



## COURTNEY L. SCHULTZ

### PARTNER

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Courtney Schultz is a litigator who focuses on fiduciary and related executor/administrator/trustee disputes. She also counsels energy and utility companies on their regulatory compliance and related litigation.

#### SERVICES

Affordable Care Act  
Compliance Consulting  
Estates and Trusts Litigation  
Litigation  
Commercial Litigation  
Personal Wealth Estates and  
Trusts  
Utilities

Corporate fiduciaries, private individuals and executors/administrators of estates with complex business and real estate interests rely on Courtney to handle litigation in the Orphans? Courts, including will contests, agency and fee disputes, trust modifications and terminations, and guardianship matters. She also facilitates out-of-court resolutions including preparing receipt, release and indemnification agreements and non-judicial settlement agreements. Courtney handles trust and estate administrative matters for these clients as well, including facilitating the adjudication of accountings.

#### INDUSTRIES

Electric Utilities  
Energy

Courtney's work for energy and utility companies includes seeking approvals before state regulatory agencies for franchise grants, changes in rates, and for new customer and company programs. She also conducts internal audits to help these clients assess their compliance with local, state and federal regulations, as well as advises on and assists with filing annual regulatory compliance documents.

Additionally, Courtney has experience representing energy and utility companies when they appear before state regulators seeking approval for mergers and acquisitions, including when their applications are contested, whether it is a multi-billion dollar merger or an acquisition by a utility of an in-state system.

Courtney's experience includes representing companies and individuals in general commercial and complex litigation matters in both state and federal courts. She also serves as a de facto outside general counsel to corporations providing advice on day-to-day legal matters.

## EXPERIENCE

### Fiduciary Litigation

In her work handling fiduciary litigation, Courtney has appeared before the Orphans' Court judges in Montgomery, Bucks, Philadelphia, Delaware and Chester counties. Select representations include:

- Two intertwined spousal estates in estate administration and litigation involving alleged "silent partners." The matter involved resolution of unpaid mortgages, the sale and management of more than 30 commercial and residential rental properties, and the disposition of interests in multiple business entities over a five-year period. We sought an award from the court of extraordinary fees for the co-administrators. The court issued adjudications in both estates, awarding the full amount of extraordinary fees requested.
  - The parents of a young man who died without a will in the out-of-court settlement of a dispute with his estranged spouse over her share of the estate.
  - A client in securing a portion of his mother's estate through filing an informal caveat with the Montgomery County Register of Wills to prevent the probate of his mother's will by his brother, who was suspected of procuring that will through undue influence. A family settlement agreement was secured whereby the client received a settlement for himself and his children.
  - Multiple beneficiaries and the executor in connection with fiduciary litigation in Montgomery County Orphan's Court defending against claims brought by the step-siblings of the decedent for undue influence and lack of testamentary capacity.
  - A former agent under a power of attorney (which terminated upon the principal's death) in Philadelphia Orphans' Court in connection with a petition to compel an account and allegations of wrongdoing made by some of the decedent's children.
  - Multiple individuals seeking to be appointed as guardians of the person and the estate in order to facilitate the initiation of litigation on behalf of their injured loved ones.
  - An individual in opposing the petition filed by her estranged sister seeking guardianship of her mother in Bucks County, resulting in the client being named as her mother's guardian.
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## Energy and Utilities Regulatory Work

Courtney represents energy and utility interests primarily in Pennsylvania and New Jersey, but also has experience appearing before other state commissions, including in Delaware.

Select representations include:

- An investor-owned water utility in connection with a breach of contract action.
- Pennsylvania utility companies with various regulatory and compliance matters before the Pennsylvania Public Utility Commission.
- An international utility company before the Delaware Public Service Commission for approval of an increase in rates and other tariff changes.
- Electric, water and wastewater utilities for base rate cases and other annual regulatory compliance filings before the New Jersey Board of Public Utilities.
- Exelon and Pepco Holdings Inc. in their contested application to obtain regulatory approval across four state jurisdictions of their \$6.8 billion merger in 2016.
- The Southern Company before the New Jersey Board of Public Utilities in its contested acquisition of AGL Resources Inc. This \$12 billion merger created a combined company with both gas and electric distribution.

- Exelon Corporation and Constellation Energy Group in connection with the approval of their 2012 merger in the State of Maryland.
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## Complex Commercial Litigation

Select representations include:

- A provider of funeral, cremation and cemetery services in obtaining a favorable mediated settlement in connection with claims asserted for negligence, intentional and negligent infliction of emotional distress, and violation of Pennsylvania's Unfair Trade Practices and Consumer Protection Law (UTPCPL), contending that the cremated remains of the plaintiffs' relative had been misplaced.
  - A major cemetery operator facing a proposed nationwide class action involving alleged claims of breach of contract, negligence, and violations of Pennsylvania's Unfair Trade Practices and Consumer Protection Law.
  - A property management company in a TRO lawsuit against a former employee and competitor.
  - A landlord in obtaining an order from the court enforcing a settlement agreement with a Pennsylvania Township designating the landlord's properties as non-conforming uses under local zoning ordinances, thereby allowing continued rental to students.
  - A property management company in a class action claim before the Philadelphia Court of Common Pleas alleging violations of the Unfair Trade Practices and Consumer Protection Law. The case was dismissed before any responsive pleadings were filed.
  - A Philadelphia developer in securing removal of a decades-old remains from a construction site upon discovery of graves from the 1800s.
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## MEMBERSHIPS AND AFFILIATIONS

SeniorLaw Center, Board Member

Philadelphia Bar Association, Probate Litigation and Alternative Dispute Resolution Committee

Pennsylvania Bar Association

American Bar Association, Litigation Section

## EDUCATION

J.D., Widener University School of Law, 2009, *summa cum laude*

- Valedictorian
- William J. and Ella C. Wolf Award for Excellence in Real Property Law
- Senior Staff, *The Delaware Journal of Corporate Law*

B.S., Ursinus College, 2006, *summa cum laude*, with honors

- Phi Beta Kappa

## BAR ADMISSION

New Jersey

Pennsylvania

## FIRM INVOLVEMENT

Contingent Fee Committee