

## Willard C. Shih

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, and he has obtained recognition for his achievements as a trial lawyer including induction into the American College of Trial Lawyers. He also recognizes the wisdom of a speedy resolution and ably uses all forms of alternate dispute resolution to accomplish his clients' goals. His litigation practice includes representation of businesses and individuals in complex commercial disputes, including cases involving corporate and partnership disputes, unfair competition and consumer claims, trade secrets, restrictive covenants, and a variety of 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 business 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. As lead trial counsel, Mr. Shih has an

unblemished record when it comes to securing victories for his clients when trial is unavoidable. The favorable verdicts have been achieved both on the plaintiff and defense side and in all forms of litigation—bench and jury trials and arbitration. It's neither the side of the "v" nor the label of the fact finder that dictates Mr. Shih's approach, because in every case it's the client that matters. His 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 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.

### **Speaking Engagements:**

- "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," New Jersey Institute for Continuing Legal Education, 2016
- "Complex Litigation with International Aspects", New Jersey Law Journal In-house Counsel CLE Seminar, 2016
- "The Right Expert: How Hard Can It Be?," American Bar Association, Lawyer's Professional Liability Committee, Sept. 2015
- "In-House Counsel Seminar" covering international litigation, New Jersey Law Journal, 2015

- “A Lawyer’s Worst Nightmare: The High Stakes Claim Against Counsel,” American Bar Association, Lawyer’s Professional Liability Committee, Apr. 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

### **Awards and Recognitions:**

- Professional Achievement Award, Asian Pacific American Lawyers Association of New Jersey, 2015
- *Best Lawyers in America* since 2013
- *New Jersey Super Lawyers* since 2013; “Rising Star” from 2006 to 2012
- Best Under 40, National Asian Pacific American Bar Association, 2011
- Professional Lawyer of the Year, New Jersey Commission on Professionalism in the Law, 2011 and 2015
- Outstanding Legal Achievement Award, New Jersey Chinese American Chamber of Commerce, 2008

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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>.

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**

- Willard C. Shih and Donald E. Taylor to Present at NJICLE Webcast “Virtual Jury Trials: Keeping Jurors Captivated”, March 11, 2021
- Willard C. Shih to Serve as Panelist at Rossdale Group CLE “Mastering Judgment Enforcement & Locating Assets”, February 3, 2021
- Willard C. Shih to Moderate and Present NJICLE Webcast “The Latest on Motions in Limine”, October 27, 2020
- Willard C. Shih to Speak at NJCPA’s Conference, September 24, 2019
- Wilentz Attorneys to Present at Middlesex County Bar Association on Trial Skills Development, May 1, 2019
- Wilentz Trial Lawyers to Present at the Middlesex County Bar Association’s Trial Skills Series , February 6, 2019
- Willard C. Shih to Speak at Middlesex County Bar Association and Middlesex County Trial Lawyers Association Meeting, October 4, 2018
- Willard C. Shih to Present at NJICLE Civil Rules Update Seminar on Amended Appellate Rules, September 26, 2018
- Will Shih to Present at NJICLE Commercial Litigation from the Masters, May 31, 2018
- Will Shih to Present at American Institute of Certified Professional Accountants’ Forensic and Valuation Services Conference, November 14, 2017
- Will Shih to Present at New Jersey Law Journal In-House Counsel CLE Seminar, June 16, 2015

### **Selected Matters**

- 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.