

## MICHAEL L. DETWEILER

OFFICE MANAGING ATTORNEY  
SHAREHOLDER



### AREAS OF PRACTICE

Miscellaneous Professional Liability  
Construction Injury Litigation  
Architectural, Engineering & Construction  
Defect Litigation  
Product Liability  
Public Entity & Civil Rights Litigation  
Non-Profit D&O  
Real Estate E&O Liability

### CONTACT INFO

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### ADMISSIONS

New Jersey  
2003

Pennsylvania  
2003

U.S. District Court Eastern District  
of Pennsylvania  
2003

### EDUCATION

Boston College Law School (J.D.,  
2002)

Dickinson College (B.A., magna  
cum laude, 1998)

### HONORS & AWARDS

Pennsylvania Super Lawyer Rising  
Star  
2007-2008, 2010-2016

### ASSOCIATIONS & MEMBERSHIPS

Pennsylvania Bar Association

Philadelphia Bar Association

Board Member, Saint Mary  
Interparochial School

### OVERVIEW

Michael is a member of the Casualty Department where he has successfully defended matters in jurisdictions throughout Pennsylvania. Michael's past and present clients include homeowners associations (HOAs), planned communities, residential real estate agents and brokers, residential leasing agents, residential property managers, commercial real estate agents and brokers, commercial leasing agents, commercial property managers, construction companies, tour operators, travel agents, resorts, local municipalities, governmental transportation agencies, medical device manufacturers, and numerous other individuals and entities. He has also successfully defended entities and individuals in commercial and breach of contract disputes. Michael has successfully navigated complicated homeowners' association and planned community association disputes concerning property and related assessment disputes by successfully brokering compromises and settlement agreements between the defendant-communities and unit owners in order to achieve cost-effective results for communities and carriers and has successfully defended these matters at trial when necessary.

In his career, Michael has obtained numerous defense verdicts and summary judgments in the state and federal courts of Pennsylvania and New Jersey. His extensive experience with both professional liability and casualty matters provide an invaluable advantage in representing clients in those matters which require a firm grasp of both practice backgrounds.

Prior to joining Marshall Dennehey, Michael was Assistant City Solicitor with the City of Philadelphia Law Department for two years. He defended police officers, corrections officers and various City of Philadelphia employees and agencies in civil lawsuits.

Michael graduated *magna cum laude* from Dickinson College in 1998 and from Boston College Law School in 2002. He is licensed to practice in Pennsylvania and New Jersey.

## THOUGHT LEADERSHIP

### **Movement No Longer Required: Expansion of the 'Operation of Motor Vehicle' Exception in Municipal Cases Since *Balentine***

**King of Prussia**  
**Public Entity & Civil Rights Litigation**  
**Automobile Liability**  
**June 1, 2019**

The Pennsylvania Political Subdivision Tort Claims Act (PSTCA), 42 Pa. C.S.A. §§ 8541, et. seq, provides local governmental agencies in Pennsylvania with qualified immunity for tort liability, subject to eight enumerated exceptions.

### **When Accidents Happen: Legal Defense for Travel Advisors**

**Philadelphia - Headquarters**  
**Miscellaneous Professional Liability**  
**February 1, 2019**

### **Attorney Cites Considerations for Agents Operating as Independent Contractors**

**Philadelphia - Headquarters**  
**General Liability**  
**Miscellaneous Professional Liability**  
**September 1, 2014**

## **CLASSES/SEMINARS TAUGHT**

*Travel Advisors E&O Insurance: Lessons in Liability* - Panelist, Travel Professional News webinar, September 12, 2023

*PHL Airport First Responders Training*, Philadelphia International Airport, Philadelphia, PA, March 30, 2023

*Defending Planned Community Association Cases: Directors and Officers Liability, Property, and Other Liability Issues*, Engle Martin & Associates, March 2016

*Legal Issues for Internet Travel Sellers and Travel Insurance for Industry and Consumers*, Pennsylvania Bar Institute (PBI) Travel Law Seminar, Philadelphia, May 1, 2014

*Insurance Agents and Brokers Best Claims Practices in Claims Administration and Underwriting*, Liberty Mutual Insurance, December 2013

## **PUBLISHED WORKS**

"Movement No Longer Required: Expansion of the "Operation of Motor Vehicle" Exception in Municipal Cases Since *Balentine*," *Defense Digest*, Vol. 25, No. 2, June 2019

"When Accidents Happen: Legal Defenses for Travel Advisors," *Travel Advisor*, February 2019

"Top Legal Considerations for Independent Contractors," *Travel Agent* magazine, September 2014

"The Motor Vehicle Black Box," *Dispute Resolution Institute: Annual Personal Injury Potpourri 2007*, Co-Author with Ralph P. Bocchino, Esq.

## RESULTS

### Real estate agency dismissed from litigation.

#### **Real Estate E&O Liability**

**July 25, 2019**

The defense prevailed on a motion to dismiss our real estate agency client. The plaintiff filed counts of fraud, deceit, misrepresentation, conspiracy, conversion, invasion of privacy-false light, breach of contract, and promissory estoppel against the agency regarding an allegedly fraudulent transfer of a private residence by the co-defendant seller of the property. We filed preliminary objections, arguing that the plaintiff's claims lacked sufficient specificity and that the plaintiff failed to state a claim upon which relief may be granted.

### Defense Achieves Dismissal of Claims Against University

#### **General Liability**

**December 6, 2016**

The defense prevailed on a motion to dismiss on behalf of a distinguished Roman Catholic university. The plaintiff, a temporary staffing worker assigned to work at the university, alleged personal injuries as a result of a slip and fall in the cafeteria. The defense highlighted inconsistencies in the plaintiff's workers' compensation testimony compared to the allegations in his complaint and discovery responses.

### Costa Rica Tour Operator Dismissed from Litigation

#### **General Liability**

**February 16, 2015**

Obtained a stipulation of dismissal for a tour operator specializing in tours to Costa Rica in a personal injury matter in the Eastern District of Pennsylvania. The plaintiffs alleged numerous physical injuries, including a skull fracture to one plaintiff, as a result of a motor vehicle accident at the resort.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Successfully drafted and argued Motion for Judgment on the Pleadings on behalf of international tour operator in a federal court case in which plaintiff (a 35 year old man) drowned while on a fishing excursion near the coast of Costa Rica. (The fishing excursion was booked through the tour operator). The underlying motion was predicated on applicable tour operator liability law, maritime law, and the Death on the High Seas Act.

Successfully drafted Motion to Dismiss on jurisdictional grounds on behalf of internationally renowned California golf resort that was sued by plaintiff for severe head and cognitive injuries.

Obtained voluntary dismissal of all claims as to tour operator sued by plaintiff for personal injuries as a result of alleged injuries stemming from an accident in a resort in Jamaica.

Obtained voluntary dismissal of all breach of contract claims as to local non-profit financial institution in a breach of contract civil action involving close to \$1 million in disputed monies.

Obtained numerous defense verdicts as lead trial counsel on behalf of clients in federal court in which plaintiff alleged false arrest, excessive force, and other civil rights violations.

Obtained multiple summary judgments on behalf of clients in general casualty and products liability matters.