

## JAMES P. CULLEN

ASSOCIATE



### AREAS OF PRACTICE

General Liability  
Automobile Liability  
Premises & Retail Liability  
Product Liability

### CONTACT INFO

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### ADMISSIONS

Pennsylvania  
2018

West Virginia  
2019

U.S. District Court Western District  
of Pennsylvania  
2018

U.S. District Court Southern  
District of West Virginia  
2019

U.S. District Court Northern District  
of West Virginia  
2024

### EDUCATION

Capital University Law School  
(J.D., summa cum laude, 2018)

Slippery Rock University (B.S.,  
2015)

### OVERVIEW

As a member of Marshall Dennehey's Casualty Department, James focuses his efforts on defending clients in general liability matters, including cases involving products liability, premises liability, and automobile liability. James has successfully defended clients in all aspects of litigation in both state and federal court, including obtaining defense verdicts at the magistrate court level and favorable arbitration rulings before the Allegheny County Arbitration panel. His jury trial experience includes second chair defense counsel in a premises liability case involving a defective stairway and landing in Allegheny County. Additionally, James was an integral member of a litigation team that achieved a Voluntary Stipulated Dismissal on behalf of a product distributor client from national multidistrict litigation (MDL) arising from the manufacture and sale of medical devices.

Before joining Marshall Dennehey, James gained litigation experience at a medium-sized civil defense firm as well as experience representing clients in mass toxic tort matters in Pennsylvania and West Virginia.

James graduated sixth in his class from Capital University Law School in 2018. During law school, he served as both a Staff Member and Associate Board Member of the University's Law Review, where he sharpened his legal research and legal writing skills to prepare for his career after graduation.

James also interned at the Pennsylvania Superior Court for the Honorable Mary Jane Bowes in 2017, where he researched and drafted memorandum opinions while working closely with the Judge's staff. In 2018, James interned at the Allegheny County District Attorney's Office where he worked directly with Assistant District Attorneys preparing for trial.

James is licensed to practice law in Pennsylvania and West Virginia and is also an active member of the Allegheny County Bar Association, often volunteering to serve as a judge/juror for high school mock trial competitions. James is also a member of the American Bar Association.

### ASSOCIATIONS & MEMBERSHIPS

Allegheny County Bar Association

American Bar Association

Defense Research Institute

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## YEAR JOINED

2022

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## THOUGHT LEADERSHIP

### Grossly Underestimated: Exploring Gross Negligence and Liability Waivers in Pennsylvania Premises Liability Law

Pittsburgh  
Premises & Retail Liability  
October 1, 2024

### Gross Enough? A Dive Into Gross Negligence in Pennsylvania Premises Liability Law

Pittsburgh  
Premises & Retail Liability  
October 1, 2022  
Defense Digest, Vol. 28, No.

## PUBLISHED WORKS

"Grossly Underestimated: Exploring Gross Negligence and Liability Waivers in Pennsylvania Premises Liability Law," *PAMIC Pulse*, Fall 2024

## RESULTS

### Summary Judgment Secured in a Neighborhood Dispute Alleging Excess Water Runoff

Property Litigation  
June 10, 2024

We obtained summary judgment in the Westmoreland County Court of Common Pleas in favor of our clients in a dispute over alleged excess water runoff. Our clients, a married couple, were sued by their neighbors for claims related to water runoff due to the installation of gutters and downspouts on a shed near the property line. We effectively argued for summary judgment on the plaintiffs' injunction, trespass, nuisance and negligence claims, demonstrating that the plaintiffs lacked the necessary expert testimony to substantiate their case as required under Pennsylvania law.