



## Thomas J. Donlon

Counsel

[tdonlon@rc.com](mailto:tdonlon@rc.com)

Stamford — 203.462.7549

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Based on years of experience, Thomas J. Donlon primarily focuses his practice on appeals. He has successfully briefed and argued appeals in many of the federal Courts of Appeals as well as the highest appellate courts in Connecticut and New York. These appeals have covered wide range of issues in multi-million dollar cases involving religious discrimination, bankruptcy, health care, insurance, employment, construction, land use and environment. Tom regularly appears in the Second Circuit where he won a unanimous decision overturning a verdict of religious discrimination, which he subsequently defended against a petition for certiorari.

Tom also assists with trials in complex litigation cases across the country, providing legal analysis, brief writing and argument. These have involved numerous and varied issues, most recently dealing with defense of municipalities against claims of violations of religious liberty and representing asbestos victims in bankruptcy matters.

### **Appellate**

In addition to his precedent setting Second Circuit decision on religious discrimination, Tom has defended a major international corporation in a series of appeals in the Third Circuit against claims of fraud, spoliation of evidence and denial of due process. In the Fourth Circuit he has worked on appeals of cutting-edge issues of bankruptcy law and jurisdiction. In the Federal Circuit, he defended a hard-won district court decision rejecting a claim of patent theft. He has handled appeals in the Fifth and Ninth Circuits, as well.

In the Connecticut Supreme Court, Tom won a series of cases of first impression under the state wetlands protection statute, defining the scope of private actions, the limits on special use exceptions, and the entitlement to attorney's fees. He won an appeal which established the state's rule of priorities in foreclosure actions. He also won an appeal of a multimillion-dollar lease termination dispute involving a major defense contractor. In the New York appellate courts, he was successful on the appeal upholding the largest condemnation award against the State of New York. Tom handled significant cases on appeal in New York regarding the duties of insurance companies in hurricane and fire damages as well as a number of construction disputes.

Tom has represented individuals pro bono before both the Second Circuit and the Connecticut Supreme Court on issues involving prisoner and family rights.

Tom participates regularly in activities to foster the development of appellate law, holding leadership positions in both the American Bar Association Section of Litigation (including a special appointment by the President of the ABA) and Connecticut Bar Association Appellate Advocacy Section. During the COVID crisis he served on a special committee working with the Connecticut judiciary on reopening Connecticut courts and adopting Connecticut appellate courts to remote oral argument. He regularly conducts continuing legal education programs at both the national and state level.

### **Complex Litigation**

Tom is involved in all aspects of complex litigation in trial courts, , particularly dispositive motions requiring the briefing of challenging legal issues. Tom is a member of the firm's Litigation group team specializing in Religious Land Use and Incarcerated Persons (RLUIP) cases. He works on all aspects of these cases from initial client outreach, through pre-trial and trial procedures and post-trial briefing. Tom is a contributor to our firm's RLUIPA blog. He also works extensively with our firm's Bankruptcy Group, briefing and arguing a broad array of emerging issues of bankruptcy law, including jurisdictional disputes, attorney client privilege and constitutional questions.

Tom has worked on cases running the gamut of civil trial litigation, including the representation of one of America's largest corporations in an international contract dispute, the defense of insurance companies against bad faith claims, the enforcement of arbitration agreements against class action attack, defense of Native American corporations, disputes over major government construction contracts, and state immunity in international insolvency proceedings. He litigated a series of Daubert motions in patent cases which significantly assisted the successful resolution of the matters and assisted in a number of land use and environmental cases in support of the firm's practice in those areas.

Tom was an attorney on active duty with the U.S. Coast Guard for over 20 years before coming to the firm. He served as the Senior Government Appellate Counsel, responsible for all Coast Guard military appeals nationwide, and represented the Coast Guard in the first military case directly appealed to the U.S. Supreme Court. He also served an assignment with the U.S. Department of Justice, Civil Division, defending the Coast Guard against claims in federal district courts nationwide. While in the Coast Guard Tom was certified and served as a Military Judge. In his last Coast Guard assignment, Tom served as a legal advisor to the U.S. Ambassador to the United Nations.

Tom's broad range of experience and legal knowledge brings a unique perspective to resolving client disputes at all stages from pre-litigation to the highest appellate courts.

## Services

- Litigation
- Appellate
- Creditors' Rights
- Business Litigation + Dispute Resolution

## Education

- University of Michigan Law School (Juris Doctor, *magna cum laude*)
- University of Michigan (Masters)
  - M.A., World Politics
- U.S. Coast Guard Academy (Bachelors, *with highest honors*)
  - B.S., History, Oceanography

## Admissions

- State of Connecticut
- State of New York
- U.S. Supreme Court
- U.S. Court of Appeals, 2nd Circuit
- U.S. Court of Appeals, 3rd Circuit
- U.S. Court of Appeals, 4th Circuit
- U.S. Court of Appeals, 5th Circuit
- U.S. Court of Appeals, 9th Circuit

- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals for the Armed Forces
- U.S. District Court, District of Connecticut
- U.S. District Court, District of Hawaii
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York
- U.S. Court of International Trade

## Recognitions

Named in Moffly Media's 2024 "[Top Lawyers in Fairfield County](#)" list in the area of Appellate Law

Selected by his peers for inclusion in [The Best Lawyers in America®](#) in the area of Appellate Practice since 2021

Selected to the Connecticut [Super Lawyers](#) list from 2013 to 2019

Received ABA Section of Litigation's Best Article Series Award at Annual Editors Symposium for "Silly Lawyer Tricks," published in *Appellate Practice*

## Leadership + Memberships

**American Bar Association** (2001 - present)

Section of Litigation Chair of Various Committees (2004 - present), now Chair of Appellate Practice Committee (since 2022)

Council of Appellate Lawyers (2009 - present)

**Connecticut Bar Association** (2001 - present)

Appellate Advocacy Section, Co-Chair (2018 - present)