

Matthew J. Noble

Assistant Office Managing Attorney

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Matt joined Marshall Dennehey as a member of the Casualty Department defending claims involving product liability and product warranty and motor vehicle liability. He currently represents a major American automobile manufacturer in their product liability litigation.

Matt also frequently represents national and local retailers, recreational facilities, third-party management and security agencies against personal injury, assault, allegations of false arrest, malicious prosecution, negligent security and general negligence cases. His representation has included a national security agency for professional sporting venues.

Matt has experience with the successful use of multiple experts in defending cases. For example, in a recent motor vehicle matter, through the use of medical expert testimony in the areas of orthopedics and neurology, in combination with the testimony of a vocational expert, Matt was successful in bringing the settlement demand in that case down from \$1.25 million to a final settlement before jury selection of \$25,000.

Matt is a 1992 graduate of the University of Scranton. Upon graduation, he accepted a commission as a Second Lieutenant in the U.S. Marine Corps. He served in Virginia, California, Japan and Pennsylvania as a logistics officer. In 1999 while on active duty, he entered Rutgers School of Law - Camden. Matt graduated from Rutgers a semester early in 2002 with a juris doctor. In July 2003, he was mobilized with the Marine Corps for Operation Iraqi Freedom 2-II for eight months of service at Al Asad airbase in Iraq with Marine Wing Support Group 37 as the group's Logistics/Legal Officer.

In June 2020, Matt retired as a Lieutenant Colonel after 29 years of service in the United States Marine Corps and was awarded the Meritorious Service Medal.

Practices

- General Liability
- Premises & Retail Liability
- Product Liability
- Automobile Liability

Education

- Rutgers Law School (J.D., 2003)
- University of Scranton (B.S., 1992)

Admissions

- Pennsylvania, 2003

Honors & Awards

- Pennsylvania Super Lawyer Rising Star (2012-2013)

Associations & Memberships

- Pennsylvania Bar Association

Classes/Seminars Taught

- *An Overview of Pennsylvania Law for Auto Law & Premises Claims*, Marshall Dennehey Virtual Client Presentation, February, 2021
- *Understanding and Navigating the Philadelphia Arbitration System*, CLE 2011

Published Works

- "Can A Plaintiff Safely Walk and Chew Gum At The Same Time in Pennsylvania?" *Defense Digest*, Vol. 19, No. 4, December 2013, co-author
- "Cracking the Concrete Corporation Veil," *Defense Digest*, Winter 2007
- "Stolen Cars: If It Looks Like A Duck And Quacks Like A Duck, It's An 'Ugly Duck'," *Defense Digest*, Winter 2005
- "Look Both Ways Before Crossing The Street: Limited Tort Selection And Its Effect On The Pedestrian," *Defense Digest*, Fall 2003

Pro Bono Activities

- Volunteer, Veterans Mentor, Bucks County Veterans Court, assisting vetrans in working towards successful resolutions of criminal charges so future contact with the criminal justice system can be avoided

Significant Representative Matters

- Secured a defense verdict in Delaware County after a four-day jury trial in a premises liability case against a local school. The plaintiff, a student, suffered an Achilles heel injury when cut by a door edge and claimed diminished leg function and Chronic Regional Pain Syndrome (CRPS). Despite undergoing two surgeries, neither her surgeons nor treating physicians diagnosed CRPS. During trial, Matt highlighted that the student returned the following year as undefeated captain of the school's tennis team, winning at the state level. The case involved aggressive cross-examination of medical and liability experts, along with surveillance evidence of the plaintiff. Before trial, the demand was \$1 million, while the school offered \$200,000 at mediation—an offer the plaintiff rejected, walking out and refusing further negotiations. After just 2.5 hours of deliberation, the jury ruled in the school's favor.
- Successfully defended our client, a global automobile manufacturer in a contract dispute in Bucks County, PA. In 2021, amid the COVID-19 pandemic, the plaintiff purchased a new vehicle for \$37,000. Seven months later, the car was involved in a crash caused by the plaintiff's daughter. Repairs for collision damage, which are not

covered under the vehicle's express written warranty, were delayed due to global supply chain disruptions caused by the pandemic. Despite the automobile manufacturer's efforts to locate, obtain, and expedite delivery of repair parts to the collision repair shop, it took seven months to fully complete the repairs. The plaintiff alleged that the manufacturer violated the implied warranty of merchantability under the Magnuson-Moss Warranty Act and breached the Pennsylvania Unfair Trade Practices and Consumer Protection Law, citing the repair delays as the basis for the claims. Ultimately, the court returned a defense verdict, rejecting the plaintiff's claims.

