

WILENTZ

—ATTORNEYS AT LAW—

WILENTZ, GOLDMAN & SPITZER, P.A.

Willard C. Shih

Business and Commercial Litigation

Shareholder

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Practices

Business and Commercial Litigation

Professional Liability & Responsibility Litigation

Appellate Practice

Education

J.D., Fordham University School of Law, 1996, *cum laude*

B.A., Columbia University, 1993

Admissions

New Jersey, 1998

New York, 1997

United States District Court, District of New Jersey, 1998

United States District Court, Southern District of New York, 1997

United States District Court, Eastern District of New York, 1997

Willard C. Shih is a Shareholder on the Business and Commercial Litigation team at Wilentz, Goldman & Spitzer, P.A. He is also an officer of the firm, serving as its Treasurer, and is a member of the firm's Management Committee.

Mr. Shih does not hesitate to take disputes to trial when the situation warrants. He also recognizes the wisdom of a speedy resolution and ably uses all forms of alternate dispute resolution to accomplish his client's goals. His litigation practice includes representing businesses and individuals in complex commercial disputes, including cases involving corporate and partnership disputes, unfair competition and consumer claims, trade secrets, restrictive covenants, and various other matters. He also represents closely held corporations in cases in which the owners have disputes pending in family court and probate court, as well as family members involved in estate disputes. Clients include those in the public sector, Fortune 500 and smaller publicly traded companies, and family-owned businesses across a variety of industries, including biotech, finance, and retail.

In addition, Mr. Shih represents national, regional, and local law firms in cases involving claims of professional negligence, breach of fiduciary duty, fraud, and civil conspiracy, among others. The attorneys he defends practice in a variety of disciplines, yet Mr. Shih makes it a priority to understand their practice so that he can better mount their defense. To the extent the specialty is especially arcane - as in the case of "total return swaps" or "qualified domestic relations orders" to name a couple - there is a strong likelihood Wilentz has attorneys who practice in that area, allowing Mr. Shih to draw from that experience to better defend the claim.

In the United States, only two or three out of every 100 civil lawsuits result in a trial on the merits. If there is a possibility that your case might be one of the very few only resolved by trial, you want to do what you can to stack the odds in your favor. Mr. Shih's ability and resolve to quickly grasp the root of the issues in dispute, and how those issues affect his

client's business, allow him to litigate a variety of claims for clients in a number of industries – the very essence of a commercial litigator.

Mr. Shih is equally adept at securing pre-trial dismissals, prevailing on motions to dismiss and motions for summary judgment to extricate clients from otherwise damning allegations. Mr. Shih understands that, for his clients, litigation is an unwelcome distraction and expense from their businesses and lives, and thus, he always counsels clients on the possibility of settlement or alternate dispute resolution and does what it takes to negotiate an end to the case. Mr. Shih's top priority is the *right* and most expeditious resolution to the case.

Mr. Shih is committed to serving the legal profession. Appointed by the New Jersey Supreme Court, he has served on multiple panels and committees including its Civil Practice Committee, Rules of Evidence Committee, and the Dispute Resolution Committee. Charged by the New Jersey Supreme Court with investigating and adjudicating wrongdoing by attorneys, Mr. Shih also served as Panel Chair of a Fee Arbitration Committee and as Vice-Chair of a District Ethics Committee. He is a Fellow of the American College of Trial Lawyers, one of the premier legal associations in North America. In 2022, Mr. Shih was designated by the Supreme Court of New Jersey as a Certified Civil Trial Attorney.

In the community, Mr. Shih is a legal advisor and former Deacon of Legal and Community Affairs for the Rutgers Community Christian Church. He has also served as an elected officer and board member of the Asian Pacific American Lawyer's Association of New Jersey, and as co-chair of its Professional Development Committee. At Wilentz, he is co-chair of the firm's Diversity Committee.

Awards and Recognitions

- Robert J. Cirafesi Chancery Practice Award, Middlesex County Bar Association, 2022
- Professional Achievement Award, Asian Pacific American Lawyers Association of New Jersey, 2015
- Professional Lawyer of the Year, New Jersey Commission on Professionalism in the Law, 2011 and 2015
- *Chambers USA*, Commercial Litigation, since 2022, (Band 3)
- *Best Lawyers in America* list since 2013
- New Jersey *Super Lawyers* list since 2013; "Rising Star" list from 2006 to 2012

The American College of Trial Lawyers (<https://www.actl.com>) is an invitation only fellowship of trial lawyers of diverse backgrounds from the United States and Canada. See the membership criteria and requirements at: <https://www.actl.com/about-actl>.

