

ANDREW P. CAMPBELL

SHAREHOLDER



AREAS OF PRACTICE

Product Liability
Construction Injury Litigation
Architectural, Engineering & Construction
Defect Litigation
General Liability
Catastrophic Claims Litigation

CONTACT INFO

(215) 575-2890
APCampbell@mdwgcg.com

2000 Market Street, Suite 2300
Philadelphia, PA 19103

ADMISSIONS

New Jersey

New York

Pennsylvania

U.S. District Court District of New
Jersey

U.S. District Court Eastern District
of Pennsylvania

OVERVIEW

Andrew brings vast experience in insurance defense litigation to his practice in our Casualty Department, where he focuses on construction, fire and product liability litigation. Andrew has had the privilege of defending some of the largest construction companies in the region in catastrophic personal injury and death cases as well as high exposure construction defect claims. Andrew also has an extensive understanding of related areas of practice, including contract and corporate law. His broad legal experience allows him to expertly and efficiently handle an almost unlimited range of cases.

Prior to joining the firm, Andrew was a member of the Delany Law firm in center city Philadelphia. He gained additional experience as an associate at two other Pennsylvania law firms, and at the Bucks County Legal Aid Society.

EDUCATION

Villanova University School of Law
(J.D., 1996)

Villanova University (B.A., 1992)

THOUGHT LEADERSHIP

Marshall Dennehey Combines Forces With Litigation Boutique, Delany Law

October 20, 2022

Marshall Dennehey announced today that the firm has joined forces with the attorneys and staff of the Philadelphia-based litigation boutique, Delany Law.

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ASSOCIATIONS & MEMBERSHIPS

American Bar Association

Bucks County Bar Association

Defense Research Institute

Gloucester County Bar Association

National Fire Protection
Association

New York Bar Association

Pennsylvania Bar Association

RESULTS

Summary Judgment Granted in Highly Contested Construction Defect Case

Architectural, Engineering & Construction Defect Litigation August 29, 2023

We were granted summary judgment in a \$1.3 million construction defect subrogation case involving allegedly improperly sealed roof openings. The subcontractor contested its liability on the theory that our client chose the sealing method, and that the contract itself was deficient. Our motion, that was eventually granted, successfully argued that the contract language met the standard set in Pennsylvania's *Perry-Ruzzi* rule.

YEAR JOINED

2022

SIGNIFICANT REPRESENTATIVE MATTERS

Obtained a defense award in favor of our client, a prominent road and bridge constructor, at arbitration in Philadelphia. Plaintiff alleged a trip and fall in our construction zone, with knee and back injuries. We argued that the plaintiff failed to prove any actionable defect, that the condition was open and obvious, and that the plaintiff's own negligence was the proximate cause of the fall.

Obtained a summary judgement in a construction defect subrogation case with a \$1.3 Million demand. Andrew represented the general contractor and its carrier against a sub-subcontractor who improperly sealed roof openings they made, causing extensive water damage to 12 floors of the building. The subcontractor hotly contested liability on the theory that our client chose and approved the use of sealing foam for this application, and on a separate theory that the contract language itself was deficient. Andrew filed a Motion for Summary Judgment on contractual indemnity arguing that the GC's possible culpability was of no relevance since the contract language met the standard set forth in Pennsylvania's Perry-Ruzzi rule and the subcontractor was liable to indemnify even for the GC's causal negligence. The court agreed that the contract language met the standard and entered judgement against the sub for indemnity. This is an important ruling since these indemnity issues arise in virtually every construction case, whether defect or BI, and oftentimes subs and their carriers will not pick up the claim even when it is clear that they should.

Obtained a dismissal by summary judgment in a transportation matter in which he represented a state's department of transportation. The plaintiff, a tractor-trailer operator, was injured in a single vehicle accident on the approach to a construction zone, during a heavy rainstorm. Plaintiff lost control of the vehicle, which rolled off of the roadway into a ravine, resulting in catastrophic injuries. The plaintiff alleged the client was negligent in failing to provide adequate lighting at the approach to the construction zone and permitting a dangerous, defective condition on the road surface, and brought negligence claims against the state's department of transportation and multiple contractors. The basis of Andrew's defense was that the plaintiff failed to prove any defect or hazard that would constitute an exception to sovereign immunity.

Obtained a summary judgement in a medical malpractice case involving the death of a one-year-old infant who twice presented to the ER with seizure complaints and was not admitted until such time as she died in ICU due to complications from an underlying and undiagnosed heart condition. Our client was a Physician's Assistant Student working in the ER who evaluated the patient, interviewed the mother and recorded her findings in the medical record. We filed a Motion for Summary Judgment on the basis of a Physician Assistant Student's duty and scope of authority in a pediatric ER, and the court in Philadelphia County entered summary judgement in her favor, dismissing all claims and crossclaims.