

## JOHN T. MCGRATH JR.

OFFICE MANAGING ATTORNEY  
CO-CHAIR, AUTOMOBILE LIABILITY PRACTICE GROUP  
SHAREHOLDER



### AREAS OF PRACTICE

Automobile Liability  
General Liability  
Health Care Liability

### CONTACT INFO

(570) 496-4603  
jtmcgrath@mdwco.com

50 Glenmaura National  
Boulevard  
Moosic, PA 18507

### ADMISSIONS

Pennsylvania  
1996

U.S. District Court Middle  
District of Pennsylvania  
1996

### EDUCATION

Widener University School of  
Law (J.D., 1995)

Pennsylvania State University  
(B.S., 1985)

### HONORS & AWARDS

AV® Preeminent™ by  
Martindale-Hubbell®

### OVERVIEW

John (Jack) is a member of the Casualty Department and co-chair of the firm's auto liability practice group. He focuses his practice on the defense of auto liability, representing over a thousand automobile cases to conclusion. The majority of cases ended in defense verdicts or verdicts lower than the settlement offers. Jack is also the managing shareholder and casualty supervising attorney of the firm's Scranton office with responsibility for the daily operations and oversight of the office's attorneys and support staff.

Jack is a graduate of Penn State University and a former member of law enforcement, having worked for the Lackawanna Sheriff's Department. While attending the Widener University School of Law, Jack worked as the commercial sales manager for ADT Security Systems in Philadelphia and southern New Jersey from 1988 through 1996.

Jack joined Marshall Dennehey in January of 1997 and became a shareholder in 2004. He is currently the lead attorney for the Dunmore High School Mock Trial Team and a basketball coach in his community.

### THOUGHT LEADERSHIP

#### On the Pulse...A Profile of Our Scranton, Pennsylvania Office

Scranton

September 4, 2018

Defense Digest, Vol. 24, No. 3, September 2018 By John T. McGrath, Jr., Esq.\*

# **On The Pulse...The Relationship Between the Handling Attorney and the Claims Professional in Auto Liability**

**Scranton**

**Roseland**

**Automobile Liability**

**March 1, 2016**

By John T. McGrath, Esq. & Michael R. Speer, Esq.\* *Defense Digest*, Vol 22, No. 1, March 2016

## **PUBLISHED WORKS**

"The Relationship Between the Handling Attorney and the Claims Professional in Auto Liability," *Defense Digest*, Vol. 22, No. 1, March 2016

## **RESULTS**

### **Summary Judgment for Marshall Dennehey Client Only, in Multi-defendant Action.**

**General Liability**

**May 11, 2018**

We obtained summary judgment in a general liability case in the U.S. District Court for the Middle District of Pennsylvania. The plaintiff was an employee of a recently-renovated resort when a solid wooden panel fell down and struck her in the head, causing serious injuries. The plaintiff alleged improper design, manufacture, and installation of the panel against a number of the defendant contractors and subcontractors. It was unclear as to which defendant actually installed the panel.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Defense of several auto cases in which the plaintiffs were killed. In each of these cases the demand was far in excess of the policy limits.

Defense of numerous auto cases involving pedestrians. Many of these cases have been tried to defense verdicts where the plaintiffs' injuries far exceeded the available coverage.

Defense of a hospital where the plaintiff was one of their own staff physicians who had a seizure while at work and was unable to return to his position as a physician. The allegations were that more should have been done initially when he had the seizure and the hospital should have been better equipped to deal with such situations. The lost wages alleged in this matter were over \$7 million.

Defended an auto case in which the plaintiff was killed and plaintiff's counsel evoked the Dead Man's Rule. We were able to show that his expert, a state police officer, had interviewed our insured, thereby negating the Dead Man's Rule. The Superior Court agreed with our argument, and the defense verdict that we obtained in this litigation was upheld.

Defended an oncologist in a case where the plaintiff, an ophthalmologist who claimed he could no longer work, had multiple experts, including vocational, economic, psychiatric, orthopedic, and neurological practitioners. The initial demand was for our policy limits of \$500,000. Through the use of our experts in a non-binding mediation,

we were able to show the plaintiffs' experts would not hold up in front of a jury, and the case resolved for an amount far below the policy limits.

Obtained defense verdicts in several auto cases in northeast Pennsylvania where the underinsured motorist claims had gone to arbitration and six-figure awards have been granted. Most involved a minor impact with just soft tissue injuries.