

## ARMAND J. DELLA PORTA JR.

OF COUNSEL



### AREAS OF PRACTICE

Asbestos & Mass Tort Litigation  
General Liability  
Architectural, Engineering & Construction  
Defect Litigation  
Automobile Liability

### CONTACT INFO

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Wilmington, DE 19801

### ADMISSIONS

Pennsylvania  
1980

U.S. District Court Eastern District  
of Pennsylvania  
1980

U.S. Court of Appeals 3rd Circuit  
1985

Delaware  
1990

U.S. District Court for the District  
of Delaware  
1990

Maryland  
2005

### OVERVIEW

Armand concentrates his practice in the defense of products liability, toxic tort, asbestos personal injury litigation and general negligence cases. He has tried over 100 cases to verdict in the state and federal courts of Pennsylvania and Delaware.

Armand graduated from Georgetown University in 1977 with a Bachelor of Arts in Government. He was selected for Phi Beta Kappa and received the Connecticut Medal for Government. He attended Villanova Law School and graduated in 1980. From 1980 to 1981, Armand clerked for the Honorable Charles A. Lord of the Philadelphia Court of Common Pleas.

He joined Krusen Evans and Byrne in 1981, became a partner in 1986 and was later elected to the firm's management committee in 1988. Armand was a founding partner of Kelley Jasons McGuire & Spinelli in 1989 and started its Delaware office in 1990, which he managed until he left the firm in 2005.

In 2015, Armand was appointed Atlantic Regional Director of the Defense Research Institute (DRI), the country's leading organization of defense attorneys and in-house counsel. He is also a past president of the Defense Counsel of Delaware and the Pennsylvania Defense Institute (PDI), where he held the positions of chair of the Products Liability, Legislative and Judicial Selection committees. Armand has also written numerous articles for the PDI's quarterly publication, *Counterpoint*, and has lectured at many CLE and other seminars.

He has long been active with his alma mater, St. Joseph's Prep, having served as past president of the Alumni Board of Governors, member of the Board of Trustees and co-chair of its Hawkton. He remains active with the alumni board, the Hawkton and other fundraising activities.

### EDUCATION

Villanova University School of Law  
(J.D., 1980)

Georgetown University (B.A.,  
1977)

### THOUGHT LEADERSHIP

#### Can Plaintiff Board the Amount of Medical Expenses Billed or Merely the Amount Paid?

Wilmington  
General Liability  
September 1, 2015

By Armand J. Della Porta Jr., Esq.\* Key Points: Defense Digest, Vol. 21, No. 3, September 2015

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## HONORS & AWARDS

AV® Preeminent™ by Martindale-Hubbell®

The Best Lawyers in America®, Product Liability Litigation - Defendants 2022

Pennsylvania Super Lawyer 2004-2005

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## ASSOCIATIONS & MEMBERSHIPS

Defense Counsel of Delaware, President 2012 - 2013

Defense Research Institute, Atlantic Regional Director 2015 - ; Delaware State Representative, 2010 - 2013

Delaware State Bar Association

Pennsylvania Defense Institute, President 2008-09

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## YEAR JOINED

2005

## CLASSES/SEMINARS TAUGHT

*Bankruptcy Trusts and Discovery Issues*, Perrin Conferences' Mid-Atlantic Asbestos Litigation Conference, Hockessin, DE, May 2016

*Status of Litigation and Recent Decisions - Filings, Trends, Projections & Pending Litigation in DE, MD, PA, and Federal Courts*, Mid-Atlantic Asbestos Litigation Conference, February 2015

*Status of Litigation and Recent Decisions – Filings, Trends, Projections & Pending Litigation in DE, MD, PA and Federal Courts*, Perrin Conferences - Mid-Atlantic Asbestos Litigation Conference, Wilmington, DE, January, 2015

*Significant New Case Law in Asbestos Litigation in Delaware*, Harris Martin sponsored seminar, February 2008

*Asbestos Litigation in Delaware - Past, Present & Future*, National Business Institute, December 2007

*Insurance Coverage Issues in Auto Cases*, December 2000

CLE Seminars on Product Liability, Pennsylvania Defense Institute & Phila. Assn. of Defense Counsel, June 1999, April 1997, October 1996, January 1995, March 1994, August 1992

*Preparing Witnesses for Deposition and Trial*, December 1998

*Pennsylvania Insurance Law - Bad Faith Claims*, September 1994 & 1995

*Pennsylvania and Delaware Auto and Bad Faith Law*, August 1993

## PUBLISHED WORKS

Contributor, *Legal Updates for Toxic Torts Litigation*, 2014-present

"Can Plaintiff Board the Amount of Medical Expenses Billed or Merely the Amount Paid?," *Defense Digest*, Vol. 21, No. 3, September 2015

"Recent Developments in Spoliation," *Counterpoint*, June, 1999

"Parks v. Allied Signal, Inc.: The Admissibility of Evidence of Plaintiff's Conduct in 402A Cases," *Counterpoint*, September, 1997

"Product Liability Update," *Counterpoint*, 1985 to 1995

"The Product Line Exception to the Law of Successor Liability," *Counterpoint*, October, 1993

"Whether a Person Suffering Allergic Reactions Can Recover Under Strict Liability - A Review of PA & National Law," *Counterpoint*, January, 1992

## RESULTS

### General Contractor for Hospital Addition Prevails in Construction Defect Action.

#### Architectural, Engineering & Construction Defect Litigation December 31, 2018

We obtained summary judgment in a construction defect case that was argued before the U.S. District Court for the District of Maryland. The case involved a claim that our client, the general contractor for an addition to a hospital, had committed numerous construction deficiencies during the construction of the addition and had committed fraud in attempting to conceal those deficiencies from the hospital's owner.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Defended two asbestos clients in claims with demands to each client in excess of \$1 million. Our clients initially were represented to be target defendants. After pretrial preparation and investigative work, we were able to demonstrate that our clients had significant defenses to plaintiff's claims and were able to settle case for 10% and 20% of original demands, well below what other target defendants paid.

Defended target defendant in alleged illegal police pursuit case. Initial demand was \$15 million. Successfully tried the case for four weeks in U.S.D.C., M.D. PA. and was able to settle case at that point for 10% of original demand.

Successfully tried over 100 asbestos cases to verdict in Pennsylvania and Delaware, many with defense verdicts.