



# Richard L. Holzworth

## Member

## Philadelphia

[rholzworth@cozen.com](mailto:rholzworth@cozen.com) | (215) 665-6940

### Practice Areas

- Private Client, Trusts and Estates
- Trusts & Estates Litigation

### Education

- University of Pittsburgh School of Law, J.D., *magna cum laude*, 2012
- University of Pittsburgh, M.A., 2009
- Pennsylvania State University, B.A., *highest honors*, 2008

### Bar Admissions

- Pennsylvania

Rick is an experienced trial attorney who represents high net worth individuals and corporate fiduciaries throughout Pennsylvania in estate and trust disputes, including cases involving the validity and interpretation of wills and trusts, breaches of fiduciary duty, and trustee removal and surcharge actions. Rick understands that disagreements regarding the transfer of personal and family wealth are both sensitive and important, and he leverages his experience representing family and closely held businesses in complex commercial disputes in order to guide clients through the dispute resolution process, whether in court or through private settlement. Rick has particular experience with trusts and estates that own specialized assets, such as mineral rights, state-legal cannabis, and digital property.

In addition to his estate and trust practice, Rick has significant trial and appellate experience litigating commercial disputes in the banking, energy, health care, and cannabis industries. He has briefed and argued numerous fiduciary and commercial cases in the Pennsylvania Commonwealth Court, Superior Court, and Supreme Court, and in the U.S. Court of Appeals for the Third Circuit. Additionally, Rick regularly represents prisoners in civil rights litigation on a pro bono basis, and has served as a court-appointed guardian *ad litem* for minors in custody disputes.

Outside of his legal career, Rick is a competitive cyclist and active in his community. Rick has served as the president of the board of directors for Bike Share Pittsburgh, which operates the HealthyRide bike sharing network. He also has been a member of the Executive Leadership Council, Tour de Cure, for the Pittsburgh Chapter of the American Diabetes Association.

## Experience

### *Fiduciary Litigation*

- Prevailed in a nine-day trial concerning the appropriateness of a corporate fiduciary's decisions to lease more than 1,000 acres of an estate's oil and gas interests in a productive region of the Marcellus Shale Gas Play.
- Obtained a favorable decision in the Superior Court of Pennsylvania on behalf of a corporate fiduciary in a \$15 million surcharge action.
- Successfully tried a case on behalf of a trustee who opposed a beneficiary's attempt to convey his interest in the trust in violation of the terms of the governing document.
- Prevailed at trial and on appeal to the Superior Court in a case where a corporate fiduciary sought to sell trust real estate in the face of objections by the sole beneficiary of the trust.
- Served as lead trial attorney for executor of an estate in five-day will contest involving claims for undue influence, lack of capacity, and forgery.

### *Commercial Litigation*

- Obtained summary judgment for the lender in a \$25 million commercial mortgage foreclosure

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action.

- Prevailed in an appeal to the Commonwealth Court of Pennsylvania on behalf of a trade association in an action challenging the validity of a city ordinance that compelled participation in a voluntary federal housing subsidy programs.
- Served as lead trial attorney for a national real estate investment trust in the successful prosecution of an action for breach of a commercial lease, resulting in a verdict for possession of the property, damages, and attorneys' fees.
- Served as lead trial attorney at an injunction hearing involving breach of a natural gas gathering agreement with bet-the-company consequences.
- Won a trial verdict on behalf of a dermatologist for unpaid wages and attorneys' fees in a lawsuit against a major hospital system.