- A directed verdict for failure to prove negligence on behalf of a security company defendant at a professional sports stadium in an action brought by a patron who claimed to have her nose broken by the mother of one of the players.
- A hung jury following a two-and-a-half day deliberation in a case against a defendant taxi driver in which plaintiff claimed the driver caused her neck and back strain after driving the wrong way up a one-way street, running a stop sign and into the side of plaintiff's car, but where defendant argued the alleged injuries were pre-existing.
- A hospital defendant whose lost driver while making a u-turn was struck in the side by another driver with a passenger. In that case, the plaintiff passenger's case was dismissed before trial, and the driver plaintiff was awarded only nominal damages by a jury, even though it determined that plaintiff had pierced the limited tort threshold by showing that he had a serious injury with a serious impairment of a bodily function.

Results

Successful Trial Outcome: Defense Prevails in Premises Liability Case

We secured a defense verdict in Delaware County after a four-day jury trial in a premises liability case against a local school. The plaintiff, a student, suffered an Achilles heel injury when cut by a door edge and claimed diminished leg function and Chronic Regional Pain Syndrome (CRPS). Despite undergoing two surgeries, neither her surgeons nor treating physicians diagnosed CRPS. During trial, the defense highlighted that the student returned the following year as undefeated captain of the school's tennis team, winning at the state level. The case involved aggressive cross-examination of medical and liability experts, along with surveillance evidence of the plaintiff. Before trial, the demand was \$1 million, while the school offered \$200,000 at mediation—an offer the plaintiff rejected, walking out and refusing further negotiations. After just 2.5 hours of deliberation, the jury ruled in the school's favor.

Defense Prevails in Contract Dispute

Obtained a defense verdict for our client, a global automobile manufacturer, in a contract dispute in Bucks County, PA. In 2021, amid the COVID-19 pandemic, the plaintiff purchased a new vehicle for \$37,000. Seven months later, the car was involved in a crash caused by the plaintiff's daughter. Repairs for collision damage, which are not covered under the vehicle's express written warranty, were delayed due to global supply chain disruptions caused by the pandemic. Despite the automobile manufacturer's efforts to locate, obtain, and expedite delivery of repair parts to the collision repair shop, it took seven months to fully complete the repairs. The plaintiff alleged that the manufacturer violated the implied warranty of merchantability under the Magnuson-Moss Warranty Act and breached the Pennsylvania Unfair Trade Practices and Consumer Protection Law,

citing the repair delays as the basis for the claims. Ultimately, the court returned a defense verdict, rejecting the plaintiff's claims.

Socially-distanced trial produces defense verdict for auto manufacturer.

After a masked and socially distanced two-day trial in Bucks County, we obtained a defense verdict in favor of an automotive manufacturer. The plaintiff purchased a new 2018 vehicle on March 10, 2018. Approximately one year after the purchase, the plaintiff complained several times that the start/stop function shut off and would not restart. The manufacturer identified the problem and was working on a solution. Meanwhile, the dealership told the plaintiff to turn off the start/stop function until a software update came out. The software update came out in early May of 2019, less than 80 days after the plaintiff's first complaint. The plaintiff asserted claims under the Pennsylvania Automobile Lemon Law, Magnuson-Moss Warranty Act, Uniform Commercial Code, and the Pennsylvania Unfair Trade Practices and Consumer Protection Law that the vehicle's repair history was all related to an intermittent and still unrepaired start/stop issue with the car. The defense successfully proved through witness and expert testimony that the vehicle's mechanical problems were fixed in a timely fashion. The repair work done by the dealership under the warranty was effective and reliable, and the problem was permanently repaired. After trial, the judge requested that each side provide a memorandum with findings of fact and closing arguments. Upon review of same, a ruling was issued in our client's favor.

Plaintiff's "Rail Dust" Car Paint Claim Bites the Dust.

Obtained a defense verdict after a three-day trial in Philadelphia County in favor of an automobile manufacturer. The plaintiffs claimed their new truck was purchased with a defect in the truck's paint called "rail dust." The plaintiff asserted claims under the Pennsylvania Lemon Law, Magnuson Moss Warranty Act, and Unfair Trade Practices and Consumer Protection law that the "rail dust" either occurred in the manufacturing process or during transportation of the truck by the manufacturer to the dealership. The defense proved through witnesses and expert testimony that the truck was inspected several times during the transportation process by third-party inspectors. Additionally, the vehicle arrived at the dealership and was inspected again, with no problems found. Both the plaintiff and his son inspected the vehicle prior to purchase, and neither of them saw any problems with the vehicle. It was not until the truck was in the plaintiff's possession for one month when the first spots of "rail dust" were discovered.

Defense Proves Plaintiff Caused Car Damage at Heart of Lawsuit.

We obtained a defense verdict after a three-day trial in Philadelphia County in favor of a regional automobile franchise. The plaintiffs purchased a used 2011 Chevrolet Cruze from the defendant. They then claimed that their vehicle was purchased with the undisclosed fact that it had been involved in a flood. They asserted claims under the Unfair Trade Practices and Consumer Protection Law that the vehicle's prior history was not identified and the vehicle was sold having mud, rust and dirt all over the car. The defense proved, through witness and expert testimony, that the plaintiffs drove the vehicle through high water and mud after purchase, causing the vehicle's damage.