Best Lawyers in America® (<https://www.bestlawyers.com/methodology>) is published by Best Lawyers.

Super Lawyers® (http://www.superlawyers.com/about/selection_process_detail.html) is published by Thomson Reuters.

Chambers USA® (<https://chambers.com/about-us/methodology>) is published by Chambers and Partners.

A description of the selection processes may be accessed via the above links. The aforementioned organizations are private peer review organizations, not court-specific, public certification vehicles. No aspect of this advertisement has been submitted to or approved by the Supreme Court of New Jersey.

Speaking Engagements

- "2022 Legal Malpractice Update," NJICLE, March 26, 2022
- "Virtual Jury Trials: Keeping Jurors Captivated," NJICLE, March 11, 2021
- "Mastering Judgment Enforcement & Locating Assets," Rossdale Group, February 3, 2021
- "The Latest on Motions in Limine," NJICLE, October 27, 2020
- "Expert Witness Testimony," NJCPA's Conference, September 24, 2019
- "Trial Skills Development," Middlesex County Bar Association, May 1, 2019
- "Trial Skills Series," Middlesex County Bar Association, February 6, 2019
- "Overview of the 2018 Civil Practice Rule Amendments," Middlesex County Bar Association and Middlesex County Trial Lawyers Association Meeting, October 4, 2018
- "Civil Rules Update on Amended Appellate Rules," NJICLE, September 26, 2018
- "Restrictive Covenants and Trade Secrets," NJICLE, May 31, 2018
- "The Million Dollar Claim for Lost Profits – How to Make it Stick," American Institute of Certified Professional Accountants' Forensic and Valuation Services Conference, November 14, 2017
- "Professionalism: In Court, Making a Deal and at Your Desk," Middlesex County Bar Association, 2016
- "Commercial Damages and Avoiding Net Opinions," Litigation Summit Seminar, ALM Media, LLC, 2016
- "Professionalism and Social Media: Avoiding Common Mistakes," Middlesex County Bar Association, 2016
- "Navigating Default Judgment and Beyond," NJICLE, 2016
- "Complex Litigation with International Aspects," *New Jersey Law Journal*, In-house Counsel Seminar, 2016
- "The Right Expert: How Hard Can It Be?," American Bar Association, Lawyer's Professional Liability Committee, Sept. 2015
- "In-House Counsel Seminar," *New Jersey Law Journal*, June 16, 2015
- "A Lawyer's Worst Nightmare: The High Stakes Claim Against Counsel," American Bar Association, Lawyer's Professional Liability Committee, April 2015
- "You Claim You Would Have Gotten A Better Result? Prove It," American Bar Association, Lawyer's Professional Liability Committee, 2014

- Mock Hearing on Summary Judgment Motions, 2014
- Expert Witness Examination Skills Workshop, 2014
- “Calling For Help: What To Do When You’re The Subject Of An Ethics Complaint And How To Stay Out Of Trouble,” New Jersey State Bar Association, 2013
- “How To Get Disbarred,” National Asian Pacific American Bar Association, 2013
- “How To Be A Young Lawyer And Excel At The Profession,” Middlesex County Bar Association, 2013
- “Professionalism and Technology; The Advantages And Pitfalls,” Middlesex County Bar Association, 2013

Selected Matters

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

- Jury verdict of over \$10 million in favor of a biotech company alleging a theft of trade secrets.
- Verdict in a bench trial in favor of client sued for undue influence.
- Jury verdict for a real estate investor alleging violation of the New Jersey Consumer Fraud Act.
- Jury verdict defending a law firm sued for professional negligence.
- Jury verdict defending a general contractor sued in tort and contract.
- Arbitration decision defending an adult day care center and several of its members in an ownership dispute with a minority member.
- Multiple arbitration decisions defending an automobile dealership sued for violations of the New Jersey Consumer Fraud Act.