

CHRISTINE PELLEGRINI BUSCH

SHAREHOLDER



AREAS OF PRACTICE

Asbestos and Mass Tort Litigation
Environmental & Toxic Tort Litigation
Automobile Liability
Insurance Services – Coverage and Bad Faith Litigation

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ADMISSIONS

Pennsylvania
1996

U.S. District Court Eastern District
of Pennsylvania

U.S. Court of Appeals 3rd Circuit

EDUCATION

Villanova University School of Law
(J.D., 1996)

Franklin and Marshall College
(B.A., cum laude, Phi Beta Kappa,
1990)

ASSOCIATIONS &
MEMBERSHIPS

Defense Research Institute

Philadelphia Bar Association

YEAR JOINED

2017

OVERVIEW

Christine Pellegrini Busch is member of the Casualty Department and practices insurance defense litigation, particularly in the area of toxic torts as well as handling motor vehicle and bad faith litigation.

Christine has published extensively on the topics of Motor Vehicle Law and Bad Faith Claims in publications such as Counterpoint, published by the Pennsylvania Defense Institute, and the Villanova Law Chronicle. She has also published on the issue of expert testimony in the Journal of Ethics & Behavior. In addition to publishing, Christine has presented seminars on defending toxic tort cancer claims and various motor vehicle law issues.

Christine served as an Adjunct Professor at Villanova School of Law for seven years, where she taught Civil Pre-Trial Practice. She also taught Legal Research and Writing as an Adjunct Professor at Temple University Beasley School of Law for seven years. She serves annually on the Quarterfinal Brief Grading Committee for Villanova Law School's Theodore L. Reimel Moot Court Competition.

Christine graduated *cum laude* and Phi Beta Kappa with a dual degree in Classics and Mathematics from Franklin and Marshall College. She earned her J.D. from Villanova University School of Law, where she was an Executive Member of the Moot Court Board.

THOUGHT LEADERSHIP

Can the Pennsylvania Supreme Court's Mallory v. Norfolk Southern Opinion Curtail Mass Tort Filings in Pennsylvania?

Philadelphia - Headquarters
Asbestos and Mass Tort Litigation

April 1, 2022

Key Points: Defense Digest, Vol. 28, No. 1, April 2022 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

CLASSES/SEMINARS TAUGHT

Motor Vehicle Update 2007-2008, Civil Litigation Update 2008, Pennsylvania Bar Institute, 2008

Motor Vehicle Update 2006-2007, Civil Litigation Update 2007, Pennsylvania Bar Institute, 2007

Motor Vehicle Update 2005-2006, Civil Litigation Update 2006, Pennsylvania Bar Institute, 2006

Motor Vehicle Update 2004-2005, Civil Litigation Update 2005, Pennsylvania Bar Institute, 2005

Motor Vehicle Update 2003-2004, Civil Litigation Update 2004, Pennsylvania Bar Institute, 2004

Motor Vehicle Update 2002-2003, PBI No. 2003, Civil Litigation Update 2003, Pennsylvania Bar Institute, 2003

Motor Vehicle Update, PBI No. 2002, Civil Litigation Update 2002, Pennsylvania Bar Institute, 2002

Motor Vehicle Update 2002, Pennsylvania Defense Institute 34th Annual Conference: Effective Strategies for the Handling and Defense of Claims, October 2002

Motor Vehicle Update 1999, Pennsylvania Defense Institute, January 1999

Motor Vehicle Law Update 1998, PBI No. 1998-2021, 5th Annual Personal Injury Institute 1998, Pennsylvania Bar Institute, 1998

Bad Faith Claims in Automobile Accident Cases, PBI No. 1998-2021, 5th Annual Personal Injury Institute 1998, Pennsylvania Bar Institute, 1998

PUBLISHED WORKS

"The Impact of the Applicable Standard of Liability on Asbestos Litigation," *Legal Intelligence*, May 5, 2008

"Motor Vehicle Update Winter 2002," *Counterpoint*, co-author with James C. Haggerty, Pennsylvania Defense Institute, May 2003

"Must Surveillance Videos Be Disclosed Prior to Trial If Only Used for Impeachment Purposes," *Counterpoint*, co-author with James C. Haggerty, Pennsylvania Defense Institute, April 2002

"Motor Vehicle Update April 2002," *Counterpoint*, co-author with James C. Haggerty, Pennsylvania Defense Institute, April 2002

"Motor Vehicle Law - 2001 Review," *Counterpoint*, co-authored with James C. Haggerty, Pennsylvania Defense Institute, January 2000

"Potential Implications of the Supreme Court Decision in Kumho for Psychological Expert Testimony," *Ethics & Behavior*, co-author with Eric A. Youngstrom, Ph.D., Fall 2000

"Motor Vehicle Law Update 1998," *PBI No. 1998-2018, Civil Litigation Update 1998*, co-author with James C. Haggerty, Pennsylvania Bar Institute, 1998

