

Timothy G. Ventura

Chair, Philadelphia Professional Liability Practice Group

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Tim is Chair of the Philadelphia Professional Liability Practice Group and the Insurance Agents and Brokers Liability Group. He focuses his practice on the defense of errors and omissions claims brought against insurance agents and brokers of all sizes. He also oversees and manages the day-to-day operations of a broad range of professional liability attorneys.

While Tim's practice is focused on defending insurance agents and brokers, he also frequently defends attorneys, corporate directors and officers, and a variety of real estate professionals, including title agents, appraisers, brokers, home inspectors and lenders in E&O and malpractice claims brought against them. He has successfully tried multiple cases as first chair counsel resulting in jury trial defense verdicts and tried dozens of arbitrations in Pennsylvania. Tim also has experience defending product liability matters.

In addition to his civil litigation practice, Tim is a frequent speaker and author of publications on various topics regarding Insurance Agent/Broker Errors & Omissions, for clients, brokers, industry trade associations and professional liability insurers.

In 2003, Tim graduated from Boston College with a Bachelor of Arts in political science. During the fall semester of his junior year at BC, he clerked for Senator John Kerry (D-MA). Tim then attended Temple University Beasley School of Law in Philadelphia, PA, where he earned his juris doctor in 2006. He achieved various honors while at Temple Law School, including: Temple University Law Faculty Scholarship recipient; Outstanding Oral Advocacy in Trial Advocacy; and Distinguished Classroom Performance – Civil Procedure. He was also a staff member of the Temple Political and Civil Rights Law Review.

While attending Temple Law, Tim also worked part-time as a law clerk with Liberty Mutual Insurance Group in the Philadelphia Legal Department.

Practices

- Insurance Agents & Brokers Liability
- Commercial Litigation
- Real Estate E&O Liability
- Non-Profit D&O
- Lawyers' Professional Liability
- Miscellaneous Professional Liability
- Product Liability

Education

- Temple University Beasley School of Law (J.D., 2006)
- Boston College (B.A., 2003)

Admissions

- New Jersey, 2006
- Pennsylvania, 2006
- U.S. District Court Eastern District of Pennsylvania

Associations & Memberships

- American Bar Association
- Claims and Litigation Management Alliance (CLM)
- Pennsylvania Bar Association
- Philadelphia Bar Association
- Professional Liability Underwriting Society (PLUS)

Classes/Seminars Taught

- *The Seven-Ten Split Mock Trial: Navigating Agent Errors & Omissions*, The Annual Professional Insurance Agents (PIA) Conference, Atlantic City, New Jersey, June 2, 2024
- *Pandemic Coverage Litigation Update / Insurance Broker Best Practices*, Client Webinar, September 2022
- *The Aftermath of the Pandemic For Carriers and Agents*, Client Webinar, July 2021
- *Pandemic Coverage Litigation Update - Agent E&O Wars to Come*, Client Seminar, March 2021
- *COVID 19 and Insurance Agent E&O, Best Practices*, IA&B webinar, May 2020
- *Insurance Agent / Broker E&O Litigation Trends & Best Practices during COVID Crisis*, Client Webinar, April 2020
- *Insurance Agent / Broker E&O Litigation Trends & Best Practices*, Client Seminar, April 2019
- *Insurance Agent / Broker E&O – Claims Prevention and Defense in 2018 and Beyond*, Client webinar, February 2018
- *Mediation and Pre-Suit Claims Handling – Best Practices*, Client Seminar, August 2016
- *Insurance Agent E&O Claims Prevention and Defense – The Road Ahead in 2016*, Client Seminar, March 2016
- *Developments and Emerging Trends in the Legal and Insurance Areas of Cybersecurity*, Client Seminar, February 2016
- **CPCU Society Webinar: Agent & Broker E&O - A New Lens for Viewing Exposures**, September 18, 2015

Published Works

- "Pennsylvania Superior Court Rejects Breach of Oral Contract Claim Against Insurance Agent," PLUS Blog, January 26, 2026
- "Statute of Limitations Stands: Pennsylvania Court Affirms Dismissal of Breach of

Contract Claim Against Insurance Broker," PLUS Blog, March 4, 2025

- "Words Matter: Shielding Against UTPCPL Claims With Subjective Verbiage," PLUS Blog, March 14, 2024
- "Pennsylvania Federal Court Takes a Bite Out of Restaurant's COVID/Business Interruption Coverage Claims Against Insurance Broker," PLUS Blog, October 11, 2021
- *PA Supreme Court Decision Helps Insurance Agents, Financial Advisors*, Insurance Agents & Brokers (IAB)'s Primary Agent Magazine, September 2018
- "PA Supreme Court Decision Bolsters Defense of Financial Advisors/Insurance Agents," Insurance Law Global website, February 2018
- *Legal Updates for Insurance Agents & Brokers*, regular contributor, 2018-present
- "PA Supreme Court Narrows Basis to Establish Fiduciary Duty Owed By Financial Advisors/Insurance Agents," *Defense Digest*, Vol. 23, No. 4, December 2017
- "Insurance Agent E&O Claims Prevention and Defense," *Insights, The Institutes CPCU Society*, Summer 2017
- "Insurance Broker E&O – Emerging Trends in Civil Litigation and Practice Tips for 2016," *PLUS Journal*, November 2015
- "Insurance Broker E&O -- Emerging Trends in Civil Litigation and Practice Tips for 2016," *Riding the E&O Line*, newsletter of the DRI's Professional Liability Committee, September 2015
- *Case Law Alerts*, regular contributor, 2014-present

