

## DONALD L. CARMELITE

SHAREHOLDER



### AREAS OF PRACTICE

Public Entity and Civil Rights Litigation  
Environmental & Toxic Tort Litigation  
Hospitality and Liquor Liability  
Miscellaneous Professional Liability  
Automobile Liability

### CONTACT INFO

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### ADMISSIONS

Pennsylvania  
1999

U.S. District Court Western  
District of Pennsylvania  
1999

U.S. District Court Middle  
District of Pennsylvania  
2002

### EDUCATION

University of Pittsburgh  
School of Law (J.D., 1999)

Pennsylvania State University  
(B.A., 1996)

### OVERVIEW

Donald focuses his practice on the defense of claims made and suits brought against public entities, municipal authorities and local governments, including the defense of elected officials, police officers, corrections officers, prison wardens and District Attorneys' offices. As well, he handles a wide array of complex litigation involving liability for environmental, liquor/dram shop and professional claims. Donald also has years of experience defending motor vehicle and premises liability suits.

Don is very active in his community. Specifically, he served as a committeeman for the Dauphin County Republican Committee in Harrisburg, 5th Ward, and remains active in local politics. He is the past president of the Friendly Sons of St. Patrick, Harrisburg Chapter. Don serves as a member of Vestry (board of directors) for Saint Andrews Episcopal Church in York, Pennsylvania.

In 1996 Don graduated from Penn State with a B.A. in political science and a minor in business. He then attended the University of Pittsburgh School of Law and achieved his *juris doctor* in 1999. After graduation, Don served as law clerk to the Honorable Michael L. Krancer at the Pennsylvania Environmental Hearing Board.

### THOUGHT LEADERSHIP

# Marshall Dennehey Trial Attorneys Lead the Way Back Into the Courtroom During COVID-19 Pandemic

Hospitality and Liquor Liability

General Liability

September 8, 2020

Marshall Dennehey trial attorneys Matthew Keris, Robert Aldrich, and

[Read More](#)

## Discovering, Authenticating & Utilizing Social Media in Litigation: Strategy Considerations

**Harrisburg**

**General Liability**

**March 1, 2014**

By Donald L. Carmelite, Esq. and Allison M. Domday, Esq.\* Key Points:

## Thumbs Up for Qualified Immunity

**Harrisburg**

**Public Entity and Civil Rights Litigation**

**March 1, 2011**

Federal - Civil Rights Key Points: Defense Digest, Vol. 17, No. 1, March 2011

## CLASSES/SEMINARS TAUGHT

*Mobile Devices: Don't Let Good Reception Be Game Over*, Dauphin County Bar Association, January 2018 and Cumberland County American Inns of Court, December 2017

Personal Training For Client on All Aspects of the Political Subdivision Tort Claims Act, March 2016

*Political Subdivision Claims Act*, School Claims Services LLC, December 12, 2014

*Social Media in Litigation: Reloaded, a Closer Look at Using Social Media in Your Cases*, Dauphin County Bar Association, Harrisburg, PA, June 24, 2014

*How To Try a Case in State Court*, Pennsylvania Bar Institute, Mechanicsburg, PA, June 16, 2014

*Political Subdivision Tort Claims Act, Real Property Exception*, client seminar, February 2014

*Basics of Litigation Involving State and Local Government*, Pennsylvania Bar Institute, June 2013

## PUBLISHED WORKS

"Discovering, Authenticating & Utilizing Social Media in Litigation: Strategy Considerations," co-author, *Defense Digest*, Vol. 20, No. 1, March 2014

"Thumbs Up for Qualified Immunity," co-author, *Defense Digest*, 2011-03, Vol. 17, No. 1

"The Bar Is Set: A Liquor Licensee's Duty to Third Persons in a Civil Suit," *Defense Digest*, 2008-09, Vol. 14, No. 3

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Obtained dismissal, in favor of liquor licensee, of all claims in general negligence; reaffirming that the exclusive remedy for an injured person is statutorily found in the Dram Shop Act based upon service of alcohol to a visibly intoxicated patron, January 2018

Obtained summary judgment in favor of a police office and township in excessive use of force and failure to train claim, October 2017

Obtained summary judgment, upheld by the Third Circuit, in favor of County Children and Youth Services Agency its social worker in parental rights claim, August 2017

Obtained discontinuance in favor of county vo-tech for negligence claims precluded by the Political Subdivision Tort Claims Act, April 2017

Obtained dismissal in favor of District Attorney in a Malicious Prosecution Claim, March 2017

Obtained dismissal from EEOC of Township employee's age discrimination claim, August 2016

Obtained summary judgment in favor of county prison and corrections officers for claims of excessive use of force, October 2016

Obtained discontinuance in favor of regional police department and its officers for claims of illegal search and seizure of personal property, July 2016

No causation jury defense verdict in a claim where plaintiff was determined to be totally disabled by the Social Security Administration, through the use of surveillance video and plaintiff's social media postings, January 2013

Successfully obtained a zero dollar defense verdict in an admitted liability motor vehicle accident and motorcycle case, which had a pretrial demand for policy limits, July 2010

Successfully obtained a zero dollar defense verdict arising from a drunk driving accident with a pretrial demand for policy limits, October 2010