

## THOMAS A. BROPHY

PRESIDENT EMERITUS  
SENIOR COUNSEL



### AREAS OF PRACTICE

General Liability  
Amusements, Sports and Recreation  
Liability  
Product Liability  
Health Care Liability

### CONTACT INFO

(215) 575-2748  
[tabrophy@mdwgc.com](mailto:tabrophy@mdwgc.com)

2000 Market Street, Suite 2300  
Philadelphia, PA 19103

### ADMISSIONS

Pennsylvania  
1982

U.S. Court of Appeals 3rd  
Circuit  
1984

U.S. District Court Eastern  
District of Pennsylvania  
1984

U.S. District Court Middle  
District of Pennsylvania  
2000

U.S. Supreme Court  
2001

### OVERVIEW

Tom Brophy is the President Emeritus of Marshall Dennehey Warner Coleman & Goggin having served as President and CEO from 2005 to 2017.

With more than 35 years of experience in the legal profession, Tom remains constantly aware of changes in the business and legal community and continues to counsel and guide clients through this ever-changing landscape.

Over the years, Tom has defended hundreds of matters on behalf of corporations, individuals and insurance companies involving a wide range of legal issues including product liability, premises liability, liquor liability and health care liability matters. Tom has lectured extensively throughout the state on the practice of civil defense litigation.

Tom is a former chair of the Federal Practice Committee of the Montgomery Bar Association. He is actively involved with the Philadelphia Association of Defense Counsel, the Pennsylvania Defense Institute, and the Defense Research Institute. He served as a member of the Board of Directors of the Insurance Society of Philadelphia for six years. Tom has served as a Trustee of the Philadelphia Bar Foundation, the charitable arm of the Philadelphia Bar Association for nine years.

Tom served as the President of the Philadelphia Bar Foundation in 2017 and 2018 and continues to serve as a Trustee of the Bar Foundation and PBF Holdings. PBF Holdings is seeking to build an Equal Justice Center in Philadelphia to house the various service organizations that serve the poor, the disenfranchised, and those unable to afford legal services. Tom also served a two year term as the President of The Lawyers' Club of Philadelphia in 2016 and 2017

### EDUCATION

Temple University School of  
Law (J.D., 1982)

University of Dayton (B.A.,  
cum laude, 1974)

---

## HONORS & AWARDS

2019 Lifetime Achievement Award, The Legal Intelligencer

2019 William J. O'Brien Distinguished Service Award, Philadelphia Association of Defense Counsel

2019 Lifetime Achievement Award, Pennsylvania Defense Institute

AV® Preeminent™ by Martindale-Hubbell®  
2001-Present

Attorneys Listed by Best Lawyers in America  
- Medical Malpractice Law-Defendants, Personal Injury Litigation-Defendants  
2001-Present

Pennsylvania Super Lawyer  
2005-2019

## THOUGHT LEADERSHIP

### **A New Year, A New Era of Leadership at Marshall Dennehey: Thomas A Brophy Steps Down After 13 Years at the Helm; G. Mark Thompson is Firm's New President & CEO**

January 16, 2018

Thomas A.

[Read More](#)

### **Marshall Dennehey Selected a 2018 "Best Law Firm" in Multiple Practice Areas by U.S. News - Best Lawyers®**

November 1, 2017

Marshall Dennehey has been selected a "2018 Best Law Firm" in multiple practice areas, both nationally and across numerous regions of the country. The rankings, which are presented in Tiers, are compiled annually by U.S.

[Read More](#)

### **Fifth Time's The Charm: Marshall Dennehey Top Scorer in Philadelphia Business Journal's 2017 "Best Places to Work" Program**

August 11, 2017

For the fifth year running, Marshall Dennehey was selected by the Philadelphia Business Journal as one of the Philadelphia region's "Best Places to Work" and the firm received the top score in the Extra Large Company category.

[Read More](#)

### **Law360 Names Marshall Dennehey A Best Law Firm For Female Attorneys**

July 28, 2017

Marshall Dennehey is pleased to announce that the firm has been named a Best Law Firm For Female Attorneys by Law360 and its 2017 Glass Ceiling Report.

