuing legal education programs.

Appellate Practice Committee

Chair, 2002 – 04.

Committee dedicated to education and the development of professional relationships in the area of federal and state appellate practice and procedure.

- Coordinated and moderated committee educational programming, including seminars by distinguished Pennsylvania and federal appellate jurists on effective appellate practice and appellate mediation.
- Planned receptions with members of state appellate courts.
- Organized first appellate practice moot court program for young lawyers.

Bench-Bar Committee, Chair, 2017, Co-Chair, 2016, Member, 2015 – 19.

Programming Subcommittee, Member, 2015 – 16.

Speaker Subcommittee, Chair, 2016-17.

Finance Committee, Chair, 2015 – Present; Member, 2001 – Present.

- Investments Subcommittee, 2014 – Present.
- Bills Sub-Committee, Member, 2014 – Present, 2002 – 08.
- Ad Hoc Subcommittee to Consider Association Reserve Policies, 2016 – Present.

LGBT Rights Committee, Member, January 2015 – Present.

PAC Committee, Chair, 2015-17; Treasurer, 2012 – 15; Member, 2009 – 2020.

Bryan Neft
Candidate for Pennsylvania Commonwealth/Superior Court
Candidate for Court of Common Pleas of Allegheny County

- Assist in the development of ACBA legislative priorities and make recommendations concerning donations to candidates.
- Assist in fundraising.
- Meet with members of the Pennsylvania General Assembly to promote ACBA legislative priorities.
- Meet with legislators locally to promote ACBA legislative priorities and legal services for the indigent.

Judicial Excellence Committee, Chair, 2019 – 20; member 2021 – present.

Task Force to Develop Desert Storm Legal Assistance Program, Member, 1991.

KD & You & the Law Program, Volunteer, 1991 - Present.

Pennsylvania Bar Association, Member (ongoing)

House of Delegates, July 2004 – Present.

Judicial Administration Committee, Co-Chair, 2021-Present.

Post Trial and Appellate Practice Committee, Member.

Civil Litigation Section, Member, Council May 2022 – present; Education Liaison, September 2020-Present.

American Bar Association

- House of Delegates, 2019-present
- Member of Commission on IOLTA, September 2022 – present.

31. List your experiences in teaching and lecturing, including law school, continuing legal education and to non-legal audiences.

- Civility in the Profession, Monroe County Bar Association, September 2024
- Personal Injury Law Institute, Planner, Pennsylvania Bar Institute, October 2022
- Pennsylvania Civil Procedure: A Primer, Planner, Pennsylvania Bar Institute, October 2022
- I Object!: Knowing and Using the Rules of Evidence, Pennsylvania Bar Institute, November 2021

Bryan Neft
Candidate for Pennsylvania Commonwealth/Superior Court
Candidate for Court of Common Pleas of Allegheny County

- Piercing the Corporate Veil, Pennsylvania Bar Institute 2008
- Best practices for Addressing Gender Bias, Allegheny County Bar Association Bench-Bar Conference, 2018. This seminar taught ways to address instances of gender bias in the profession and to facilitate favorable outcomes.
- Mini Camp on the New Securities and Exchange Regulations for Whistleblower claims, Taxpayers Against Fraud, 2011. This day-long seminar instructed on the new securities and exchange regulations for whistleblower claims.
- Encyclopedia of Electronic Discovery. Allegheny County Bar Association, Civil Litigation Section, 2004. This class was designed to teach attendees basic information about electronic discovery at a time when the law on this subject was evolving.
- Gender Bias Subcommittee, Allegheny County Bar Association, 2012. This course was developed for human relations professionals at law firms to teach about gender issues in the workplace and how to address them.

32. List all organizations other than bar associations, professional associations or societies of which you are or have been a member, including civic, charitable, religious, educational, social and fraternal organizations.

