

Adam M. Barnes

Shareholder

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Adam is a Shareholder in the Casualty Department and, for over 25 years, has concentrated his practice in the defense of companies and individuals in a wide range of general liability civil litigation matters. He routinely defends clients against claims of bodily injuries and property damage involving premises and retail liability, construction injury, property subrogation, automobile liability, trucking and transportation liability, uninsured and underinsured motorist claims, hospitality & liquor liability, and product liability.

Adam has litigated cases throughout Pennsylvania as well as West Virginia and eastern Ohio; tried matters in both state and federal courts; and handled appeals before appellate courts in all three states.

Adam has over 20 years' experience providing counsel and defense of coverage issues involving commercial general liability, auto liability, umbrella/excess liability, and property policies, as well as homeowners and personal auto liability policies.

Adam has defended private businesses against employment law matters involving claims made under Title VII, Age Discrimination in Employment Act, and Americans with Disabilities Act at the administrative level before the Equal Employment Opportunity Commission and the Pennsylvania Human Relations Commission, as well as in Pennsylvania state and federal courts.

Adam has been recognized as a Pennsylvania Super Lawyer since 2019. He has authored materials and presented for the Pennsylvania Bar Institute on a range of topics. He has authored materials and presented at seminars for general liability claim professionals on general liability claims, uninsured/underinsured motorist claims, risk transfer, and insurance coverage issues.

Adam graduated from Indiana University – Bloomington in 1993 (*cum laude* and Phi Beta

Practices

- Premises & Retail Liability
- Construction Injury Litigation
- Trucking & Transportation Liability
- Automobile Liability
- Hospitality & Liquor Liability
- Product Liability
- General Liability
- Insurance Services – Coverage & Bad Faith Litigation
- Employment Law
- Asbestos & Mass Tort Litigation

Kappa) and earned his law degree from Indiana University School of Law – Bloomington in 1999.

Education

- Indiana University Maurer School of Law (J.D., 1999)
- Indiana University-Bloomington (B.A., *cum laude*, 1993)

Admissions

- Pennsylvania, 1999
- U.S. District Court Western District of Pennsylvania, 1999
- U.S. District Court Eastern District of Pennsylvania, 2006
- U.S. District Court Middle District of Pennsylvania, 2010
- U.S. Court of Appeals 3rd Circuit, 2001
- West Virginia, 2001
- U.S. District Court Southern District of West Virginia, 2001
- U.S. District Court Northern District of West Virginia, 2002
- U.S. Court of Appeals 4th Circuit, 2004
- Ohio, 2006
- U.S. District Court Northern District of Ohio, 2012
- Supreme Court of the United States, 2005

Representative Cases & Matters

- Successfully obtained summary judgment in the U.S. District Court for the Eastern District of Pennsylvania on behalf of an insurer, with the court ruling that there was no duty to defend or indemnify a security company in lawsuits arising from violent attacks at a Philadelphia bar. The court held that claims styled as negligence were barred by a broad assault and battery exclusion, which capped coverage at \$250,000—a limit already exhausted—thereby precluding any additional coverage. *The Cincinnati Specialty Underwriters Ins. Co. v. Mainline Private Security, LLC*, 2025 WL 3644242 (E.D.Pa. 2025).
- Successfully defended a construction contractor client in a Westmoreland County, Pennsylvania action seeking compensatory damages for alleged flood-related property damage arising from an improperly constructed sewage separation line. Obtained dismissal of the claims through Preliminary Objections based on the expiration of the applicable two-year statute of limitations. On appeal, the plaintiff argued the complaint supported a theory of continuous trespass; however, the Commonwealth Court affirmed the trial court's decision, finding the action was untimely and that no continuous trespass claim had been pled. *Milan Stefanik Slovak Library and Literary Society a/k/a Milan Stefanik Slovak Society v. Borough of East Vandergrift, et al.*, 2025 WL 3527288 (Pa. Commwlth. Ct. 2025).
- Obtained a summary judgment on a first-party commercial property claim where the insured sought coverage for alleged property damage to its warehouse resulting from lessee's failure to clean it as the claim did not involve "accidental physical loss" and furthermore, the alleged damage fell within scope of policy's pollutants exclusion. *Vale Vista Associates LP v. Cincinnati Casualty Co.*, 442 F.Supp.3d 896 (W.D.Pa. 2020)
- Obtained a summary judgment regarding the interpretation of an arbitration provision in a commercial auto policy with respect to a claim for underinsured motorist benefits. *Rea v. Cincinnati Insurance Co.*, 2014 WL 4198059 (W.D.Pa. 2014)

- Affirming the granting of summary judgment based on enforcement of the statute of limitations to a claim for damage to residential property. *Roberts v. West Virginia American Water Co.*, 655 S.E.2d 119 (W.Va. 2007)
- Affirming the granting of summary judgment based on the enforcement of professional liability exclusions contained in the businessowners package policy and personal liability policy in response to attempt to obtain coverage by the insured-attorney for a malicious prosecution claim related to the insured's filing of a counterclaim based on Rule 11 of the West Virginia Rules of Civil Procedure on behalf of a client against the Estate prosecuting a medical negligence / wrongful death lawsuit. *Boggs v. Camden-Clark Memorial Hospital Corp.*, 693 S.E.2d 53 (W.Va. 2010)
- Affirming the granting of summary judgment in favor of real estate agency and realtor arising out of the sale of residential property. *Hinerman v. Rodriguez*, 2013 WL 2157766 (W.Va. 2013)
- Affirming the granting of summary judgment in favor of real estate agency and realtor arising out of the sale of residential property in response to a subsequently added claim after the original claim was dismissed by summary judgment and upheld on appeal. *Hinerman v. Rodriguez*, 2015 WL 3672260 (W.Va. 2015)
- Affirming of summary judgment in favor of paving contractor arising out of claim of residential property damage attributed to roadway paving operations as plaintiffs failed to present competent evidence to create a genuine issue of material fact linking to contractor's operations to the alleged damage. *Grant v. Kelly Paving, Inc.*, 2018 WL 6015816 (W.Va. 2018)
- Affirming the granting of summary judgment for commercial general liability insurer against claim for defense and coverage by policyholder in response to third-party liability claim associated with the development of commercial retail plaza in southern West Virginia on the grounds the claim was excluded by the contractual liability exclusion as interpreted under Tennessee law. *J.A. Street & Associates, Inc. v. BITCO General Insurance Corp.*, 2019 WL 1949710 (W.Va. 2019)
- Affirming the granting of summary judgment in favor of construction contractor that deposited road construction spoil onto a private residential property at the then-owner's request, per the then-owner's specifications; the fill area later slipped, and the current owner sued alleging a breach of the duty of care. The appellate court affirmed that the construction contractor did not assume a duty of care to subsequent purchasers. *Grisell v. Shelly & Sands*, 2023 WL 7299892 (W.Va. 2023)
- Affirming the granting of summary judgment in favor of commercial property insurer on the grounds that the insured failed to present competent evidence to create a genuine issue of material fact that the loss event was due to direct physical loss to a transformer, which was necessary to establish coverage for the claim. *Hickory Groves 339, LLC v. Cincinnati Insurance Co.*, 2016 WL 3261018 (Ohio.Ct.App., 4th District 2016)

Honors & Awards

- Pennsylvania Super Lawyers (2019-2025)

Associations & Memberships

- Allegheny County Bar Association
- Defense Trial Counsel of West Virginia
- Ohio Bar Association
- Pennsylvania Defense Institute
- West Virginia Bar Association

