

HOWARD P. DWOSKIN

DIRECTOR, CASUALTY DEPARTMENT
CHAIRMAN OF THE BOARD
SHAREHOLDER



AREAS OF PRACTICE

General Liability
Automobile Liability
Trucking & Transportation Liability
Premises and Retail Liability

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2000 Market Street, Suite 2300
Philadelphia, PA 19103

ADMISSIONS

Pennsylvania
1986

U.S. District Court Eastern
District of Pennsylvania
1987

EDUCATION

Villanova University School of
Law (J.D., 1986)

University of Pennsylvania
(B.A., 1981)

HONORS & AWARDS

AV® Preeminent™ by
Martindale-Hubbell®

Pennsylvania Super Lawyers
2012-2019

OVERVIEW

Howard Dwoskin has been elected to serve as the Chairman of the Board of Directors at Marshall Dennehey, where he is also a member of the firm's three-person Executive Committee, the governing body of our law firm that serves to advance and implement our strategic goals.

Howard also serves as director of the Casualty Department, where he is responsible for managing the administration process of the firm's largest legal department, which includes human relations, workflow, attorney productivity, client relations and marketing. With his ability to identify and maximize the talents of others, Howard assists in recruiting top talent and building the Casualty Department's legal team at multiple levels. His skills as an organizational leader, with more than 30 years experience, enable him to successfully navigate and manage more than 225 attorneys. In addition to his management role, Howard also chairs the General Liability Practice Group where he plays a more substantive role in the handling of case files. As an experienced litigator, he has defended hundreds of premises and retail liability claims, as well as complex, high-exposure matters on behalf of insurance companies and self-insureds.

Throughout his career, Howard has been a frequent lecturer on the topics of "The Art of Negotiation," "Pennsylvania Premises Liability Laws" and "The Pennsylvania Retail Theft Act." He is the co-chair and course planner for the Pennsylvania Bar Institute's premises liability seminar "How To Win the Fall Down Case."

After graduating from the University of Pennsylvania with a bachelor of arts in Economics, Howard worked for General Electric for two years before enrolling in Villanova University School of Law where he graduated with a *juris doctor* in 1986.

Howard is a big supporter of the arts. He, along with his wife and two daughters,

ASSOCIATIONS & MEMBERSHIPS

Claims & Litigation
Management Alliance (CLM)

Defense Research Institute

Disciplinary Board of the
Pennsylvania Supreme Court,
Committee Member

Pennsylvania Association of
Defense Counsel, Executive
Committee Member

Pennsylvania Bar Association

Pennsylvania Defense
Institute

Philadelphia Bar Association

YEAR JOINED

1987

volunteer in community theatre programs for adults and children.

THOUGHT LEADERSHIP

Message From the Executive Committee

December 1, 2021

As we approach the end of 2021 and turn the page towards 2022, I will be marking my 35th anniversary at Marshall Dennehey. Defense Digest, Vol. 27, No. 5, December 2021 is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

Marshall Dennehey Receives 2021 Champion of the Bar Award From The Philadelphia Bar Association

November 15, 2021

Marshall Dennehey Warner Coleman & Goggin was honored today with the 2021 Champion of the Bar Award from the Philadelphia Bar Association.

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Marshall Dennehey Named a 2022 "Best Law Firm" in Multiple Practice Areas By U.S. News - Best Lawyers®

November 4, 2021

Marshall Dennehey Warner Coleman & Goggin has been named a "2022 Best Law Firm" in multiple practice areas, both nationally and across numerous regions of the country, by U.S. News - Best Lawyers®.

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Marshall Dennehey Selected a "Best Place to Work" by the Philadelphia Business Journal for the Ninth Year in a Row

July 15, 2021

For the ninth year running, Marshall Dennehey was selected by the Philadelphia Business Journal as one of the Philadelphia region's "Best Places to Work." The award recognizes the company's achievements in creating a positive work environ

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Marshall Dennehey Launches Rideshare Liability Practice Group

Rideshare Liability

March 29, 2021

In an effort to keep pace with clients' litigation needs in the sharing economy space, Marshall Dennehey Warner Coleman & Goggin has launched a new practice group within its Casualty Department: Rideshare Liability.

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CLASSES/SEMINARS TAUGHT

Frequent Lecturer on *The Art of Negotiation*, *Pennsylvania Premises Liability Laws* and *The Pennsylvania Retail Theft Act*

Chair and course planner, Mealey's LexisNexis's annual national Retail and Hospitality Law seminar

Chair and course planner Pennsylvania Bar Institute's Premises Liability Seminars

PUBLISHED WORKS

"A Merchant's Guide to Enforcing Pennsylvania's Retail Theft Act," *The Pennsylvania Retailer*

"Pleadings Really Count in Premises Liability," *Pennsylvania Law Weekly*

"Appraising Loss Under Homeowners Insurance Policies," *For the Defense*

"The Superior Court of Pennsylvania Finally Rules on the Necessity of Disclosing Surveillance Videotapes Prior to Trial," *Defense Digest*

"No Blind Man's Bluff; Disabled Store Employee Open & Obvious," *Defense Digest*

"Trivial/DeMinimus Defects Clarified," *Defense Digest*

SIGNIFICANT REPRESENTATIVE MATTERS

Ferdinand v. Save-A-Lot/SuperValu, 2008 U.S. Dist. LEXIS 30683 (E.D. Pa. April. 14, 2008). Plaintiff sued Save-A-Lot alleging wrongful detainment for shoplifting. Although the facts bore out that the plaintiff had properly paid for her purchases, the court, nevertheless, granted summary judgment for the defense pursuant to the Pennsylvania Retail Theft Act.

Doylestown Electric Supply Company v. Maryland Cas. Ins. Co., 1996 U.S. Dist. LEXIS, 20599 (E.D. Pa. Dec. 31, 1996). Plaintiff sustained water damage in home due to heavy rains filling drainage system. Court found for defendant stating that, because the damage was caused by both water that backed up from a sewage drain and surface water, the surface water exclusion in the policy allowed insurer to properly deny coverage.

Plaintiff claimed to have tripped and fallen over a bare end cap in a major retail department store. Jury found for the defendant on the basis that the plaintiff failed to prove that the store was negligent.

Plaintiff alleged personal injuries arising out of a dog attack in a public park. Court granted compulsory nonsuit for the defendant under prevailing Pennsylvania statutes and case law.

Intersectional collision between plaintiff's vehicle and defendant's tractor trailer. Jury trial in favor of defendant with no appeal.

Plaintiff fell down residential staircase and suffered brain damage injury. There was a controversy as to plaintiff's mental capacity at time of fall. Due to complexity of case, it was referred to ADR where defense verdict was awarded.

Raimo v. Waddy, 2004 U.S. Dist. LEXIS 20499 (E.D.Pa. Oct. 8, 2004).

Booth v. Black & Decker, Inc., 166 F. Supp. 2d 215 (E.D. Pa. 2001)

Christian v. United States, 1999 U.S. Dist. LEXIS 17381 (E.D. Pa. Nov. 8, 1999)

Fanning v. Black & Decker, Inc., 1999 U.S. Dist. LEXIS 3407 (E.D. Pa. March 18, 1999)

Duffy v. Nationwide Mut. Ins. Co., 1993 U.S. Dist. LEXIS 16197 (E.D. Pa. Nov. 10, 1993)

Kimmel v. Nationwide Mut. Ins. Co., 1992 U.S. Dist. LEXIS 329 (E.D. Pa. Jan 14, 1992)

Pilong v. Rome, 555 Pa. 559 (1999)