

## DANIELLE M. VUGRINOVICH

CHAIR, CONSUMER FINANCIAL SERVICES LITIGATION & COMPLIANCE  
SHAREHOLDER



### AREAS OF PRACTICE

Consumer Financial Services Litigation & Compliance  
Asbestos and Mass Tort Litigation  
Premises and Retail Liability  
Automobile Liability  
Employment Law  
Public Entity and Civil Rights Litigation

### CONTACT INFO

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### ADMISSIONS

Pennsylvania  
2001

U.S. District Court Western District  
of Pennsylvania  
2001

U.S. Court of Appeals 3rd Circuit  
2017

U.S. District Court Middle District  
of Pennsylvania  
2021

U.S. District Court Eastern District  
of Pennsylvania  
2022

### OVERVIEW

Danielle serves as the chair of the Consumer Financial Services Litigation & Compliance practice group, litigating Fair Debt Collection Practices Act claims brought by debtors against the collectors assigned to recover the debt. Danielle also defends collectors in suits alleging claims for the violation of the Fair Credit Reporting Act and Telephone Consumer Protection Act. She is frequently called on to speak nationally on topics related to the collection industry. She also dedicates a portion of her practice to mass and toxic torts relating to asbestos exposure. Danielle's asbestos practice includes all phases of litigation throughout the life of a case. She also is experienced in handling premises liability, automobile accident cases, construction and general insurance defense.

Additionally, Danielle practices in the area of employment law relative to public and private entities. She has litigated federal claims brought pursuant to Title VII, the Family Medical Leave Act, Age Discrimination in Employment Act and the Americans with Disabilities Act, as well as pendant state law claims for whistleblower activities and violations of the Pennsylvania Human Relations Act. Danielle also has experience litigating employment cases at the administrative level before both the Equal Employment Opportunities Commission and the Pennsylvania Human Relations Commission. Danielle also defends various professionals when they are sued for matters relating to their employment.

In 1998, Danielle graduated from Duquesne University with a Bachelor of Arts in psychology. In 2001, she earned her juris doctor from Duquesne University School of Law.

### EDUCATION

Duquesne University School of  
Law (J.D., 2001)

Duquesne University (B.A., 1998)

### HONORS & AWARDS

Pennsylvania Super Lawyer Rising  
Star  
2016

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## ASSOCIATIONS & MEMBERSHIPS

ACA International (The Association of Credit and Collection Professionals)

Allegheny County Bar Association

The National Creditors Bar Association (NCBA)

Pennsylvania Bar Association

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## YEAR JOINED

2007

## THOUGHT LEADERSHIP

### On the Pulse...In-Step With Our Consumer Financial Services Litigation Practice Group

**Pittsburgh**

**Consumer Financial Services Litigation & Compliance**

**March 1, 2024**

The multitude of federal and state consumer protection laws present challenges for consumer financial services companies seeking to remain compliant with the laws while avoiding claims and lawsuits. Defense Digest, Vol. 30, No.

### Looking to Downsize Office Space or Reduce Storage Costs? What You Should Know About Federal Document Retention Requirements for Employee Records

**Philadelphia - Headquarters**

**Employment Law**

**March 1, 2023**

Defense Digest

### “Because of an Individual’s Sex”—The Supreme Court of the United States Holds that Sexual Orientation and Gender Identity Qualify for Protection Under Title VII

**Pittsburgh**

**Employment Law**

**January 29, 2021**

Defense Digest, Vol. 27, No.

### Best Practices for Inter-policy Stacking Waivers in Pennsylvania

**Pittsburgh**

**Insurance Agents & Brokers Liability**

**December 7, 2020**

In November 2020, in Erie Insurance Exchange v. Janice Petrie, et. The material in this law alert has been prepared for our readers by Marshall Dennehey Warner Coleman & Goggin.

### Best Practices Regarding Stacking Waivers in Pennsylvania

**Pittsburgh**

**Insurance Agents & Brokers Liability**

**June 1, 2019**

Edited by Timothy Ventura, Esq. The material in this law alert has been prepared for our readers by Marshall Dennehey Warner Coleman & Goggin.

## CLASSES/SEMINARS TAUGHT

*Stop! Gavel Time!: A Collection and Cross Claim Mock Trial*, National Creditors Bar Association, Fall Convention, Nashville, TN, October 2018

*We Don't Know Where We Are, But We Are Making Really Good Time: Keeping Up with Ever Changing Technology and the Conundrums It Presents*, National Creditors Bar Association, Spring Convention, Austin, TX, May 2018

*Solving the "Meaningful Involvement" Puzzle*, National Creditors Bar Association, Washington, D.C., Fall Convention, October 2017

*Recent Litigation Trends and How to Avoid Them*, National Association for Retail Collection Attorneys Spring Convention, May 2015

*Primer on the Fair Credit Reporting Act*, Pennsylvania Bar Institute, June 10, 2014

*"Reasonable Investigations" under the Fair Credit Reporting Act*, ACA International Convention, San Diego, CA, July 2013

*Primer on the Fair Debt Collection Practices Act*, Pennsylvania Bar Institute, June 18, 2013

*Employment Liability in the Cyber Age*, Marshall Dennehey / AIG Employment Seminar, Pittsburgh, PA, May 2, 2013

*Primer on the Fair Debt Collection Practices Act*, Pennsylvania Bar Institute, 2011

*The FDCPA: Jerman v. Carlisle and the Impact on the Bona Fide Error Defense*, Pennsylvania Bar Institute, 2010

