



P. Thomas DiStanislao

COUNSEL; CO-LEADER OF APPELLATE PRACTICE

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RICHMOND

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BIOGRAPHY

As the Co-Leader of Whiteford, Taylor & Preston's Appellate Practice, Mr. DiStanislao focuses on representing clients in a wide range of complex matters before State and Federal courts across the country. He has served as both embedded and independent appellate counsel in cases involving issues related to the Americans with Disabilities Act, Rehabilitation Act, Fair Housing Act, Class Action Fairness Act, Prison Litigation Reform Act, Clean Water Act, and Second Amendment to the U.S. Constitution, among many others. Mr. DiStanislao has also been lead counsel at the trial level in matters before State and Federal courts.

Mr. DiStanislao cares about effective and efficient advocacy, both written and oral. He has served as the principal author on briefing before State Supreme Courts, U.S. District Courts, and U.S. Courts of Appeals. Mr. DiStanislao has also secured favorable rulings for clients after oral arguments before State and Federal courts.

Before joining Whiteford, Taylor & Preston, Mr. DiStanislao clerked for Judge G. Steven Agee on the U.S. Court of Appeals for the Fourth Circuit and Judge Henry E. Hudson on the U.S. District Court for the

PRACTICES & INDUSTRIES

[Appellate Practice](#)

[Business Litigation](#)

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[Real Estate](#)

[Condemnation / Eminent](#)

[Domain](#)

[Construction and Real Estate Litigation](#)

[Products Liability, Toxic Exposure & Environmental Litigation](#)

[Land Use and Zoning Litigation](#)

EDUCATION

University of Richmond School of Law, 2016, J.D., summa cum laude

Wake Forest University, 2011, B.A., cum laude

ADMISSIONS

Virginia

U.S. Supreme Court

Eastern District of Virginia. He finished first in his class at the University of Richmond School of Law, where he served as Editor-in-Chief of the *University of Richmond Law Review*.

RECOGNITIONS

- *The Best Lawyers in America*®
 - *Ones to Watch*® Appellate Practice (2027)
- *Virginia Business Magazine*, Appellate "Legal Elite" (2025)
- Up & Coming Lawyer, *Virginia Lawyers Weekly* (2023)

MEMBERSHIPS & ACTIVITIES

- Permanent Member: Judicial Conference of the Fourth Circuit Court of Appeals
- Member: Chesterfield Board of Zoning Appeals
- Board of Trustees: Jamestown-Yorktown Foundation
- Treasurer: John Marshall Inn of Court
- Member: Virginia Bar Association; Appellate Practice Section
- Member: Federal Bar Association
- Member: Richmond Bar Association
- Member: Federalist Society
- Adjunct Professor of Advanced Legal Writing, Washington & Lee School of Law Spring 2022

APPEALS

- Secured a unanimous decision in the Fourth Circuit affirming the grant of summary judgment to our client dismissing Federal discrimination claims under the Americans with Disabilities Act, Rehabilitation Act, and Fair Housing Act. *McGinn v. Broadmead, Inc.*, No. 25-1028, 167 F.4th 667 (4th Cir. Feb. 18, 2026).
- Secured a unanimous decision in the Supreme Court of Virginia holding the doctrine of sovereign immunity did not apply in a personal injury matter stemming from an accident caused by the operator of a municipal waste truck. *Ellis v. Jolley*, 923 S.E.2d 304 (Va. 2025).

U.S. Court of Appeals: Second Circuit

U.S. Court of Appeals: Fourth Circuit

U.S. Court of Appeals: Ninth Circuit

U.S. Court of Appeals: Eleventh Circuit

U.S. Court of Appeals: District of Columbia Circuit

U.S. District Court: Eastern District of Virginia

U.S. District Court: Western District of Virginia

- Secured a unanimous decision in the Ninth Circuit holding an arbitration clause unenforceable in matter involving gaming apps. *Pandolfi v. AviaGames, Inc.*, No. 24-5817, 2025 WL 2463742 (9th Cir. Aug. 27, 2025) (unpublished).
- Served as appellate counsel in Georgia State Court case alleging violations of the Manual on Uniform Traffic Control Devices. Drafted Motions for Summary Judgment, Daubert briefs, and Motions in Limine.
- Served as appellate counsel in employment discrimination case in the United States District Court for the District of South Carolina. Drafted Motion for Summary Judgment, which led to a quick and negligible settlement for the client.

