

## MICHELE P. FRISBIE

SHAREHOLDER



### AREAS OF PRACTICE

General Liability  
Automobile Liability  
Hospitality & Liquor Liability  
Public Entity & Civil Rights Litigation  
Miscellaneous Professional Liability  
Amusements, Sports & Recreation Liability  
Non-Profit D&O

### CONTACT INFO

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### ADMISSIONS

Pennsylvania  
1996

### EDUCATION

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

St. Joseph's University (B.A., cum  
laude, 1993)

### HONORS & AWARDS

Pennsylvania Super Lawyers  
Rising Star  
2005-2006

### ASSOCIATIONS & MEMBERSHIPS

Bucks County Bar Association,  
Chair of Mandatory Continuing  
Legal Education Committee (2009-  
2012)

Bucks County Bar Association,  
Board of Directors (2002-2004)

Bucks County Bar Association,  
Chair Member Services Committee  
(2004-2007)

Pennsylvania Bar Association

### OVERVIEW

Michele defends a wide variety of cases and has a special interest in working closely with professionals to achieve the successful, cost-effective defense of suits against specialists such as those involved in the sale, appraisal and management of real estate; insurers and insurance brokers and agents; attorneys; mental health service providers and municipal entities. Michele also has extensive experience involving personal injury such as premises liability, dog bites, automobile accidents, dram shop and hotel, restaurant and store security.

Michele has direct experience as a past board member of the Bucks County Bar Association Board of Directors and its Mandatory Continuing Education and Member Services Committee and the Central Bucks Family YMCA and its Building and Grounds and Financial Development Committees.

In 1992, she joined Marshall Dennehey Warner Coleman & Goggin as a file clerk. Michele graduated cum laude from St. Joseph's University in 1993. She attended Villanova University School of Law in 1993 and served as a law clerk until her graduation in 1996, when she joined Marshall Dennehey as an attorney. During her free time, Michele is an ACE certified group fitness instructor and a personal trainer.

### THOUGHT LEADERSHIP

#### Video Training Offerings During and After COVID-19 Leave Gym Operators and Trainers Open To These Liability Issues

Amusements, Sports & Recreation Liability  
General Liability  
June 14, 2020

#### Law Firms That Put Employees' Well-Being First Get A Lot More In Return

June 2, 2020

#### Please Release Me? Gym Releases and Other Agreements with Exculpatory Clauses

Amusements, Sports & Recreation Liability  
September 4, 2018

Key Points: Defense Digest, Vol. 24, No. 3, September 2018. Defense Digest is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

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## YEAR JOINED

1996

## PUBLISHED WORKS

"Video Training Offerings During and After COVID-19 Leave Gym Operators and Trainers Open to These Liability Issues," *Club Industry*, June 14, 2020

"Law Firms That Put Employees' Well-Being First Get A Lot More in Return," *The Legal Intelligencer*, June 2, 2020

"Please Release Me? Gym Releases and Other Agreements with Exculpatory Clauses," *Defense Digest*, September 2018, Vol. 24, No. 3

"The 'Deciders' on Preemptive Strikes," *Defense Digest*, Vol. 13, No. 2, 2007

"Pennsylvania Supreme Court Clearing Paths for Municipal Tort Plaintiffs," *Defense Digest*, Vol. 5, No. 1, 1999

## PRESENTATIONS

"Personal Injury Exculpatory Clauses," Stafford Webinars, April 28, 2021

## PRO BONO ACTIVITIES

Board of Directors, Central Bucks Family YMCA

## RESULTS

### Dismissal with Prejudice Obtained in Case Targeting Alcoholic Beverage Manufacturer

#### Product Liability

**January 10, 2024**

We secured a dismissal with prejudice in a product liability case in Pennsylvania. The plaintiffs, who were involved, but not responsible, for a drunk driving accident, claimed that the beverage manufacturer was liable to them because the product had more alcohol than other alcoholic beverages and was improperly marketed to minors.

### Claim for corporate veil piercing in wrongful death dram shop action dismissed.

#### Hospitality & Liquor Liability

**June 1, 2023**

The plaintiff included a count seeking to pierce the corporate veil and pursue the principals of the liquor licensee under an enterprise theory of liability. We argued that there is no cause of action for corporate veil piercing under an enterprise theory; rather, these theories are used to recover if, and only if, the entity is not able to satisfy any judgment against it. The court dismissed the count.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Obtained a dismissal with prejudice of a products liability case filed against an alcohol beverage manufacturer. The Plaintiffs are individuals who were seriously injured or killed when the alleged minor drunk driver of the vehicle in which they were passengers was involved in a single car accident. The Plaintiffs claimed that the manufacturer was liable to them because the product had more alcohol than other alcohol beverages, was improperly marketed to minors, like their driver, and did not warn of the dangers associated with the beverage. Our team argued several points including that Pennsylvania does not recognize such a products liability cause of action because the dangers of drinking alcohol and driving are obvious, and the manufacturer has no duty to warn potential users of such dangers. Additionally, alcohol is not an unreasonably dangerous product.

Defense verdict for a real estate seller's agent in a claim of misrepresentation of the condition of the property.

Defense verdict in a coverage claim arising out of wind damage to a mobile home.

Motion to dismiss granted in a case claiming appraisers conspired with the builder of a residential development to conceal the presence of a Superfund site adjacent to the development.

Motion to dismiss granted in a case against attorneys who allegedly failed to timely file a legal malpractice cause of action arising from an underlying toxic tort claim.

Secured the voluntary withdrawal of a case against a local sewer authority which allegedly improperly removed trees from the easement that ran over the plaintiff's property.

Secured the dismissal of a claim that an insurance broker allegedly failed to secure a binder for a homeowners' policy which resulted in no coverage after a fire.

Secured the dismissal of a mental health institution in a case where the plaintiff, a convicted murderer, claimed that if the institution had not negligently treated him for his drug and alcohol addictions, he would not have committed the crime.