*Primer on the Fair Debt Collection Practices Act*, Pennsylvania Bar Institute, 2010

## PUBLISHED WORKS

"'Because of an Individual's Sex'—The Supreme Court of the United States Holds that Sexual Orientation and Gender Identity Qualify for Protection Under Title VII," *Defense Digest*, January 2021, Vol. 27, No. 1

"Best Practices Regarding Stacking Waivers in Pennsylvania," *Legal Updates for Insurance Agents & Brokers*, June 2019

"The Need for Clarity in Counseling Customers," *Legal Updates for Insurance Agents & Brokers*, November 16, 2018

"Sexual Orientation and Gender Identity Are Not Protected Classes under Title VII...Or Are They?," *Defense Digest*, Vol. 23, No. 2, June 2017

"No Proof That Firing Was Retaliation for Intent to Promote Black Employee," *SHRM Court Reports*, March 4, 2016

"Qualified Immunity Not Strictly for Governmental Employees Anymore," *Defense Digest*, Vol. 18, No. 3, September 2012

"The Supreme Court Considers the Privacy Rights of a Public Employee's Communications on an Electronic Device Provided by the Public Employer," *Defense Digest*, Volume 16, No. 3, September 2010

## RESULTS

### Dismissal of class action against a retailer.

#### **Class Action Litigation**

#### **Commercial Litigation**

**February 16, 2022**

Our retail client faced a class action suit alleging claims it charged Pennsylvania state tax on face masks/coverings during the COVID-19 pandemic (when they were not subject to sales tax). The plaintiff on his own behalf and on behalf of the putative class alleged claims for violations of the Pennsylvania Unfair Trade Practices Consumer Protection Law and the Pennsylvania Fair Credit Extension Uniformity Act, as well as common law claims for unjust enrichment, fraud and misappropriation/conversion.

### Defense Prevails in Civil Rights Lawsuit.

#### **Public Entity and Civil Rights Litigation**

**April 11, 2019**

We obtained summary judgment in favor of a borough, its police chief, a detective, a lieutenant and a school resource officer in a civil rights lawsuit. The plaintiff, a local high school teacher, alleged that no probable cause existed to charge him with witness intimidation, arising from an alleged incident involving a female student who was a victim of institutional sexual assault by another teacher.

### Summary Judgment for Insurance Agent in Fraud and Negligence Action

#### **Insurance Agents & Brokers Liability**

**December 1, 2017**

Obtained summary judgment in Allegheny County, Pennsylvania on behalf of a life insurance agent in a fraud and negligence action. Our client was alleged to have forged certain policy documents in an effort to "churn" the existing policies the plaintiffs possessed into additional policies rather than increase the amount of coverage of the original policies. The plaintiffs failed to establish any evidence whatsoever that any of the signatures were forged.

### Defense Prevails in Bad Faith/Breach of Contract Case

#### **Insurance Services – Coverage and Bad Faith Litigation**

**February 17, 2017**

The lawsuit arose out of the insured's claim for "vandalism," which was made about a year after the insured learned that his tenant was making significant renovations to the leased property in violation of the lease. The tenant had been paying the insured's mortgage. The insured did not make the vandalism claim until the tenant stopped paying the insured's mortgage and the insured was served with a foreclosure notice.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Obtained summary judgment in favor of a Borough, its Chief, a Detective, a Lieutenant and a School Resource Officer, in a civil rights lawsuit alleging that no probable cause existed to charge the Plaintiff, a local high school teacher, with witness intimidation arising from an alleged incident involving a female student in his class who was a victim of institutional sexual assault by another teacher.

Obtained summary judgment on behalf of a life insurance agent in a fraud and negligence action. The agent was alleged to have forged certain policy documents in an effort to "churn" the existing policies the plaintiffs possessed into additional policies rather than increase the amount of coverage of the original policies.

Obtained summary judgment on behalf of an alleged joint employer in a Family Medical Leave Act and Americans with Disabilities Act case, successfully arguing that the entity did not qualify as a joint employer; thus, it was not subject to liability under either Act.

Obtained summary judgment on behalf of a real estate agent for allegedly failing to disclose that the property at issue did not have public sewer system.

Summary judgment granted for insurer in a claim for breach of contract and bad faith where the homeowner made a claim for vandalism when his tenant did not finish renovating the leased premises. The Court held that the damages were not "sudden and accidental" and that the policy exclusions for faulty workmanship and renovations were applicable as a matter of law.

Obtained summary judgment in a civil rights case in which the plaintiff alleged a violation of his Fourth and Fourteenth Amendment rights claiming excessive use of force was applied during his arrest and detention.

Obtained favorable decision based upon governmental immunity in municipal tort action alleging negligence of the municipal authority's contractor in the connection of the water line to the plaintiff's residence.

Summary judgment granted in a private entity employment case in which the plaintiff alleged gender and age discrimination while employed as a diagnostic imaging marketing representative.

Summary judgment granted in a civil rights case in which the plaintiff alleged a violation of his Fourth Amendment right to be free from unreasonable search and seizure and claimed that he was subject to racial profiling.

Summary judgment granted in a civil rights case in which the plaintiff alleged the violation of his First, Fourth, Fifth and Fourteenth Amendment rights pursuant to 42 U.S.C. 1983, violation of 1985 and state law claims of malicious prosecution, false arrest/false imprisonment, and conspiracy against a municipality for its police officers' response to a call from his residence.

Summary judgment granted in municipal entity employment case in which the employee alleged she was subjected to race and disability discrimination after she was terminated following a reduction in force.