

## BRIGID Q. ALFORD

OFFICE MANAGING ATTORNEY  
SHAREHOLDER



### AREAS OF PRACTICE

Insurance Services – Coverage and Bad Faith  
Litigation  
Class Action Litigation  
General Liability

### CONTACT INFO

(717) 651-3710  
[bqalford@mdwco.com](mailto:bqalford@mdwco.com)

200 Corporate Center Drive  
Suite 300  
Camp Hill, PA 17011

### ADMISSIONS

Pennsylvania  
1983

U.S. District Court Middle District  
of Pennsylvania  
1984

U.S. Supreme Court  
1989

U.S. Court of Appeals 3rd Circuit  
1992

U.S. District Court Eastern District  
of Pennsylvania  
2007

U.S. District Court Western District  
of Pennsylvania  
2009

### EDUCATION

Dickinson School of Law, Penn  
State University (J.D., 1983)

Allegheny College (B.A., cum  
laude, 1980)

### OVERVIEW

Brigid Alford is a member of the Professional Liability Department and previously served on the firm's Board of Directors. She concentrates her practice in various areas of insurance defense and civil litigation, with a focus in insurance coverage matters and litigation of coverage and bad faith claims involving issues arising from motor vehicle, homeowner, professional liability, commercial general liability and other policies. She has more than 25 years of experience litigating cases in 50 of Pennsylvania's 67 county courts, in all three of Pennsylvania's federal district courts and before the Pennsylvania Department of Insurance. Brigid's trial resume includes both jury and bench trials in over 10 counties throughout the state, from Pittsburgh to Philadelphia. She has also argued before Pennsylvania's Superior and Commonwealth Courts, as well as the 3rd Circuit Court of Appeals. Brigid also serves as the Managing Attorney of Marshall Dennehey's Camp Hill, PA office.

In 1983, Brigid earned her *juris doctor* from The Dickinson School of Law. She continues to serve as an adjunct assistant professor with the school's award winning Trial Advocacy Program. She is a 1980 *cum laude*, Phi Beta Kappa graduate of Allegheny College.

Brigid is a member of the Pennsylvania Bar Association, where she participates annually in this organization's Young Lawyers Division statewide High School Mock Trial Competition. She is a member of the Dauphin County and Cumberland County Bar Associations and has been elected a Master of the William J. Lipsitt American Inns of Court. Other professional associations include membership in CLM.

She is a frequent lecturer throughout the state for the Pennsylvania Bar Institute and other groups, speaking on a variety of subjects including insurance coverage, bad faith, civil trial practice and UM/UIM issues.

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## HONORS & AWARDS

Best Lawyers in America© -  
Insurance Law; Litigation -  
Insurance  
2023-2024

Central Penn Business Journal's  
"Power List for Law"  
2023

Pennsylvania Super Lawyer  
2023

2015 Woman of Influence, Central  
Penn Business Journal

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## ASSOCIATIONS & MEMBERSHIPS

Claims & Litigation Management  
Alliance, Member

Dauphin County Bar Association -  
Panel Chair, Board of Arbitration

The Honorable William W. Lipsitt  
American Inns of Court, Master

Pennsylvania Bar Association

Pennsylvania Defense Institute -  
Co-Chair, Bad Faith Committee

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## YEAR JOINED

2008

## THOUGHT LEADERSHIP

### Christopher E. Dougherty, Longtime Leader at Marshall Dennehey, Transitions to Chairman Emeritus After Nearly 30 Years With the Firm

December 16, 2020

His impending retirement effects leadership changes at the board level and within the firm's Professional Liability Department.

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### Brigid Alford Recognized as a "Woman of Influence" by the Central Penn Business Journal

Miscellaneous Professional Liability  
Insurance Services – Coverage and Bad Faith Litigation

April 10, 2015

Brigid Q.

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### Marshall Dennehey to Present Insurance Fraud Seminar

Fraud/Special Investigation

May 16, 2014

The Casualty Department of Marshall Dennehey Warner Coleman & Goggin will hold a complimentary seminar, "Insurance Fraud 360," on Thursday, June 5, 2014, from 11:30 a.m. – 4:30 p.m.

