

JOHN T. DONOVAN

EXEMPLAR TRIAL EXPERIENCE

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(ESTATE OF MILLER) O'NEAL, STEVEN v. CONFIDENTIAL SECURITY COMPANY

Philadelphia County Court of Common Pleas
Complex Tort & General Casualty/2019

Wrongful death case in which the plaintiff, a college professor, suffered a heart attack in her suite on campus and alleged that our security company client did not respond quickly enough to her distress call. We argued that the plaintiff called 911, not the security company or the school, and therefore neither the security company nor the school were aware of the situation and bore any liability. The pre-trial demand was \$10 million and after six days of trial, a confidential settlement was reached.

KUSHNER v. CONEX FREIGHT ET AL.

Pennsylvania Superior Court
Complex Tort & General Casualty/2017

Motor vehicle accident case in which the plaintiff alleged that she stopped on the highway as a result of misleading construction zone traffic signals. The plaintiff was rear-ended by a tractor trailer and she sustained traumatic brain injuries. The tractor trailer company reached a high/low agreement with the plaintiff, and we took the case to verdict on behalf of our client, the contractor who was responsible for the traffic signals. The pre-trial demand never dropped below \$2 million and the jury assigned 15% liability to our client, resulting in a *de minimis* sum paid to plaintiff.

JESSICA STORTINI AS ADMINISTRATRIX OF THE ESTATE OF CHARLES JOSEPH BUCHANAN v. ATLAS ELEVATOR CO., INC. ET AL.

Philadelphia County Court of Common Pleas
Product Liability/2017

A maintenance worker for a prominent elevator manufacturer was called to inspect a broken dumbwaiter and sustained catastrophic injuries that led to his death. This case was tried in the wake of the Supreme Court's landmark decision in *Tincher v. Omega Flex*. The litigated issues included admissibility of traditional negligence concepts (there was very little available precedent post-*Tincher*), admissibility of plaintiff's highly reckless conduct post-*Tincher*, comparative negligence, and conscious pain and suffering. A confidential settlement was reached prior to verdict that was a fraction of the \$12 million pre-trial demand.

ESTATE OF MORRIS v. TRI BORO SAND, ET AL.

Philadelphia County Court of Common Pleas
Complex Tort & General Casualty/2016

A mother of two autistic children was killed when a dump truck turned over on a roadway, smothering her in sand. Despite expert testimony implicating the loading, the jury found defendant Tri Boro Sand only 10% responsible for a \$10 million verdict after a two-week trial.

DIETRICH v. WARD SAND

Burlington County Superior Court, New Jersey
Complex Tort & General Casualty/2015

An ATV rider suffered significant brain injuries as a result of an accident at a quarry. Demand never dropped below \$2 million. The jury returned a defense verdict after a week-long trial.

HORRELL v. JAMES D. MORRISSEY ET AL.

Philadelphia County Court of Common Pleas
Complex Tort & General Casualty/2013

The 20-year-old plaintiff was rendered a quadriplegic in a motor vehicle accident, and sued our client contractor was for failure to warn of road hazards. After a six-day trial, the jury returned a plaintiff's verdict in amount of \$18.3 million; however, a confidential high/low agreement was reached the night before the verdict, resulting in a very favorable settlement for our client.

PETRONIS v. EUREKA STONE QUARRY

Philadelphia County Court of Common Pleas
Complex Tort & General Casualty/2012

Plaintiff claimed to have sustained injuries as a result of a slip and fall in a construction zone in Old City, Philadelphia. Obtained a defense verdict.

BRAUN v. TARGET

Philadelphia County Court of Common Pleas
Complex Tort & General Casualty/2006

The plaintiff, an ironworker for the construction of a new Target store, fell approximately 25 feet and sustained catastrophic brain injuries. The pre-trial demand never dropped below \$10 million. After a highly contentious two-week trial and three days of deliberations, the jury returned a complete defense verdict.

CHANDLER v. BRINKS ET AL.

Chester County Court of Common Pleas

Complex Tort & General Casualty/1994

Plaintiff claimed to have sustained injuries after a slip and fall on ice in a bank parking lot. Obtained a defense verdict.