

John T. McGrath Jr.

Office Managing Attorney

Co-Chair, Automobile Liability Practice

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John (Jack) is a member of the Casualty Department and co-chair of the firm's auto liability practice. 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.

Education

- Widener University Delaware Law School (J.D., 1995)
- The Pennsylvania State University (B.S., 1985)

Admissions

- Pennsylvania, 1996
- U.S. District Court Middle District of Pennsylvania, 1996

Honors & Awards

- AV® Preeminent™ by Martindale-Hubbell®
- The Best Lawyers in America®, Insurance Law; Medical Malpractice Law -

Practices

- Automobile Liability
- General Liability
- Medical Malpractice
- Catastrophic Claims Litigation

Associations & Memberships

- American Board of Trial Advocates
- Lackawanna County Bar Association
- Luzerne County Bar Association
- Pennsylvania Bar Association

Published Works

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

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.

Results

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

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. However, there was testimony that the panel had fallen down after the renovations were completed and that the resort's maintenance employees had possibly re-installed the panel before it fell the second time, striking the plaintiff. There was no evidence of record that our client had any role in the design of the panel. The judge granted summary judgment as to our client only on a case where the plaintiff will be putting over \$2 million on the board at trial.

Thought Leadership

June 1, 2023

On the Pulse...Our Scranton, Pennsylvania, Office