

Q&A

Hon. Thomas J. Rueter (Ret.)



Q. Can you tell us a little about your background before you joined JAMS?

A. I was born in Philadelphia, one of nine children, and graduated from law school in 1980. My first job was as a law clerk for a U.S. district court judge, and I spent two years there because I was assigned to a complex antitrust case. I then went to a large commercial litigation law firm in Philadelphia before I was appointed as an assistant United States attorney in the Eastern District of Pennsylvania, where I was then made chief of narcotics. I was asked to go to Washington, D.C., for an assignment with the Department of Justice's community-based social program, called Weed and Seed, with the goal of helping "weed out" violent crime and drug abuse while "seeding" the area with services like intervention, treatment and neighborhood revitalization. I was then appointed as a U.S. magistrate judge for the Eastern District of Pennsylvania.

Q. What were some of the more interesting cases you were involved with on the bench?

A. One of my duties as a magistrate judge was to do all the mediations for district judges, so in 26 years, I handled over 4,000 settlement conferences. I really enjoyed hearing some very complicated patent cases and complex business commercial cases. I developed an expertise in franchise cases, so I would get a lot of referrals from other judges when the franchise lawyers would ask for me.

One famous case that I had was a case where Google refused to turn over information to the government that was stored on international servers, cloud servers in different parts of the world. Google believed that emails stored in servers overseas were beyond the jurisdiction of the U.S. government. I ruled that Google had to turn them over, and that decision made news everywhere, including in the *North Korea Times*. It was not only affirmed, but later on Congress passed the CLOUD Act to compel companies to turn over data regardless of where the data is stored.

Q. What can you tell us about your settlement style, process and/or philosophy? How do you handle difficult personalities?

A. I try to give each side an opportunity to tell me their story. Usually, I don't do that in a general session because I don't want one side to have a reaction to the story that the other side is telling. I try to earn a party's trust by acknowledging the wrong that was done to them, but I will also point out some of the problems going forward. At some point, I go from being a facilitator to an evaluator.

A lot of it is just people skills, such as being respectful and listening. I think the most important thing is to have patience and listen. For an impasse, I'll try to use a bracket system, where I'll basically propose a bracket if the parties are miles apart. If appropriate, I might make recommendations for them to consider.

FUN FACTS

- My biggest claim to fame is not my legal skills, but rather that I'm the father of two sets of identical twins. My wife and I were thinking that maybe we would have one child, but she gave birth to identical twin boys, and then lo and behold, about two years later she had another set of identical boy twins. The Philadelphia Inquirer once featured them in an article because all four of them were on the same varsity high school soccer team at the same time. As you can imagine, they all looked very much alike. In fact, after one game, the referee was staring at the boys in amazement and said, "Jeez, I thought that there was just one fantastic player running hard all game, but that was actually four of you out there."
- I spent an entire summer in the Historical Society of Pennsylvania looking at old letters from a congressman during the War of 1812, and I had an article published about it.



- I really like golfing with my sons. I have golfed in Ireland and Scotland, and I just came back from golfing in Nebraska.



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I come from a working-class background, and I feel that I have the ability to talk to people that are non-lawyers more in the vernacular and empathize with them and try to talk to them about what I think is going to happen in a case.

Q. What types of cases are you particularly interested in handling?

A. I've come to find employment discrimination cases especially rewarding, probably because I've done so many of them. And again, a lot of those involve basically just dealing with human emotions, because the employee obviously has lost their job and their self-esteem has been bruised significantly, so you try to restore it. The employer is also emotional, as they feel that they tried to work it out with this person—perhaps with a good severance package—yet they still got sued.

I also like insurance coverage cases, where an insurance company takes the position that there's no coverage for a particular loss and the insured feels otherwise. I worked on those types of cases when I was in private practice, and I heard a lot of them when I was a judge, so I really enjoy them. I think the lawyers involved appreciate someone who will go through all the policy language and all the technicalities of insurance coverage, and enjoy getting down to the smallest details.

Thirdly, I enjoy commercial business disputes because the parties are results-oriented. Often, elements are contract-driven, and it gives me an opportunity to be more analytical in terms of the actual law.

Q. What was your biggest influence for entering the law?

A. I've always said that having eight siblings at the dinner table and fighting over the food was good training to become a mediator. Seriously though, I was a history major in college and wanted to be a history professor, but I had a course where we read historical Supreme Court cases, and I found them to be really fascinating, so I decided I wanted become a lawyer.