BUSINESS AND PRODUCTS LIABILITY LITIGATION

- Drafted and argued successful Motions to Transfer, Dismiss, and for Default Judgment in Magnuson-Moss Warranty Act and Virginia Consumer Protection Act case representing national recreational vehicle dealer. *Orr v. Keystone RV Co.*, No. 3:23-cv-815-HEH, 736 F. Supp. 3d 389 (E.D. Va. June 7, 2024).
- Secured early and complete dismissals in premises liability actions for national landscaping company.
- Secured full dismissal for a product manufacturer defending claims of breach of contract and warranty. *Sae Han Sheet Co., Ltd. v. Commonwealth Laminating & Coating, Inc.*, No. 4:18cv00074, 2019 WL 4644552 (W.D. Va. Sept. 24, 2019).
- Secured early dismissal for a medical device maker in a personal injury action arising from the use of a duodenoscope. *Reed v. Olympus Am., Inc.*, No. 5:18CV00465 (W.D. Okla. May 6, 2019).
- Principal author of successful motion to dismiss for a plastics manufacturer on personal jurisdiction grounds in an asbestos suit. *Bondurant v. 3M Co.*, No. 19-10693, 2019 WL 3842007 (E.D. La. Aug. 15, 2019).

INSIGHTS

Moderator: "Fourth Circuit Practice," The Virginia Bar Association 2025 Appellate Summit, Richmond, Virginia, October 16, 2025.

Author: "[Paranoid Androids: Artificial Intelligence, In-House Counsel, and the Attorney-Client Privilege](#)," *Pro Te: Solutio*, Vol. 17 No. 3, September 2024.

Quoted: "[Get Focused on Right-to-Repair](#)," F&I and Showroom, March 18, 2024.

Author: "Fair Notice as a Defense to Novel Tort Liability," *2024 Litigation Update: Navigating Emerging Trends and Technology*, March 2024.

Co-Author: "[My Gut Says, 'Yes,' but Is That Correct?](#)" *For The Defense*, October 2023.

Speaker: "Fourth Circuit Practice," The Virginia Bar Association 2023 Appellate Summit, Richmond, Virginia, September 28, 2023.

Author: "10 Tips From a Former Clerk: How to Become a Better 4th Circuit Practitioner," *On Appeal*, Fall 2023.

Speaker: "The Right-to-Repair Movement: My Gut Says, 'Yes,' But Is That Correct?" Tennessee Association of Corporate Counsel, Chattanooga, Tennessee, June 22, 2023.

Author: "[Group Pleading and Personal Jurisdiction: Strengthening the Defense in Mass Tort Cases](#)," *The Brief Case: DRI Committee News*, Volume 2, Issue 5, May 2023.

Co-Author: "[High Court Ax Of Atty-Client Privilege Case Deepens Split](#)," *Law360*, February 24, 2023.

Co-Author: "[Atty-Client Privilege Arguments Give Justices A Moving Target](#)," *Law360*, January 18, 2023.?

Co-Author: "[To Plead or Not to Plead Citizenship](#)," *American Bar Association*, January 17, 2023.

Co-Author: "High Court Pa. Could End Personal Jurisdiction Divide", *Law360*, November 11, 2022.

The Highest Court: A Dialogue Between Justice Louis Brandeis and Justice Antonin Scalia on Stare Decisis, 51 U. RICH. L. REV. 1149 (2017).

Standing in a Post-Spokeo Environment, 30 REGENT L. REV. 11 (2017) (with The Hon. Henry E. Hudson and Christopher M. Keegan).

Comment: *A Shot in the Dark: Why Virginia Should Adopt the Firing Squad as Its Primary Method of Execution*, 49 U. RICH. L. REV. 779 (2015).