"Overview: Recission of Auto Policies," *SC&D*, co-author with James C. Haggerty, 1998

"Motor Vehicle Law Update 1997," *PBI No. 1997-1250, Civil Litigation Update 1997*, co-author with James C. Haggerty, Pennsylvania Bar Institute, 1997

"Financial Responsibility Law Update," *Counterpoint*, Pennsylvania Defense Institute, co-author with James C. Haggerty and Scott J. Tredwell, January 1997

"Congressional Battle Lost: The Constitutionality of New Federal Legislation Regulating Indecent Traffic on the Internet," *Villanova Law Chronicle*, 1996

LEGAL TEACHING POSITION

Adjunct Professor, Villanova School of Law, Civil Pre-Trial Practice

Adjunct Professor, Temple University Beasley School of Law, Legal Research and Writing

Quarterfinal Brief Grading Committee, Villanova Law School's Annual Theodore L. Reimel Moot Court Competition

SIGNIFICANT REPRESENTATIVE MATTERS

Successfully achieved Pennsylvania Superior Court affirmance of grant of summary judgment for asbestos defendant on basis of plaintiff's inability to satisfy the product identification criteria of *Eckenrod v. GAF*, 544 A.2d 50 (Pa. Super. 1988).

Successfully achieved summary judgment in Philadelphia Court of Common Pleas in favor of a wire and cable company. Plaintiff was the estate of an electrician who died of lung cancer at age 49. It was argued that (1) plaintiff failed to produce competent, non-speculative evidence that any of defendant's wire products used by the decedent contained asbestos; and (2) any exposure would have been *de minimus* in light of decedent's substantial frequent, regular and proximate exposure to a host of other products during his thirty year career.

Successfully achieved summary judgment in Philadelphia Court of Common Pleas in favor of refractory premises owner in asbestos premises liability claim. Plaintiff's decedent was allegedly exposed to asbestos while employed by an insulation contractor that was installing asbestos-containing block and pipe insulation on defendant's premises. He died at age 79 of mesothelioma. It was argued that defendant premises owner owed no duty to warn decedent, who was the employee of an independent contractor, of the hazards created by his own work. His employer, a sophisticated insulation contractor, had knowledge superior to the defendant premises owner regarding the dangers of the materials they used to perform their craft.

Successfully achieved summary judgment in Philadelphia Court of Common Pleas in favor of a boiler manufacturer in an asbestos case involving the death of an 82 year old pipe fitter from lung cancer. It was argued that (1) plaintiff failed to produce any admissible evidence that the decedent was exposed to any asbestos-containing product manufactured, sold supplied or even specified for use by the boiler manufacturer; and (2) defendant boiler manufacturer could not be held liable for asbestos component parts it neither manufactured or supplied.

Successfully achieved summary judgment in Philadelphia Court of Common Pleas in favor of a manufacturer of precipitators installed at several power plants. Plaintiff worked as an insulator and was diagnosed with mesothelioma at age 65. He allegedly removed and installed asbestos insulation on several of defendant's precipitators throughout his career. It was argued that (1) plaintiff's claims were extinguished by the Statute of Repose; and (2) plaintiff failed to adduce any evidence that the defendant manufactured, sold, supplied or specified the use of any exterior insulation products for use on its precipitators.

Successfully achieved summary judgment in Philadelphia Court of Common Pleas in favor of insulation contractor in another household exposure claim in which the decedent died of mesothelioma at age 51. Plaintiff alleged that the decedent was exposed to asbestos dust brought home on the clothes of her father, who worked as a carpenter at a local power generating plant. It was argued that a contractor does not owe a duty to warn family members of bystanders to its activities. The decedent had no direct contact with the defendant and there was no legally cognizable relationship between her and defendant. Furthermore, decedent was not the intended user of insulation materials allegedly used by the defendant at her father's place of employment under a 402A analysis.

Successfully achieved summary judgment in Philadelphia Court of Common Pleas in favor of insulation contractor in a case in which the plaintiff alleged development of lung cancer at age 73 as a result of exposure to asbestos insulation materials used in his presence by the defendant at a local oil refinery. Plaintiff subjectively believed that the insulation materials being used contained asbestos during the time period in question. It was argued (1) that plaintiff failed to present any competent, non-speculative evidence that plaintiff was exposed to any asbestos-containing product for which the defendant was responsible; and (2) defendant could not be held strictly liable for plaintiff's asbestos-related injuries since it was not a "seller" of or "engaged in the business of selling" asbestos products, but merely an end user of those products.

Successfully achieved summary judgment in Delaware Superior Court for New Castle County in a household exposure claim involving alleged exposure to crane frictions. Plaintiff's husband was allegedly present when crane frictions were changed, which created dust that he brought home on his clothes which were later laundered by plaintiff. It was argued that defendant owed no duty of care to plaintiff and there was insufficient evidence presented that the crane frictions contained asbestos.