

John J. Delany, III

Chair, Catastrophic Claims Litigation

JJDelany@mdwcg.com

Philadelphia – 215.575.2860



Jack defends catastrophic, high-profile, high-exposure cases against some of the country's most formidable plaintiff firms. With a focus on construction, asbestos and toxic torts, transportation, fire casualty and product liability, he has taken to conclusion more than 60 jury trials, as well as hundreds of bench trials, arbitrations and mediations. Additionally, Jack represents clients in litigation involving fire and explosion claims, sexual assaults, negligent security, and hospitality and dram shop claims. He also handles specialty, high risk claims in the areas of amusements, entertainment, recreational, sports and specialty events. Additionally, Jack has represented venues, contractors and building managers to name a few, in wrongful death suits and personal injury litigation involving elevators, electronic door issues and escalators. This litigation dealt with leveling, door closing, malfunctions and prolonged elevators stuck between floors.

He represents many Fortune 500 companies directly and as insureds, and handles complex litigation matters at the federal and state levels and in administrative agencies and alternate dispute resolution forums. Jack also serves as national coordinating counsel for several product manufacturers.

Prior to joining the firm, Jack was the founding partner of the Delany Law firm and co-founded Delany & O'Brien, which operated for 24 years in Philadelphia. During his career, he also ran the Philadelphia office of a large New Jersey/New York firm and worked as assistant counsel for the Philadelphia Housing Authority.

Jack is a Certified Civil Trial Advocate by the National Board of Trial Advocacy and is certified by the Supreme Court of New Jersey as a Civil Trial Attorney. He is a member of the Federation of Defense and Corporate Counsel (FDCC), where he serves as Trial Masters Co-Chair, Technology Committee Co-Chair and Toxic Torts Co-Chair. He also enjoys serving pro bono as an adjunct professor in the Temple Law School Trial Advocacy Program, LLM and as a Judge Pro Tempore for the Philadelphia Court of

Practices

- Catastrophic Claims Litigation
- Product Liability
- Construction Injury Litigation
- Asbestos & Mass Tort Litigation
- Environmental & Toxic Tort Litigation
- Automobile Liability
- Trucking & Transportation Liability
- Amusements, Sports & Recreation Liability
- Hospitality & Liquor Liability

Common Pleas and is an author, editor and presenter on trial advocacy.

Education

- Quinnipiac University School of Law (J.D., 1985)
- Albright College (B.A., 1982)

Admissions

- Pennsylvania
- U.S. District Court Eastern District of Pennsylvania
- U.S. District Court Middle District of Pennsylvania
- Supreme Court of Pennsylvania
- New Jersey
- U.S. District Court District of New Jersey
- New York
- U.S. Court of Appeals 3rd Circuit
- Supreme Court of the United States

Honors & Awards

- The Best Lawyers in America®, Personal Injury Litigation - Defendants (2026-2027)
- Pennsylvania Super Lawyers (2004-2014, 2019-2026)
- Philadelphia Business Journal, Best of the Bar Award (2023)

Associations & Memberships

- Litigation Counsel of America
- Federation of Defense and Corporate Counsel
- New Jersey Bar Association
- New Jersey Defense Association
- Pennsylvania Bar Association
- Pennsylvania Defense Association
- Philadelphia Bar Association

Media Commentary

- "New Juror Attitudes Call For New Defense Strategies, Experts Say," *The Legal Intelligencer*, April 10, 2023

Classes/Seminars Taught

- *Combatting Nuclear Verdicts in Plaintiff-Friendly Jurisdictions*, A.M. Best Insurance Law Podcast, October 30, 2025
- *When Every Second Counts: Managing Catastrophic Claims*, A.M. Best Insurance Law Podcast, November 29, 2023
- *Strategies to Deal with Plaintiffs' Life Care Plans and How They Contribute to Nuclear Verdicts*, Marshall Dennehey Client, August 29, 2023.

Published Works

- "Are the Eyes A Window to One's Soul? American Mother - A Story of Grace, Humanity and Radical Empathy in the Law," *Federation Flyer*, publication of the Federation of Defense and Corporate Counsel (FDCC). Summer 2025

Significant Representative Matters

- Strategically defended and obtained the dismissal of a *Laidlow* claim asserted by the plaintiff who was acting within the course and scope of his employment with the defendant when he sustained a significant workplace injury. In a 37-page written opinion granting the defendant's motion for summary judgment and addressing several other applications, the court ruled the plaintiff failed to establish that his employer committed an intentional and malicious act sufficient to circumvent the workers' compensation exclusivity provision. In reaching this conclusion, the court applied the *Millison* "conduct" and "context" prongs, reasoning that the absence of prior accidents or evidence suggesting the plaintiff's employer intentionally disabled a safety device, the lack of pre-incident OSHA violations or post-accident efforts by the employer to deceive OSHA, and the undeniable determination that the plaintiff's incident was "part and parcel" of industrial life, all warranted the entry of summary judgment in favor of the defendant employer and the dismissal of the plaintiff's claim. You can [read the opinion here](#).