Mt. Lebanon Democratic Committee

Committee Member and Associate Committee Member, 2017 – 20, 2021-22 (resigned), 2023-2024 (resigned)

Mt. Lebanon Traffic Board, Member, 2016-17

Rivers Club, Pittsburgh, Pa.

Board of Governors, Sep. 2010 – July 2024.

Beth El Congregation of the South Hills, Mt. Lebanon, Pa.

Member, Board of Trustees, July 2008 – June 2018.

Treasurer, July 2016 - June 2018

Assistant Financial Secretary, July 2014 – June 2016.

Jewish Community Center of Greater Pittsburgh

Member of the Board of Directors, 2002 – 08.

Audit subcommittee.

Facilities subcommittee.

Human Resources subcommittee.

United Jewish Federation of Pittsburgh

Jewish Community Life Commission, Member, 2007 – 16

UJF Funding Committee, Member 2009 – Present.

Young Adult Division,

Chair, Sep. 2004 – August 2005, responsible for programming, leadership development and charitable campaign for individuals age 25 – 45.

Campaign Chair, 2004.

Shady Side Academy

Alumni Council, 1991 – 1995, 2000 – 2004.

Hunger Services Network

Vice President and member of the Board of Directors of local hunger service agency dedicated to helping individuals with emergency food assistance and qualification for government food programs. May 2002 – May 2004.

33. List any honors, prizes, awards or other forms of recognition which you have received (including any indication of academic distinction in college or law school) other than those mentioned in answers to the foregoing questions.

I was named one of 2003's "Pennsylvania Lawyers on the Fast Track," an award given by American Lawyer Media to recognize attorneys under the age of forty who have made significant contributions to the practice of law through case work, bar association involvement, and pro bono efforts.

34. State any other information which may reflect positively or adversely on you or which you believe should be disclosed.

A judge should be able to make decisions expeditiously and draft persuasive decisions not only to convince other judges of the wisdom of a decision but also to convince the parties that they were given due consideration and that justice was served. A judge needs to do that for hundreds of cases each year. That requires intellect, integrity, compassion and efficiency--four qualities that I possess. I research the law extensively to understand its application. My practice is fast-paced, and I handle an average of 50 or more cases in the court system at a time. That requires identifying material issues quickly and drafting pleadings and motions to achieve

client goals. As an advocate, I have to understand the positions and motivations of the parties in order to arrive at a result that is just. This requires compassion and respect for all parties and the counsel that represent them. And finally, those who know me know that my word is my bond.

A judge also has to be a steward of the profession and a role model to others. Giving back to my profession and to my community is just as important as the work I perform zealously advocating for my clients. That is why I have been involved in important projects through the bar association that advocate for fairness in the profession, fairness for marginalized members of the profession, and equal access to justice for all. I have also worked hard to give back to the community through fundraising, community outreach, and participation in community agencies.

35. Why do you wish to become a Justice or Judge? What strengths do you possess that would particularly well qualify you for such a position?

I was fortunate to be a law clerk for a wonderful judge on the Pennsylvania Superior Court. My clerkship came at a time when I became disillusioned with certain aspects of the private practice I experienced. My judge taught me the skills needed to be an effective appellate judge including extensive legal research and effective writing, both of which have continued improve throughout my career. He also taught me compassion, fairness and collegiality. By the time my clerkship ended, I was able to see both sides of the cases I handled very clearly and to understand how to equitably apply the law. In several respects my work resulted in a reevaluation of laws or changes in the law for the better. Continuing that work as a judge would play to my strengths and allow me to have an impact on those who interact with the judicial system as well as the Citizens of the Commonwealth.

36. What do you consider a significant achievement in your life outside your profession?

The Allegheny County Bar Association through its foundation has a program that doesn't exist for the benefit of the profession of law but for the benefit of the greater community. It is known as Attorneys Against Hunger ("AAH"). In 2001, ACBA president Amy Greer asked me to take over the program. When I did, the program steadily raised about \$25,000 annually for three local agencies providing hunger relief programs: The Greater Pittsburgh Community Food Bank, Just Harvest, and Hunger Services Network.