[Read More](#)

### Brigid Alford and Ed Schwartz (Harrisburg, PA) were featured speakers at the 2011 Annual Meeting of the Professional Liability Defense Federation

October 1, 2011

Brigid Alford and Ed Schwartz (Harrisburg, PA) were featured speakers at the 2011 Annual Meeting of the Professional Liability Defense Federation in Chicago recently. The meeting was attended by both claims professionals and d

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### Less Is More: Pennsylvania Supreme Court Confirms Less Strigent Rules Apply To Lower UM/UIM Limits Than To Waive UM/UIM Coverage

Harrisburg  
Automobile Liability

June 1, 2011

Pennsylvania – UM/UIM KEY POINTS: Defense Digest, Vol. 17, No. 2, June 2011

## **CLASSES/SEMINARS TAUGHT**

*Good Faith Claims Handling in Pennsylvania*, Marshall Dennehey Client Seminar, July 20, 2022

*Rancosky/ Bad Faith Update*, Marshall Dennehey Insurance Fraud 360 Seminar, Lafayette Hill, PA, June 2018

*Keep the Faith: Understanding Insurance Bad Faith in Pennsylvania After 2017*, Philadelphia Association of Defense Counsel, February 20, 2018

*Key Developments in Pennsylvania UM/UIM Law*, Pennsylvania Bar Institute Auto Law Update, Philadelphia and Mechanicsburg, PA, October 2017

*Distracted Driving: Texting, Talking & More*, Marshall Dennehey Client Seminar, May 2017

*How to Get Your Social Media Evidence Admitted – and How to Keep Theirs Out*, NBI Seminar, December 2016

*SLEO Claims & Coverage 2016*, Marshall Dennehey Client Seminar, November, 2016

*Pennsylvania UM/UIM Update 2016*, PBI 22<sup>nd</sup> Annual Auto Law Seminar Webinar, October 28, 2016

*First Party Issues - Multi-State Bad Faith Perspective*, Marshall Dennehey Insurance Fraud 360 Seminar, Lafayette Hill, PA, June, 2016

*Pennsylvania Bad Faith Issues*, Marshall Dennehey Client Seminar, June 2015

*Regular Use Exclusions in Pennsylvania -- Coverage Issues and Practical Applications*, Marshall Dennehey Client Seminar, June 2015

*Insurance Bad Faith: Pennsylvania Update*, Marshall Dennehey Client Seminar, June 2015

*UM/UIM & Limited Tort: How to Handle or Defend a Limited Tort Case*, Pennsylvania Bar Institute

*Pennsylvania UM/UIM Law: 2014 Updates*, Marshall Dennehey Client Seminar, December 2014

*Annual Auto Law Update*, Pennsylvania Bar Institute, November 2014

*PIP, UIM & Other First Party Coverage Issues*, Marshall Dennehey Insurance Fraud 360, June 2014

*When Is a Bad Faith Claim Worth \$18 Million?*, Dispute Resolution Institute's Personal Injury Potpourri, April 2014

*UM/UIM Law in Pennsylvania*, Pennsylvania Bar Institute, 2013

*Annual Auto Law Update*, Pennsylvania Bar Institute, 2013

*Insurance Coverage Issues Related to Sexual Molestation Claims*, PBI, 2012

*Innocent Third party and Contemporary SIU Coverage Issues*, Marshall Dennehey Insurance Fraud Perspectives Seminar, Lafayette Hill, PA, June 2012

*PL Coverage*, Professional Liability Defense Federation, 2011

*UM/UIM*, Pennsylvania Bar Institute, 2010

*Annual Auto Law Update*, Pennsylvania Bar Institute, 2010

*Trial Tactics, Tips & Techniques*, Pennsylvania Bar Institute, 1999; 2009

*Annual Auto Law Update*, Pennsylvania Bar Institute, 2007

*Trial Preparation: The 100-Day Countdown*, Pennsylvania Bar Institute, 2003

Adjunct Assistant Professor, Trial Advocacy Program, The Dickinson School of Law

Presentations to clients on developments in Pennsylvania UM/UIM law, bad faith and various coverage issues

## PUBLISHED WORKS

"Practical Applications of Social Media In and Out of the Courtroom," *The Pennsylvania Bar Association Quarterly*, April 2017

"Less is More: Pennsylvania Supreme Court Confirms Less Stringent Rules Apply to Lower UM/UIM Limits Than to Waive UM/UIM Coverage," *Defense Digest*, 2011-06, Vol. 17, No. 2

"Oh Tannenbaum, Oh Tannenbaum! Early Christmas Gift To UM/UIM Carriers From Pennsylvania Supreme Court," *Defense Digest*, Vol. 16, No. 3, September 2010

"UM/UIM Coverage in Pennsylvania: Establishing 'Occupancy' of Vehicle as Basis for Qualifying as an Insured," *Defense Digest*, Vol. 15, No. 2, June 2009

## RESULTS

### Dismissal of bad faith UTP and UTPCPL claims.

#### Insurance Services – Coverage and Bad Faith Litigation

**December 20, 2022**

We obtained dismissal of both bad faith and Unfair Trade Practices and Consumer Protection Law (UTPCPL) claims in a case filed in the Eastern District of Pennsylvania. The case arose from a UIM claim presented after a motor vehicle accident. In an extensive footnote to the order, the court included a fairly comprehensive overview of the standards for pleading viable bad faith in UTPCPL claims in Pennsylvania. The court did not allow the plaintiff the opportunity to amend his complaint in order to cure the pleading defects.

