

Rachael Snyder von Rhine

Shareholder

RSVonrhine@mdwccg.com

Mount Laurel – 856.414.6312



Rachael practices in our Casualty Department in the areas of premises liability, motor vehicle liability, dram shop liability, products liability and other personal injury matters. Rachael has represented a broad range of individuals in a wide variety of law suits, including many high exposure cases involving commercial vehicles, trucking matters and fleet vehicles. Rachael has also defended large, complex products liability matters in both state and federal court. As an experienced trial lawyer, Rachael has obtained defense verdicts throughout New Jersey.

Additionally, Rachael handles insurance fraud and Special Investigation Unit (SIU) litigation. In this area of fraud investigation, she works closely with our clients assessing and analyzing fraud by both medical providers and falsified claims brought by her client's insureds. She has broad experience in New Jersey Personal Injury Protection (PIP) litigation and appears regularly before the courts and administrative bodies.

Graduating in the top 25 percent of her class, Rachael received her law degree from Rutgers Law School in 2004. While there, Rachael was the new developments editor for the Rutgers Journal of Law and Religion. She had the opportunity to clerk for Camden County Superior Court Judge Michael J. Kassel from 2004-2005.

Rachael is an active member of the Milton H. Allen Elementary School's APAC and volunteers her time with various sport teams for the Medford Youth Athletic Association and Shawnee Ice Hockey Club. Rachael also spent several years as a volunteer for Habitat for Humanity, serving on the Mercer County chapter's fundraising committee.

Education

- Rutgers Law School (J.D., 2004)
- Rutgers, The State University of New Jersey (B.A., 2001)

Practices

- General Liability
- Automobile Liability
- Hospitality & Liquor Liability
- Product Liability
- Construction Injury Litigation
- Fraud/Special Investigation
- Personal Injury Protection (PIP) Litigation

Admissions

- New Jersey, 2004
- Pennsylvania, 2004
- U.S. District Court District of New Jersey, 2004

Associations & Memberships

- American Bar Association
- Camden County Bar Association
- New Jersey Bar Association
- Pennsylvania Bar Association

Significant Representative Matters

- Defense verdict in a lawsuit filed against a homeowner for significant property damage caused by a natural disaster. Rachael was able to successfully argue that the damage caused by the storm was not foreseeable.
- Favorable settlement in a complex products liability matter involving 12 separately filed actions, which bundled over 250 claims. The alleged damages totalled over \$8.65m. Rachael was able to successfully prevent the actions from being classified as a Mass Tort and was able to ultimately resolve the matter for pennies on the dollar.
- Defense verdict in a lawsuit filed by a homeowner for significant property damage to the plaintiff's condominium. Rachael was able to successfully argue that the property damage was not caused by common area plumbing, but by the negligence of the plaintiff's neighbor.
- Summary Judgment obtained in a wrongful death matter, involving an alleged drowning in a Whirlpool, filed against a health club. Rachael was able to successfully argue that the health club's lifeguards' actions exceeded industry standards and that the plaintiff did not in fact drown, but actually suffered a cardiac event that she could not have recovered from, regardless of where the cardiac event took place.

Results

Arbitration Victory Secured in Excessive Testing Case

We successfully defended an insurance carrier in a New Jersey no-fault arbitration matter. The claimant, a pain management provider, filed an arbitration demand in the amount of \$125,218 in connection with a baseline urine toxicology screen and subsequent presumptive and confirmatory testing performed on a monthly basis to monitor a patient's medication regimen. We successfully argued that the extensive testing was being performed without regard to the needs of the patient. After arguments were heard, the arbitrator issued an award in favor of our client, finding that the excessive testing was not medically necessary, saving our client more than \$100,000.

Summary Judgment for Spa in Wrongful Death Case Involving Whirlpool.

We obtained summary judgment in a wrongful death case arising from an alleged drowning in a whirlpool at a spa. The decedent, a 73-year-old woman, was found

unresponsive by a lifeguard in the client's whirlpool. There was no evidence as to how long the decedent had been submerged in the hot tub before she was found. The Medical Examiner conducted an autopsy and listed the decedent's primary cause of death as hypertensive and arteriosclerotic cardiovascular disease, with cardiomegaly. Drowning was listed as a significant contributing factor. The plaintiff argued that our client was negligent by positioning the lifeguard in such a manner that the lifeguard would not have a direct line of sight to the bottom of the whirlpool from the lifeguard station, and that, had the plaintiff been discovered earlier, she could have been resuscitated. The defense produced an expert liability report stating that the client was in compliance with all applicable codes and standards. The defense also presented an expert medical report from a cardiologist who opined that the plaintiff suffered sudden cardiac death and could not have been resuscitated. Plaintiff's counsel relied upon the Medical Examiner's conclusions to prove medical causation and did not serve a liability report. Without reaching the issue of liability, the court found that the plaintiff did not meet the burden of proof on medical causation. The plaintiff could not simply rely upon the Medical Examiner's conclusions as to the cause of death as he is not an expert in cardiology.