

## NATHAN MARINKOVICH

ASSOCIATE



### AREAS OF PRACTICE

Construction Injury Litigation  
Architectural, Engineering & Construction  
Defect Litigation  
Environmental & Toxic Tort Litigation  
Class Action Litigation  
Real Estate E&O Liability  
Commercial Litigation  
Public Entity & Civil Rights Litigation  
School Leaders' Liability

### CONTACT INFO

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### ADMISSIONS

Pennsylvania  
2013

U.S. District Court Western District  
of Pennsylvania  
2018

West Virginia  
2022

### EDUCATION

University of Pittsburgh School of  
Law (J.D., 2013)

University of Pittsburgh (B.A.,  
magna cum laude, 2010)

### ASSOCIATIONS & MEMBERSHIPS

Allegheny County Bar Association

### YEAR JOINED

2022

### OVERVIEW

As a member of the Professional Liability Department, Nathan represents architects and engineers, construction contractors, home and code inspectors, real estate agents and other professionals in the defense of professional and general negligence, construction injuries and accidents, construction defect and breach of contract claims. A significant amount of Nathan's practice is also concentrated in the area of civil rights litigation. He defends police officers, public officials, corrections officers and administrators, teachers and school district administrators, as well as their respective municipal entities, in state and federal court in Pennsylvania and West Virginia.

Before joining Marshall Dennehey, Nathan gained experience litigating general liability and professional liability matters at several regional defense firms as well as experience representing mass toxic tort matters in Pennsylvania and West Virginia. He has also previously undertaken assignments from the Allegheny County Bar Association where he represented clients in a wide array of criminal and civil matters.

Nathan graduated from The University of Pittsburgh School of Law in 2013. While in law school, Nathan served as an Editor of JURIST, the world's only law school-based news service, honing in his legal research and writing skills to prepare for his legal career after graduation. Prior to graduating from law school, Nathan served as a law clerk at a regional Plaintiff's personal injury firm.

Nathan is licensed to practice law in Pennsylvania and West Virginia and is also an active member of the Allegheny County Bar Association.

## THOUGHT LEADERSHIP

### **Pennsylvania Superior Court Further Strengthens Statute of Repose Construction Defense.**

**Pittsburgh**

**Architectural, Engineering & Construction Defect Litigation**

**January 1, 2024**

The Superior Court of Pennsylvania recently affirmed the defendants' motion for summary judgment dismissing the plaintiffs' construction defect claims on the grounds that their action was not commenced within the 12-year time period set forth in 4 Case Law Alerts, 1st Quarter, January 2024 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **Pennsylvania Supreme Court extends contractor liability for obvious defects in completed work.**

**Pittsburgh**

**Architectural, Engineering & Construction Defect Litigation**

**July 1, 2023**

The Pennsylvania Supreme Court addressed whether a contractor bears the risk of future injuries regarding hidden (latent) defects in its work if an owner is also aware of a defect but chooses not to correct it. Case Law Alerts, 3rd Quarter, July 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **Pennsylvania Supreme Court rules that groups appealing environmental permits may recover legal fees from companies.**

**Pittsburgh**

**Architectural, Engineering & Construction Defect Litigation**

**Environmental & Toxic Tort Litigation**

**April 1, 2023**

A Pennsylvania Supreme Court decision arising from two separate cases has made it significantly easier for public and environmental groups to be reimbursed for legal fees when they successfully appeal environmental permits. Case Law Alerts, 2nd Quarter, April 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **Trial court rules in favor of homeowners regarding statute of repose defense raised by residential builder.**

**Pittsburgh**

**Architectural, Engineering & Construction Defect Litigation**

**January 1, 2023**

The Philadelphia County Court of Common Pleas recently rejected the defendant's efforts to prevail on summary judgment based upon Pennsylvania's construction statute of repose, 42 Pa. C.S. Section 5536. Case Law Alerts, 1st Quarter, January 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **Recent ruling by PA federal court confirms construction defect claims are not covered by Commercial General Liability policies.**

**Pittsburgh**

**Architectural, Engineering & Construction Defect Litigation**

**July 1, 2022**

While most states treat claims seeking damages for defective or faulty workmanship as covered under Commercial General Liability (CGL) policies, a recent United States District Court ruling confirms that Pennsylvania belongs to the small group of Case Law Alerts, 3rd Quarter, July 2022 is prepared by Marshall Dennehey Warner Cole

## RESULTS

### Defense Verdict Obtained in Highly-Contested Property Rights Case

#### **Public Entity & Civil Rights Litigation**

**November 27, 2023**

We received a complete defense verdict in favor of our client in an equity action involving property rights in the client's public safety building. The plaintiff, a volunteer fire company, moved its operation into a public safety building space constructed for it by the Borough, our client. Instead of accepting a lease that provided it with occupancy for 100 years, the fire company was made a tenant at will. The fire company was a tenant for 10 years, during which it brought a for-profit ambulance service into its space without the Borough's consent.