I embarked on establishing greater awareness about the campaign and educating bar association members about hunger in Allegheny County. I began by speaking at every bar

association section meeting to ask for donations from members. I also set up volunteer outreach so that members could experience what the agencies that we supported were doing to fight hunger insecurity.

Over the next five years, contributions to the campaign increased to about \$115,000 annually. With the newfound funds, the campaign was able to expand its reach to more hunger relief agencies in Allegheny County including: 1) the Squirrel Hill Food Pantry, which provides kosher food to those who need it for religious purposes 2) Allies, formerly the Pittsburgh AIDS Task Force, which provides hunger relief and nutritional supplements for those suffering from HIV/AIDS. The list of supported agencies has increased since then. Although I am no longer chair of the AAH campaign, over the years the campaign has successfully raised over \$2.4 million for hunger relief in Allegheny County and has offered a way for attorneys to benefit the greater Pittsburgh community that is unrelated to the profession. I am proud of these efforts.

37. Please identify specific efforts you have made, or been involved with, to support equality and inclusion in the legal profession.

Those who know me know my commitment to diversity and gender equality in the legal profession. I have written about implicit bias and ways that lawyers can help diverse law students get ahead in our profession. With the Allegheny County Bar Association, I have supported and lobbied Pennsylvania legislators in favor of anti-discrimination legislation that would protect members of the LGBTQ+ community.

I have also been involved with specific programs that support gender and racial equality. For many years, I have been a member of the Gender Bias Subcommittee of the Allegheny County Bar Association's Women in the Law Division. In addition to educating the bar about gender bias, that committee fields complaints from individuals who think they may have been victims of gender bias. The committee's deliberations are wholly confidential, and the committee only acts with the full consent of the complainant. As a result, the committee has taken on perpetrators of gender bias and demanded changes in conduct on behalf of complainants. The committee has received complaints against members of both the bench and the bar.

The Homer S. Brown Law Society ("HSB") was created as a bar association for African American lawyers at a time when the Allegheny County Bar Association refused them membership because of their race. In 2010, HSB merged into the bar association as a new division. I was one of the first non-African American members of the bar to join the division. At the time, I was a member of the bar association's board of governors and I felt that it was critical to the success of the division to have a liaison that could help introduce the division to the greater bar association, and champion its issues within the greater bar association. Today, the HSB division is one of the most active and vocal groups within the bar association, and the division's members routinely step up to leadership positions in the bar. I like to think I had a small role in developing their voice.

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Candidate for Pennsylvania Commonwealth/Superior Court
Candidate for Court of Common Pleas of Allegheny County

In 2012, the Allegheny County Bar Association was asked to become a signatory to an amicus brief in support the challenge to the Defense of Marriage Act in *United States v. Windsor*. I vociferously supported the ACBA becoming a signatory to the amicus brief.

The Allegheny County Bar Association maintains a summer clerkship program for minority students that have completed their first year of law to find them coveted jobs with law schools and corporate legal departments in Allegheny County. The purpose is to give these students an opportunity to add to their resume and make them more marketable for positions after their second year of law school and upon completion of law school. During my year as President of the bar association, the ACBA expanded the program to include members of additional disenfranchised groups. Subsequently, I personally increased the number of law firms and corporate legal departments in Allegheny County by 50% to accommodate the increasing number of eligible students to participate in the program.

Diversity and equality are issues for the judiciary as much as they are for practitioners. The public must have confidence that the judicial system works for all including women, people of color and others who have been disenfranchised historically. As a member of the judiciary, I would take steps to educate and make reforms that foster gender equality and diversity.

The undersigned certifies that the statements made in this questionnaire are true, complete and correct to the best of his/her knowledge and belief and are made in good faith.

Bryan S. Neft



Signature

December 31, 2024

Date