

## JOHN J. DELANY III

CHAIR, CATASTROPHIC CLAIMS LITIGATION  
SHAREHOLDER



### AREAS OF PRACTICE

Catastrophic Claims Litigation  
Product Liability  
Construction Injury Litigation  
Asbestos & Mass Tort Litigation  
Environmental & Toxic Tort Litigation  
Automobile Liability  
Trucking & Transportation Liability  
Amusements, Sports & Recreation Liability  
Hospitality & Liquor Liability

### CONTACT INFO

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### ADMISSIONS

Pennsylvania  
U.S. District Court Eastern District  
of Pennsylvania  
U.S. District Court Middle District  
of Pennsylvania  
Supreme Court of Pennsylvania  
New Jersey  
U.S. District Court of New Jersey  
New York  
U.S. Court of Appeals 3rd Circuit  
U.S. Supreme Court

### OVERVIEW

Jack defends catastrophic, high-profile, high-exposure cases against some of the country's most formidable plaintiff firms. With a focus on construction, asbestos and toxic torts, transportation, fire casualty and product liability, he has taken to conclusion more than 60 jury trials, as well as hundreds of bench trials, arbitrations and mediations. Additionally, Jack represents clients in litigation involving fire and explosion claims, sexual assaults, negligent security, and hospitality and dram shop claims. He also handles specialty, high risk claims in the areas of amusements, entertainment, recreational, sports and specialty events. Additionally, Jack has represented venues, contractors and building managers to name a few, in wrongful death suits and personal injury litigation involving elevators, electronic door issues and escalators. This litigation dealt with leveling, door closing, malfunctions and prolonged elevators stuck between floors.

He represents many Fortune 500 companies directly and as insureds, and handles complex litigation matters at the federal and state levels and in administrative agencies and alternate dispute resolution forums. Jack also serves as national coordinating counsel for several product manufacturers.

Prior to joining the firm, Jack was the founding partner of the [Delany Law](#) firm and co-founded Delany & O'Brien, which operated for 24 years in Philadelphia. During his career, he also ran the Philadelphia office of a large New Jersey/New York firm and worked as assistant counsel for the Philadelphia Housing Authority.

### EDUCATION

University of Bridgeport School of  
Law (J.D., 1985)  
Albright College (B.A., 1982)

Jack is a Certified Civil Trial Advocate by the National Board of Trial Advocacy and is certified by the Supreme Court of New Jersey as a Civil Trial Attorney. He is a member of the Federation of Defense and Corporate Counsel (FDCC), where he serves as Trial Masters Co-Chair, Technology Committee Co-Chair and Toxic Torts Co-Chair. He also enjoys serving pro bono as an adjunct professor in the Temple Law School Trial Advocacy Program, LLM and as a Judge Pro Tempore for the Philadelphia Court of Common Pleas and is an author, editor and presenter on trial advocacy.

### HONORS & AWARDS

Philadelphia Business Journal,  
Best of the Bar Award, 2023

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## ASSOCIATIONS & MEMBERSHIPS

Federation of Defense and Corporate Counsel

New Jersey Bar Association

New Jersey Defense Association

Pennsylvania Bar Association

Pennsylvania Defense Association

Philadelphia Bar Association

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## YEAR JOINED

2022

## THOUGHT LEADERSHIP

### Two Marshall Dennehey Practice Group Leaders Named “Best of the Bar” by the Philadelphia Business Journal

Catastrophic Claims Litigation  
Appellate Advocacy & Post-Trial Practice  
October 13, 2023

Marshall Dennehey is pleased to announce that John J. [Read More](#)

### On the Pulse...Catastrophic Claims Litigation Practice Group

**Catastrophic Claims Litigation**  
**September 1, 2023**

When the stakes are high, clients rely on Marshall Dennehey’s experienced team of litigators, counselors, and trial attorneys to defend their interests in state and federal courts across the country and internationally. Kristen L. Defense Digest, Vol. 29, No.

### Marshall Dennehey Launches Catastrophic Claims Litigation Practice Group

Catastrophic Claims Litigation  
June 22, 2023

To further support clients facing complex and high-exposure litigation resulting from catastrophic events, Marshall Dennehey has launched a Catastrophic Claims Litigation Practice Group within its Casualty Department. [Read More](#)

### Marshall Dennehey Combines Forces With Litigation Boutique, Delany Law

October 20, 2022

Marshall Dennehey announced today that the firm has joined forces with the attorneys and staff of the Philadelphia-based litigation boutique, Delany Law. [Read More](#)

## MEDIA COMMENTARY

"New Juror Attitudes Call For New Defense Strategies, Experts Say," *The Legal Intelligencer*, April 10, 2023

## CLASSES/SEMINARS TAUGHT

*When Every Second Counts: Managing Catastrophic Claims*, A.M. Best Insurance Law Podcast, November 29, 2023

*Strategies to Deal with Plaintiffs’ Life Care Plans and How They Contribute to Nuclear Verdicts*, Marshall Dennehey Client, August 29, 2023.

## RESULTS

### Summary Judgment Obtained in Significant Workplace Injury Case

**Catastrophic Claims Litigation**  
**June 30, 2023**

We secured a motion for summary judgment in a significant workplace injury case involving a *Laidlow* claim. The court ruled that the plaintiff had failed to establish that his employer had committed an intentional and malicious act sufficient to circumvent the workers' compensation exclusivity provision.

### Pennsylvania Appellate Courts Uphold Nonsuit Obtained By Jack Delany In \$11.5 Million Construction Death Case

**Appellate Advocacy & Post-Trial Practice**  
**Catastrophic Claims Litigation**  
**Construction Injury Litigation**  
**April 5, 2023**

By Order dated April 5, 2023, the Supreme Court of Pennsylvania refused to review the Superior Court's affirmance of a 2021 nonsuit obtained by Jack Delany in hotly contested litigation stemming from the death of a construction worker. John Hare and Shane Haselbarth handled the appeal along with Jack.

### Jury defense verdict in high-stakes catastrophic litigation case.

**Catastrophic Claims Litigation**  
**Property Litigation**  
**January 27, 2023**

We obtained a defense verdict in the U.S. District Court for the Eastern District of Pennsylvania in a case where the plaintiff sought \$24.1M for alleged property damages and lost revenue.

## SIGNIFICANT REPRESENTATIVE MATTERS

Strategically defended and obtained the dismissal of a *Laidlow* claim asserted by the plaintiff who was acting within the course and scope of his employment with the defendant when he sustained a significant workplace injury. In a 37-page written opinion granting the defendant's motion for summary judgment and addressing several other applications, the court ruled the plaintiff failed to establish that his employer committed an intentional and malicious act sufficient to circumvent the workers' compensation exclusivity provision. In reaching this conclusion, the court applied the *Millison* "conduct" and "context" prongs, reasoning that the absence of prior accidents or evidence suggesting the plaintiff's employer intentionally disabled a safety device, the lack of pre-incident OSHA violations or post-accident efforts by the employer to deceive OSHA, and the undeniable determination that the plaintiff's incident was "part and parcel" of industrial life, all warranted the entry of summary judgment in favor of the defendant employer and the dismissal of the plaintiff's claim. You can [read the opinion here](#).