

## SCOTT R. EBERLE

SHAREHOLDER



### AREAS OF PRACTICE

Lawyers' Professional Liability  
Miscellaneous Professional Liability  
Disciplinary Board Representation

### CONTACT INFO

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### ADMISSIONS

Pennsylvania

U.S. District Court Western District  
of Pennsylvania

U.S. Court of Appeals 3rd Circuit

U.S. Court of Federal Claims

### EDUCATION

Duquesne University School of  
Law (J.D., 2002)

DePauw University (B.A., 1999)

### HONORS & AWARDS

Pennsylvania Super Lawyer Rising  
Star  
2010, 2013, 2015-2017

### OVERVIEW

Scott is a shareholder in the Professional Liability Department with over 20 years of experience defending professionals against malpractice and other professional liability claims. He often defends lawyers against claims of malpractice and malicious prosecution. Scott also has extensive experience counseling lawyers on professional ethics and professional responsibility matters, including those facing disciplinary charges before the Office of Disciplinary Counsel as well as matters before the Pennsylvania Lawyers Fund for Client Security, the Pennsylvania Judicial Board and the Pennsylvania State Ethics Commission. While his practice is largely focused on defending lawyers and law firms, he also frequently defends accountants, engineers, real estate agents, insurance agents and design professionals in a variety of professional liability lawsuits.

Scott is well known within the Pennsylvania legal community and is a frequent speaker at industry events. Among his many professional memberships, he is a member of the House of Delegates of the Pennsylvania Bar Association and Co-Vice Chair of its Professional Liability Committee. He is also active in the Allegheny County Bar Association where he is a member of the Ethics and Lawyer Professional Liability Committee. Additionally, he is a member of the Professional Liability Defense Federation.

Prior to joining Marshall Dennehey, Scott chaired the Ethics & Legal Malpractice Team at a Pittsburgh-based firm. A graduate of Duquesne University School of Law and DePauw University, he is admitted to practice in Pennsylvania, the United States District Court for the Western District of Pennsylvania, the United States Court of Appeals for the Third Circuit and the United States Court of Federal Claims.

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## ASSOCIATIONS & MEMBERSHIPS

Allegheny County Bar Association,  
Member of Ethics & Lawyer  
Professional Liability Committee

Pennsylvania Bar Association,  
Member of House of Delegates &  
Co-Vice Chair of Professional  
Liability Committee

Professional Liability Defense  
Federation, Member

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## YEAR JOINED

2023

## THOUGHT LEADERSHIP

### New Changes to Pennsylvania Attorney Advertising Rules Prohibit Text Messages to Solicit Prospective Clients

**Pittsburgh**  
**Lawyers' Professional Liability**  
**Disciplinary Board Representation**

**February 1, 2025**

In October 2024, the Pennsylvania Supreme Court adopted a series of amendments to the Rules of Professional Conduct for legal services communications. Legal Update for Lawyers' Professional Liability – February 2025 is prepared by Marshall Dennehey to provide information on recent legal

### PA Superior Court Rules, Expert Report that Merely Speculates About the Outcome of Underlying Action Is Insufficient to Establish Causation in Legal Malpractice Lawsuit.

**Pittsburgh**  
**Lawyers' Professional Liability**  
**October 1, 2024**

The plaintiff alleged it would have mounted a successful defense to an underlying workers' compensation action but for its attorney's purported negligence in failing to conduct a thorough and timely investigation of the underlying claimant's injury. Case Law Alerts, 4th Quarter, October

### PA Superior Court Upholds Gist of the Action Doctrine to Bar Legal Malpractice Claim

**Pittsburgh**  
**Lawyers' Professional Liability**  
**April 1, 2024**

The Pennsylvania Superior Court affirmed the trial court's dismissal of the appellant's legal malpractice action against a law firm on the basis of the gist of the action doctrine.

### New ABA Formal Ethics Opinion on Attorney Office Sharing Arrangements

**Pittsburgh**  
**Lawyers' Professional Liability**  
**February 1, 2024**

The American Bar Association recently issued a Formal Ethics Opinion addressing the ethics of attorney office sharing arrangements. Legal Update for Lawyers' Professional Liability – February 2024 is prepared by Marshall Dennehey to provide information on recent legal developments

### Third Circuit Ruling Upholds New Pennsylvania Rule of Professional Conduct 8.4(g)

**Pittsburgh**  
**Lawyers' Professional Liability**  
**September 1, 2023**

On August 29, 2023, the United States Court of Appeals for the Third Circuit issued a precedential opinion reversing an Eastern District court ruling that permanently enjoined enforcement of Pennsylvania's new Rule of Professional Conduct 8.4(g). Legal Update for Lawyers' Professional Liability – September 2023 is prepared by Marshall Dennehey to provide information on recent legal

## **CLASSES/SEMINARS TAUGHT**

- “Avoiding Legal Malpractice,” Beaver County Bar Association, November 2023
- “Ethics Considerations,” Pennsylvania Bar Institute Auto Law Update, October 2023
- “Avoiding Legal Malpractice,” Butler County Bar Association, August 2023
- “Avoiding Legal Malpractice,” Westmoreland County Bar Association, June 2023
- “Avoiding Legal Malpractice,” Pennsylvania Bar Association, June 2023
- “Ethics Considerations,” Pennsylvania Bar Institute Auto Law Update, October 2022
- “Avoiding Legal Malpractice,” Butler County Bar Association, September 2022
- “Avoiding Legal Malpractice,” Clearfield County Bar Association, September 2022
- “Risk Management for Pennsylvania Attorneys,” INtegrity First Corporation, September 2022
- “The Ethics of Representing Entities and Their Employees,” panelist, Allegheny County Bar Association, May 2022
- “Ethically Responding to Negative Online Reviews and Lawyer Blogging,” Allegheny County Bar Association, February 2022
- “Avoiding Legal Malpractice – How to Get Sued in 10 Easy Steps,” Erie County Bar Association, December 2021
- “Ethics Considerations – Responding to Negative Online Reviews,” Pennsylvania Bar Institute Auto Law Update, October 2021
- “Ethics Refresher for Paralegals,” Pittsburgh Paralegal Association, August 2021
- “Ethically Terminating the Lawyer-Client Relationship,” Panelist, PBI Family Law Institute, April 2021
- “Ethics of Medical Marijuana,” panelist, Allegheny County Bar Association, April 2021
- “Ethics Considerations,” Pennsylvania Bar Institute Criminal Law Update, December 2020
- “Ethics Considerations,” Pennsylvania Bar Institute Auto Law Update, October 2020
- “Ethics and Social Media,” Pennsylvania Bar Institute, October 2019
- “Avoiding Ethical Jams, Documenting the Representation,” Erie County Bar Association, May 2019
- “Who Exactly is Your Client?” Pennsylvania Bar Institute, March 2019
- “Cyber Liability and Duties of a Lawyer in the Event of a Data Breach,” Allegheny County Bar Association, December 2018