



PRACTICE FOCUS

Thomas Repczynski is a Principal, Shareholder and the Chair of the Commercial Litigation (South) Practice Group, focused on developing and expanding the firm’s Estates and Trusts Litigation practice area. Tom’s practice emphasizes inheritance-related matters involving will/trust/insurance beneficiaries, executors, trustees, guardians, and attorneys-in-fact under Powers of Attorney and includes creditors’ rights enforcement, real estate litigation, and general commercial business disputes. Tom routinely pursues, defends, and negotiates the broadest range of fiduciary proceedings pre- and post-judgment actions and workouts, and real-estate related disputes of all types (e.g. commercial leasing, title, inheritance, etc.).

As a pragmatic, cost-conscious, resolution-oriented legal advisor and advocate, Tom represents and advises a broad array of individuals, non-profit boards, lenders, business owners, and foreign corporations doing business in the US. Tom’s substantial litigation and dispute resolution experience spans state and federal courts (bankruptcy, district and appellate), as well as mediation, arbitration, and administrative proceedings and reflects a broad range of general business contract and tort, inheritance-related, and lending/bankruptcy issues. Tom also routinely advises/co-counsel’s or consults with divorce/family law counsel and their clients regarding a full range of inheritance, life insurance, and bankruptcy-related issues arising before, during, and after divorce proceedings.

“In his Art of War, Sun Tsu notes of the ‘way to victory’ that it is key to know both when one can fight and when one cannot. Understanding both one’s own strengths and weaknesses and that of one’s enemies is the way to victory because one can effectively choose when and when not to fight thereby leaving little if anything to chance. The effective legal strategist appreciates that knowledge is power. As Tsu summarizes: ‘Know the enemy and know thyself.’”

— Thomas Repczynski

THOMAS W. REPCZYNSKI

Principal and Chair of the Commercial Litigation Practice Group (South), Tysons Corner

PRACTICE AREAS

- Business Litigation
- Commercial Litigation
- Estate and Trust Litigation
- Real Estate Litigation And Title Claims Litigation

ACTIVITIES

- President, Fairfax Bar Association
- Immediate Past Chairman, South Fairfax Chamber of Commerce
- Committee Member, BSA Troop 688
- Umpire, WSL/Virginia Umpire’s Assn.
- Referee/Starter, VHSL/NVSL
- Announcer, SCHS

POINTS OF DISTINCTION

- “Leaders in the Law” (Virginia Lawyers Weekly, 2021)
- Virginia’s “Top Litigation Lawyers” (Northern Virginia Magazine and Richmond Magazine, 2018-present)
- America’s “Most Honored Professionals” (The American Registry, 2019-present)
- Super Lawyers® list of Virginia Estate and Trust Litigation attorneys (2014 - present)
- Named to Martindale-Hubbell’s AV Preeminent® Top Rated Lawyers (2019 - present)
- SmartCEO® Legal Elite (2010)
- Fairfax Bar Association’s President’s Award, Two-time recipient
- Chairman of the Board, Metropolitan School of the Arts
- Immediate Past Chairman, South Fairfax Chamber of Commerce
- Past President, Fairfax Bar Association
- Past President, Northern Virginia Bankruptcy Bar Association
- Leadership Fairfax, Class of 2010

PUBLICATIONS & SPEECHES

- "Bankruptcy and Separation Agreements", Virginia Trial Lawyers Association Annual Convention (March 2018)
- Guest appearance on The Probate Nation segment “Is This a Will?” (aired November 2016).
- “‘De Facto Wills’: Estate Planning’s Dirty Little Secret?” Virginia State Bar Trusts and Estates Section Newsletter, Vol. 22 No. 13 (Fall 2015).
- "Bankruptcy & Domestic Relations Law: How to Protect Your Clients," co-presented to Fairfax Bar Association (June 2013).
- "Demystifying Bankruptcy," presented to Virginia Society of Enrolled Agents (NOVA Chapter) (September 2012).
- "Demystifying Bankruptcy for Estate Planners," presented to Fairfax Bar Association (Wills, Trusts and Estates Section)(May 2012); Arlington Bar Association, Trusts and Estates Section (March 2012); McLean

Estates Planning Council (March 2012).

- “Avoiding the Bankruptcy Blues: Pre-petition preference preparedness”, Electrical Contractor Magazine, December 2009.

PRIOR WORK

Prior to receiving his law degree, Tom served the Office of the Independent Counsel (Starr) as Law Clerk and interned at both the Department of Justice and for the Honorable Christine Odell Cook Miller, U.S. Court of Federal Claims. Before law school, Tom worked as the Staff Aide to the President of the National Insurance Crime Bureau and its predecessor, the Insurance Crime Prevention Institute.

REPRESENTATIVE CASES

- Appellate defense of Virginia trial court summary judgment confirming surviving spouse’s pre-marital agreement’s waiver/abandonment of statutory spousal rights and denial of “de facto” will under Section 64.2-404 (writ denied) (2022)
- Precedent-setting appellate win upholding Virginia trial court summary judgment recognizing divorcée’s equitable lien rights in life insurance proceeds over named designee (2020)
- Appellate defense of Virginia trial judgment denying alleged fraud on the court during prior divorce proceedings.
- Secured pretrial ruling upholding right of attorneys-in-fact under Power of Attorney to file claim for elective share of surviving spouse.
- Secured favorable pretrial summary case disposition denying former spouse’s constructive trust claim against decedent spouse’s federal employee life insurance proceeds.
- Appellate win after assisting in successful defense of business owner/seller of having allegedly defrauded buyer’s lender.
- Successful trial defense of spouse/fiduciary’s self-transfer of approximately \$1.5 million in liquid assets.
- Confirmed arbitration award (including legal fees) of nearly \$10 million against former investment fund manager.
- Successful opposition of fiduciary’s petition for writ to Virginia Supreme Court challenging trial court’s holographic will interpretation and fiduciary’s removal (appellate representation only; writ denied).
- Successful trial court victory voiding substantial default judgment (writ denied).
- Successful trial court removal, replacement of fiduciary -- including disgorgement and recovery of all legal fees (writ denied).

EDUCATION

- A.B., Dartmouth College, 1991
- J.D., George Mason University School of Law, 1996

ADMISSIONS

- Virginia - State, Federal District, and Bankruptcy (Eastern, Western)
- Maryland - State, Federal District, and Bankruptcy
- District of Columbia - Federal District and Bankruptcy
- U.S. Court of Appeals for the Fourth Circuit

AWARDS

