



DON P. FOSTER

**Retired Counsel,
Philadelphia**

PRACTICE AREAS

- Alternative Dispute Resolution
- Business Law and Transactions
- Business Transactions
- Commercial Litigation
- Intellectual Property
- Real Estate Litigation And Title Claims Litigation
- Restrictive Covenants and Trade Secret Protection

PROFESSIONAL AFFILIATIONS

- Pennsylvania Bar Association
- Philadelphia Bar Association
- Board of Directors of Highmark, Inc., Member
- Investment Committee of Highmark, Inc., Chairman
- Highmark, Inc., Executive and Corporate Governance Committees
- Philadelphia Court of Common Pleas, Judge Pro Tempore
- Pennsylvania Bar Association House of Delegates, Delegate

PRACTICE FOCUS

Don Foster has been trying cases to verdict in federal and state courts throughout the country for over forty years. His trial and alternative dispute resolution experience is varied and includes disputes involving, intellectual property, health care, franchising, corporate governance, law firm dissolutions, attorney relocation and fiduciary litigation in Pennsylvania's Orphans Courts.

Prior to joining Offit Kurman, Don was a partner in another prominent Philadelphia law firm. Prior to that he served as a law clerk to the Hon. James S. Bowman (dec'd), President Judge of the Pennsylvania Commonwealth Court, and as a consultant with the International Energy Agency in Paris.

Don is a member of the Board of Directors of Highmark, Inc., one of the larger Blue Cross/Blue Shield companies in the country, whose health plans provide health insurance coverage and related services to the citizens of Pennsylvania, Delaware, New Jersey and Western New York. He currently serves as Chairman of the Highmark's Investment Committee after chairing the Audit Committee. He also serves on the Executive and Corporate Governance Committees. Prior to the formation of Highmark, he served on the Board of Pennsylvania Blue Shield.

During his career, Don has served in various leadership roles in and out of the legal profession. He has chaired the Professional Responsibility and Federal Courts Committees of the Philadelphia Bar Association, serves as a Judge Pro Tempore in the Philadelphia Court of Common Pleas, and completed a two-year term as a Delegate in the Pennsylvania Bar Association House of Delegates.

Don has also been voted a Pennsylvania Super Lawyer by a vote of his peers and in 2013 was recognized as a Top Lawyer in Health Care. For more than 40 years, Don has received Martindale Hubbel's highest "AV" rating, and for the past 15 years has been a member of the American Bar Foundation Fellows, an honorary society of attorneys, judges, faculty and scholars whose careers have demonstrated dedication to the highest principles of the legal profession.

POINTS OF DISTINCTION

Mr. Foster is a member of the Board of Directors of Highmark, Inc., one of the larger Blue Cross/Blue Shield companies in the country. He currently serves as Chairman of the company's Investment Committee after chairing the Audit Committee. He also serves on the Executive and Corporate Governance Committees. Prior to the formation of Highmark, he served on the Board of Pennsylvania Blue Shield. Mr. Foster serves as a Judge Pro Tempore in the Philadelphia Court of Common Pleas, and has been appointed to a two year term as a Delegate in the Pennsylvania Bar Association House of Delegates.

Mr. Foster has also been voted a Pennsylvania Super Lawyer by a vote of his peers and in 2013 was recognized as a Top Lawyer in Health Care. For more than 30 years, Mr. Foster has received Martindale Hubbel's highest "AV" rating.

PUBLICATIONS

- "Managing the Risk of Consolidation of Health Care Providers and Insurers", *The Journal of Enterprise Risk Management*, June 2016
- "Have You Been Sued By An ADA Tester? Here Is How To Fight Back", March 28, 2014
- "Managing the Risk to Payors Posed by Changing Health Care Delivery Models", *The Journal of Enterprise Risk Management*, June 2012
- "Do's and Don'ts for Departing a Law Firm Part 3", *The Legal Intelligencer Blog*, February 23, 2012
- "Do's and Don'ts for Departing a Law Firm Part 2", *The Legal Intelligencer Blog*, February 22, 2012
- "Do's and Don'ts for Departing a Law Firm Part 1", *The Legal Intelligencer Blog*, February 21, 2012

RECOGNITIONS

- Morehead-Cain Scholar
- Dana Fellow
- National Winner, The Association of Trial Lawyers of America, Environmental Law Essay Contest
- American Bar Foundation Fellow
- Pennsylvania Super Lawyer
- Top Lawyer in Health Care, 2013
- Martindale Hubbel's highest "AV" rating

EDUCATION

- Dickinson School of Law, J.D.
- University of North Carolina at Chapel Hill, B.A.

ADMISSIONS

- Pennsylvania
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Western District of Pennsylvania
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Western District of Michigan