### Defense prevails in UIM/bad faith/UTPCPL case.

#### Insurance Services – Coverage and Bad Faith Litigation

**March 1, 2020**

A Philadelphia County jury returned a defense verdict on the UIM claim, causing the plaintiff to withdraw her bad faith and UTPCPL claims, in a case where she had alleged permanent injury and facial scarring as a result of a pedestrian/motor vehicle accident. The jury found the plaintiff 20% comparatively negligent, awarded her '0' damages for emotional distress and scarring/disfigurement, \$10,000 for pain and suffering, and \$5,000 for loss of life's pleasures.

### Coverage Not Triggered in CGL Policy

#### Insurance Services – Coverage and Bad Faith Litigation

**December 6, 2016**

We obtained summary judgment in a declaratory judgment action filed on behalf of an insurer in the United States District Court for the Western District of Pennsylvania. At issue was whether coverage (and an ensuing duty to defend) had been triggered under a CGL policy in connection with an underlying breach of contract action. The insured was a subcontractor who had performed work on a boiler, which had been installed as part of a larger construction project at a municipal authority's wastewater treatment facility.

### Defense Prevails in Insurance Coverage Case

#### Insurance Services – Coverage and Bad Faith Litigation

**April 21, 2016**

The defense prevailed in their representation of a major insurance carrier in an insurance coverage case involving claims by an insured business owner for coverage under a commercial general liability policy. The insured was transporting chairs and tables for his business on his truck; as he rounded a curve, some chairs fell onto the path of an oncoming motorcyclist, who reportedly sustained serious injury.

### Judge Denies Class Certification in "Junk Fax" Case Under TCPA

#### Insurance Services – Coverage and Bad Faith Litigation

**September 21, 2015**

Marshall Dennehey attorneys prevailed in the Philadelphia County Court of Common Pleas on a Motion for Class Action Certification in a "junk fax" case under the Telephone Consumer Protection Act (TCPA). Following a class certification hearing in March, the judge issued an order and opinion denying the plaintiff's motion. The proposed nationwide class would have been comprised of over 15,000 claimants in a case where, had the class been certified and a decision on the merits been entered for the claimants, the statutory damages alone would have been a minimum of \$500

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Defense verdict for insurer in breach of contract/insurer bad faith action arising from denial of hail damage claim under commercial property policy.

Successfully challenged petition for class certification in "blast-fax" case filed in Philadelphia County Court of Common Pleas.

Prevailed on summary judgment motion in declaratory judgment action filed on behalf of insurer, arguing coverage under CGL policy not triggered by allegations of faulty workmanship.

Defense verdict for racetrack in negligence action filed by driver paralyzed as result of racing accident

Defense verdict for business owner/insured in premises liability action, arguing no notice of defect.

Resolved multi-party, complex declaratory judgment actions in both state and federal courts involving various insurance coverage issues and exclusions.

Prevailed on summary judgment motion for co-defendant in an action arising from a motor vehicle accident that had resulted in the death of a back seat passenger.

Successfully presented motion to sever and bifurcate breach of contract and bad faith claims in Pennsylvania state courts.

Successfully presented motion to have the federal court decline to exercise pendent jurisdiction over a personal injury claim, raised as a cross-claim by the co-defendant in a declaratory judgment action.

Resolved a sexual harassment/intimidation action filed against the defendant-insured in federal court; the original complaint had included a punitive damages claim.

Defense verdict after a jury trial in favor of an insurance company in a breach of contract claim (PIP benefits); the bad faith and UTPCPL claims were dismissed pretrial via summary judgment motion.

Successfully represented insurers in evidentiary hearings before Pennsylvania Department of Insurance on complaints filed directly with DOI by insureds.

Successfully represented an insured at a hearing and argument on a Petition to Open Default Judgment in a case involving a racetrack accident and resultant catastrophic injuries to the driver, including quadriplegia.