

KEVIN M. MULVANEY

EXEMPLAR TRIAL EXPERIENCE

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STRONG V. PROGRESSIVE MICHIGAN INSURANCE COMPANY

Genesee County Circuit Court, Michigan
Transportation/2019

Defended a No-Fault insurer in an arbitration stemming from a dispute over the plaintiff's claimed traumatic brain injury and need for ongoing medical treatment, including ongoing attendant care, and future lost wages.

WHISNANT V. PROGRESSIVE MICHIGAN INSURANCE COMPANY

Wayne County Circuit Court, Michigan
Transportation/2017

Defended a No-Fault insurer in a multi-day arbitration stemming from a coverage dispute as to whether an insured's vehicle was "involved" in a pedestrian's catastrophic injuries. After two and a half days of arbitration, the plaintiff reduced the demand by 50% to resolve the case.

THE ESTATE OF WILLIAM DEMAC V. CUPS TRANSPORTATION

Fairfax County Circuit Court, Virginia
Transportation/2013

Secured a complete defense verdict in a case in which decedent was ejected from his wheelchair inside our client's non-emergency transportation vehicle while the driver was avoiding an accident. Following surgery for his injuries, the decedent contracted MRSA and died two months later. We contended that all evidence pointed to decedent unbuckling his seatbelt prior to his injury. The plaintiff's last demand was \$1 million (policy limits) and the last offer was a high/low of \$1 million/\$200,000, which was rejected.

RE: DELCID

Fairfax County Circuit Court, Virginia
Transportation/2012

Secured a complete defense verdict in this transportation accident case. Based on the physical damage and testimony of the investigating officer, the jury agreed that the plaintiff's version of events was not plausible and his contributory negligence was a proximate cause of the accident.

DE CAMPO V. DIFFENBAUGH

Prince William County Circuit Court, Virginia

Transportation/2012

Secured a complete defense verdict in a transportation accident case in which the plaintiff suffered a number of injuries. Liability and damages were severed. Plaintiff's negligent actions were determined to have contributed to the accident.

CONFIDENTIAL

Alexandria General District Court, Virginia

Transportation/2012

Defended truck owner in case where debris fell off the truck and struck the plaintiff's vehicle, causing property damage. Liability was contested as the plaintiff failed to establish that the defendant's actions were negligent.

CONFIDENTIAL

Fairfax County General District Court, Virginia

Transportation/2012

Defended vehicle accident case with contested liability. The plaintiff sustained soft tissue injuries. The defendant's actions were determined to be the proximate cause of the accident.

RE: SEARS ROEBUCK

Fairfax County General District Court, Virginia

Complex Tort & General Casualty/2012

Secured a complete defense verdict in this breach of contract matter in which the plaintiff alleged damages based on our client's failure to honor a 10-year warranty. Our motion to strike was granted based on the plaintiff's failure to meet the burden of proof.

RE: YELLOW CAB COMPANY OF SHENANDOAH

Prince William County Circuit Court, Virginia

Transportation/2012

Settled case prior to jury deliberation due to the plaintiff's poor demeanor/testimony. The plaintiff was a passenger in our client's taxi, which collided with the co-defendant's vehicle. The plaintiff sustained a torn rotator cuff.

RE: COLEMAN POWER SPORTS

Arlington County Circuit Court, Virginia

Product Liability/2012

Secured a complete defense verdict based on the plaintiff's failure to prove that a warranty of merchantability was breached on a boat he purchased from our client.

RE: AMERICAN DISPOSAL SERVICES

Prince William County Circuit Court, Virginia
Transportation/2012

Secured a directed verdict for our client, a waste disposal truck owner, based on the plaintiff's failure to offer expert discovery to link her claimed injuries to being rear-ended by the truck. Liability was admitted.

HORST V. CRST INTERNATIONAL

Shenandoah County Circuit Court, Virginia
Transportation/2011

Defended trucking company in rear-end accident case in which liability was admitted. Damages were contested as plaintiff's lumbar annular tear appeared to be degenerative in nature and our experts opined that her injuries were limited to soft tissue issues and that the annular tear was not related to the motor vehicle accident.

CONFIDENTIAL

Fairfax County Circuit Court, Virginia
Complex Tort & General Casualty/2011

Defended a malicious prosecution case based on a dispute over a property line of adjoining property owners. Our client's fence was vandalized and he swore out a warrant for the plaintiff's arrest; the plaintiff subsequently spent the weekend in jail. Criminal charges were dismissed based on lack of evidence. The plaintiff's last demand was \$30,000 and the jury returned a verdict of \$11,000.

CONFIDENTIAL

Fairfax County General District Court, Virginia
Transportation/2010

Secured a defense verdict based on plaintiff's failure to establish negligence in an auto liability case in which our client rear-ended the plaintiff after sliding on ice.