[Read More](#)

### **Seventy-One Attorneys Selected to the 2017 Pennsylvania Super Lawyers & Rising Stars Lists**

May 12, 2017

Seventy-one attorneys from the Pennsylvania offices of Marshall Dennehey Warner Coleman & Goggin have been selected to the 2017 edition of Pennsylvania Super Lawyers magazine.

[Read More](#)

## **Message from the Executive Committee**

**Philadelphia - Headquarters**

**December 4, 2017**

Defense Digest, Vol. 23, No. 4, December 2017 By Thomas A. Brophy, Esquire, President and CEO Defense Digest, Vol. 23, No. 4, December 2017. Defense Digest is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

## **Sailing to Distant Shores**

**Philadelphia - Headquarters**

**January 25, 2017**

## **Message from the Executive Committee**

**Philadelphia - Headquarters**

**September 1, 2016**

By Thomas A. Brophy, Esquire, President & CEO

## **A Message from the Executive Committee**

**Philadelphia - Headquarters**

**December 1, 2015**

By Thomas A. Brophy, Esquire, President & CEO Defense Digest, Vol 21, No. 4, December 2015

## **A Message from the Executive Committee**

**Philadelphia - Headquarters**

**March 1, 2015**

There Has To Be a Better Way Defense Digest, Vol. 21, No. 1, March 2015

## **PUBLISHED WORKS**

"Sailing to Distant Shores," *Philadelphia Bar Reporter*, January 2017

"Toxic Torts: Workable Defenses Available to the Corporate Defendant," (co-author, Robert Goggin) 28 Villanova L. R. 1208, 1993

"How To Evaluate And Settle Personal Injury Claims," *Professional Education System, Inc*, 1989

"Cross Examination of Plaintiff's Life Care Expert," *Product Liability Council Deskbook*, 1999, 2001

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Tried one of the first long-term care cases litigated in the City of Philadelphia. Successfully represented the defendant, an owner and operator of a long-term care facility. The plaintiff was a resident of the facility and had been assaulted by a care provider who was convicted of aggravated assault as a result of his mishandling of the plaintiff. Claims were made for compensatory and punitive damages against the long-term care facility for the actions of its employee and for its failure to properly screen the employee who assaulted the plaintiff. The jury returned a defense verdict on behalf of the long-term care facility.

Successfully represented an insurance broker in an alleged insurance brokerage malpractice matter. Plaintiff sued the insurance brokerage alleging that the brokerage

---

## YEAR JOINED

1979

had misrepresented the nature of the insurance coverage available to the land owner resulting in an economic loss of between \$5 million and \$8 million. The case was complicated by the fact that the insurance broker whom Tom represented was suffering from Alzheimer's disease and was incompetent to testify at the time of trial.

Defended an underinsured motorist case brought by a plastic surgeon. The plastic surgeon, who had been rear ended in a motor vehicle accident, claimed that as a result of the injuries sustained in the accident, he had developed a radiculopathy radiating into his right dominant arm precluding him from engaging in the practice of plastic surgery. The surgeon had \$5 million in underinsured motorist coverage. The arbitrators made an award of \$850,000 in favor of the plastic surgeon in a case that was reserved for \$5 million.

Successfully represented a psychologist and in-patient treatment facility in a case in which it was alleged that patient was inaccurately evaluated and inappropriately discharged. The patient committed suicide within 10 days after his discharge from the facility by the psychologist. Jury found in favor of defense concluding that the decision to discharge the decedent was appropriate given his presentation on the date of the release.

Defended the manufacturer of a pediculicide (lice treatment) shampoo in a case in which it was alleged that the shampoo caused second degree burns to a 3-year-old child over 60 percent of her body, causing her death. At the time the case was filed, the county coroner and the decedent's treating physicians had opined that her death was caused by an allergic reaction resulting in tissue destruction that manifested itself in the form of second degree burns. The defense assembled a team of experts to establish that the child's death was caused by hot water scalding and not by a chemical reaction to the shampoo. The pediculicide had been manufactured and distributed pursuant to over-the-counter regulations promulgated by the Food and Drug Administration.