Results

Summary Judgment Secured in "Exploding" Wine Bottle Case

We successfully secured summary judgment in a product liability case involving an "exploding" wine bottle. Our client was the distributor of the bottle and was brought into the case as a third-party defendant. The plaintiff testified that on Thanksgiving Day, she attempted to open the bottle with the handle of a wooden spoon when the bottle unexpectedly and suddenly exploded in her hands. The plaintiff brought a product liability claim, asserting defects with the design of the bottle in using unusually thin glass prone to breakage. As the plaintiff did not produce any liability expert reports, we were able to argue that expert testimony was necessary for the plaintiff to prove her case, as the subject matter was one involving special skills and training not common to the ordinary layperson.

Summary Judgment Obtained in Significant Workplace Injury Case

We secured a motion for summary judgment in a significant workplace injury case involving a *Laidlow* claim. The court ruled that the plaintiff had failed to establish that his employer had committed an intentional and malicious act sufficient to circumvent the workers' compensation exclusivity provision.

Pennsylvania Appellate Courts Uphold Nonsuit Obtained By Jack Delany In \$11.5 Million Construction Death Case

By Order dated April 5, 2023, the Supreme Court of Pennsylvania refused to review the Superior Court's affirmance of a 2021 nonsuit obtained by Jack Delany in hotly contested

litigation stemming from the death of a construction worker. John Hare and Shane Haselbarth handled the appeal along with Jack.

The Supreme Court's ruling ends more than five years of litigation that arose from the construction worker's death while he was involved in the Pier 78 renovation project on the Delaware River in Philadelphia. The plaintiff sued the general contractor and others involved in the project and ultimately settled with the general contractor for \$10.5 million. The general contractor then pursued a contractual indemnification claim against Jack Delany's concrete subcontractor client on the Pier 78 project. The indemnification claim included the \$10.5 million settlement plus approximately \$1 million in attorneys' fees.

The case proceeded to trial in 2021 and, at the close of the general contractor's case-in-chief, Jack moved for and was granted a nonsuit on the basis that the general contractor was the deceased construction workers' statutory employer pursuant to the five-element test set forth by the PA Supreme Court in *McDonald v. Levinson Steel*, 153 A. 424 (Pa. 1930). The case was especially notable because, rather than retaining an attorney to address the reasonableness of the amount of the underlying settlement, which is typical, Jack retained an economist to explain that, based upon his analysis of comparable cases, the settlement amount was excessive.

The general contractor appealed the nonsuit. In an unanimous decision dated September 30, 2022, the Superior Court affirmed. The Supreme Court denial of allowance of appeal brings the lengthy litigation to an end.

Jury Defense in High-Stakes Catastrophic Litigation Case

We obtained a defense verdict in the U.S. District Court for the Eastern District of Pennsylvania in a case where the plaintiff sought \$24.1M for alleged property damages and lost revenue.

In 2014, our client defendant, a marine construction company, was retained by the U.S. Navy to conduct pile driving activities at the Philadelphia Navy Yard. The plaintiff, a neighboring commercial property owner, alleged that our client's pile driving and related activities damaged its property and caused it to lose revenue. All other defendants settled before trial. The plaintiff claimed \$20 million in damages against our client.

A bifurcated trial began on January 17, 2023. The plaintiff's demand dropped throughout the nine-day liability phase, which involved numerous scientific and engineering experts and other witnesses. On January 27, 2023, the jury returned its unanimous verdict, attributing 60% of the fault to plaintiff itself and 25% to the Navy, which resulted in a defense verdict for our client. As a result of the defense verdict on liability, there will be no damages phase.

Thought Leadership

October 30, 2025

Combatting Nuclear Verdicts in Plaintiff-Friendly Jurisdictions

A.M. Best Podcast

June 23, 2025

Are the Eyes a Window on One's Soul? American Mother - A Story of Grace, Humanity and Radical Empathy in the Law

September 1, 2023

On the Pulse...Catastrophic Claims Litigation Practice Group