

## LAUREN E. PURCELL

SHAREHOLDER



### AREAS OF PRACTICE

Product Liability  
Automobile Liability  
Construction Injury Litigation  
General Liability  
Hospitality & Liquor Liability

### CONTACT INFO

(412) 803-1170  
LEPurcell@mdwvcg.com

Union Trust Building, Suite 700  
501 Grant Street  
Pittsburgh, PA 15219

### ADMISSIONS

Pennsylvania  
2013

U.S. District Court Western District  
of Pennsylvania  
2013

### EDUCATION

University of Pittsburgh School of  
Law (J.D., cum laude, 2013)

University of Pittsburgh (B.S., cum  
laude, 2005)

### HONORS & AWARDS

The Best Lawyers: Ones to  
Watch®, Construction Law;  
Product Liability Litigation -  
Defendants  
2021-2025

### ASSOCIATIONS & MEMBERSHIPS

Allegheny County Bar Association

Pennsylvania Bar Association

The W. Edward Sell American Inns  
of Court

### OVERVIEW

Lauren is a shareholder in the Casualty Department. She concentrates her practice in the areas of product liability, premises liability, auto liability, and construction law. Lauren's litigation experience includes assisting in the management of discovery during the course of litigation, as well as drafting and arguing dispositive motions. Lauren participated in Marshall Dennehey's pro bono program where she was responsible for a social security disability appeal case. Further, Lauren has represented corporate entities at the arbitration and magistrate levels.

Lauren earned her Bachelor of Science degree from the University of Pittsburgh in Psychology, Political Science, and Anthropology, *cum laude*. Prior to law school, Lauren was an assistant buyer for Anthropologie. She received her *juris doctor* from the University of Pittsburgh, *cum laude*, in 2013. While in law school, Lauren served as a legal writing teaching assistant and as an editorial board member of the *Journal of Law and Commerce*. Prior to graduating from law school, Lauren served as a judicial intern for the Honorable Maurice B. Cohill, Jr. of the United States District Court for the Western District of Pennsylvania, and also as a legal intern for the legal department of Dick's Sporting Goods, Inc.

Prior to joining the firm, Lauren served as a judicial law clerk with the Pennsylvania Court of Common Pleas of Somerset County.

Lauren is admitted into practice in the Commonwealth of Pennsylvania, and the United States District Court for the Western District of Pennsylvania. Her memberships include the Pennsylvania and Allegheny County Bar Associations, and the W. Edward Sell American Inn of Court.

## THOUGHT LEADERSHIP

### **PA Court Rules Adverse Inference Based on Spoliation of Evidence Does Not Defeat Summary Judgment Without Proof of Negligence, Plaintiff Suffered Little Prejudice from Deletion of Video, and Deletion of Video Was Not a Bad Faith Act.**

**Pittsburgh**  
**Premises & Retail Liability**  
**October 1, 2024**

The plaintiff, an invitee, slipped and fell at the defendant-restaurant. At first, the plaintiff claimed that uneven floor tiles caused her to fall. Case Law Alerts, 4th Quarter, Octo

### **Relying upon Pennsylvania Law, Federal District Court Held that Presence of Spill in Multiple Aisles of Store Was Not Enough to Establish Constructive Notice.**

**Pittsburgh**  
**Premises & Retail Liability**  
**October 1, 2024**

The plaintiff slipped and fell on a spilled liquid in the defendant-store. It was undisputed that the defendant did not have actual notice of the spill. Instead, the key issue was whether the defendant had constructive notice. Case Law Alerts, 4th Quarter, Octo

### **Superior Court Held There Was No Factual Dispute to Overcome Summary Judgment When Plaintiff's Own Admissions Established that Hills and Ridges Doctrine and Assumption of Risk Doctrine Barred Recovery.**

**Pittsburgh**  
**Premises & Retail Liability**  
**October 1, 2024**

The plaintiff, an invitee, slipped and fell on an icy ramp while he walked into work. Case Law Alerts, 4th Quarter, Octo

### **Pennsylvania Supreme Court Held that When Plaintiff Fails to Meet the Burden of Demonstrating Good Faith Effort in Diligently and Timely Serving Process, then Actual Notice of the Lawsuit Is Irrelevant**

**Pittsburgh**  
**Premises & Retail Liability**  
**July 1, 2024**

In deciding whether a complaint served after expiration of the applicable statute of limitations period was time-barred, the Supreme Court of Pennsylvania applied the reasoning from Gussom v. Teagle, 247 A.3d 1046 (Pa. 2021). Case Law Alerts, 3rd Quarter, July

### **Relying Upon Pennsylvania Law, the Federal Court Held that Maintenance Company Owed No Duty of Care to Injured Plaintiff**

**Pittsburgh**  
**Premises & Retail Liability**  
**July 1, 2024**

The plaintiff, while walking to work, slipped and fell in the parking lot on accumulated ice and sustained injuries to his hand, spine, head, neck and back. The matter was removed to federal court based upon diversity jurisdiction. Case Law Alerts, 3rd Quarter, July

## **PUBLISHED WORKS**

"Protecting Your Bar From Claims in the Wake of 'Mortimer', *The Legal Intelligencer*, Liquor Law Supplement, February 15, 2023

"Employers (Still) Not Liable For Serving Alcohol to Intoxicated Employees," *The Legal Intelligencer*, Liquor Law Supplement, February 10, 2022

"Winning the Golden Ticket: Ownership of Terminal-Printed Lottery Tickets," *Defense Digest*, June 2021, Vol. 27, No. 3

"Should Mandatory Liquor Liability Insurance Be in PA's Future?" *The Legal Intelligencer* Liquor Law Supplement, February 25, 2020

*Note, A Fashion Flop: The Innovative Design Protection and Privacy Prevention Act*, 31 J.L. & COM. 203 (2013)

## **PRO BONO ACTIVITIES**

Marshall Dennehey's Social Security Disability Pro Bono Program

## **RESULTS**

### **Summary Judgment Secured in a Neighborhood Dispute Alleging Excess Water Runoff**

#### **Property Litigation**

**June 10, 2024**

We obtained summary judgment in the Westmoreland County Court of Common Pleas in favor of our clients in a dispute over alleged excess water runoff. Our clients, a married couple, were sued by their neighbors for claims related to water runoff due to the installation of gutters and downspouts on a shed near the property line. We effectively argued for summary judgment on the plaintiffs' injunction, trespass, nuisance and negligence claims, demonstrating that the plaintiffs lacked the necessary expert testimony to substantiate their case as required under Pennsylvania law.

### **Summary Judgment for Wellhead Manufacturer.**

#### **Product Liability**

**May 11, 2018**

We obtained summary judgment on behalf of a wellhead manufacturer in a product liability matter pending in Western Pennsylvania. The plaintiff drill operator alleged a wellhead was defectively designed, causing oil and gas to escape during operation, which led to a fire at the well site. The plaintiff asserted economic losses in excess of \$1.4 million. We successfully argued that the plaintiff failed to elicit sufficient expert opinion to support the defect claim and also spoliated evidence in discarding the subject wellhead.