Significant Representative Matters

- Obtained a summary judgment dismissal in a Philadelphia Commerce Court commercial litigation matter. The case involved claims of unfair competition and tortious interference brought by one adult day care center against our client, a competing facility. The allegations centered on purported violations of regulations issued by the Pennsylvania Department of Aging and the Office of Long Term Living. The plaintiff's final demand was \$2 million, and no settlement offers were made before the trial court granted summary judgment.
- Obtained dismissal in Federal Court, Middle District of Pennsylvania, for insurance broker client in a case involving liability/commercial insurance coverage claims related to lost business income as a result of government mandated closures triggered by the COVID-19 pandemic.
- Obtained summary judgment in Philadelphia County for our attorney/law firm client, dismissing a complex legal malpractice case involving claims of professional negligence and fraud that arose from an underlying personal injury litigation that concluded with a \$700,000 settlement. In the malpractice action, which involved various coverage and standard of care issues, Plaintiff sought approximately \$2 million in damages. Following discovery, the court granted our motion dismissing both the individual attorneys and firm clients with prejudice. For further details click [here](#).
- Obtained dismissal with prejudice of large automobile manufacturer client following motion oral argument. This case involved product liability claims regarding airbag deployment and alleged personal injuries caused by product defect. No settlement offers made before suit was dismissed against client manufacturer.
- Defended insurance agency in Philadelphia Commerce Court action involving claims of professional negligence arising from the agency's procurement of commercial insurance coverage for a hotel franchise owner. Following a fire loss resulting in a completely rebuilt hotel property in Philadelphia, plaintiffs alleged their long-time insurance agency failed to obtain more comprehensive coverage available, including

insufficient business interruption and ordinance or law coverage. Plaintiffs also asserted breach of contract/bad faith claims against the insurer co-defendant. With case exposure exceeding \$8.5 million, following discovery and before trial, settled suit at mediation on behalf of insurance agency client with payment in the range of defense costs, a fraction of the total exposure and settlement demand.

- Obtained jury trial defense verdict on behalf of large automobile manufacturer/distributor in Philadelphia County, Pennsylvania following four-day trial involving multiple party, fact witness and experts' testimony.
- Obtained jury trial defense verdict on behalf of product manufacturer in Lehigh County, Pennsylvania following three-day trial involving party, witness and multiple experts' testimony.
- Obtained non-suit judgment for insurance broker at arbitration in Delaware County, Pennsylvania.
- Obtained defense verdict for large automobile manufacturer at arbitration in Philadelphia County in a product liability suit involving fire cause and origin issues, with live expert testimony for both parties.
- Obtained Non-Pros judgment in favor of wholesale insurance broker client in Philadelphia County, Pennsylvania. After serving plaintiff's counsel with letters threatening sanctions and fees under Pa.R.C.P. 1023.1, and the prospect of a retaliatory suit against plaintiff's counsel for wrongful use of civil proceedings, because plaintiff's claims against the wholesale insurance broker lacked probable cause, plaintiff's counsel promptly withdrew representation and the suit languished resulting in a Non Pros judgment with no indemnity paid.
- Obtained favorable outcome for large construction company client at private binding arbitration in a personal injury suit with a settlement demand of \$600,000. Following successful defense at arbitration, with multiple party and witness testimony and experts, the award resulted in client paying less than cost of trial defense.
- Assisted first chair counsel in successful jury trial in Philadelphia County Court of Common Pleas. Breach of contract/indemnity action representing construction manager against a sub-contractor, resulting in jury verdict recovery in excess of \$750,000 on behalf of client. Drafted successful pre-trial and post-trial motions, fact and expert witness coordination, with trial conference participation.
- Obtained voluntary suit dismissal of plaintiff in legal malpractice suit with \$2 million initial settlement demand after drafting successful Motion for Summary Judgment and procuring multiple defense expert reports on behalf of law firm and individual attorney clients. Dispositive Motion established plaintiff's failure to prove her underlying case within the case and causation in professional negligence action, including the use of digital metadata analysis and litigation attorney expert opinion.
- Defending for over ten years the manufacturer, designer and distributor of automobiles, motorcycles and varied power equipment in catastrophic injury, product liability and warranty actions.
- Defending for over 8 years multiple wholesale and retail auto finance companies in commercial litigation and lender liability suits involving claims of fraud, breach of contract, professional negligence and unfair trade practices.

Results

Philadelphia Commerce Court Grants Summary Judgment, Dismissing \$2M Unfair-Competition and Tortious-Interference Claims

We obtained summary judgment dismissal, following Oral Argument, in a Philadelphia Commerce Court commercial litigation matter involving allegations of unfair competition and tortious interference with contract and business relationships, brought by one adult day care center against our client, a competing adult day care facility. The plaintiff's suit stemmed from alleged violation of regulations set forth by the Pennsylvania Department of Aging and its Office of Long-Term Living. The plaintiff's final demand was \$2 million, and no settlement offers were made before the trial court granted summary judgment.

Montgomery County Court Dismisses Lawsuit Against Insurance Broker

We obtained dismissal of our insurance broker client on Motion for Summary Judgment in the Montgomery County Court of Common Pleas, Pennsylvania, on the basis of no duty breached, and lack of causation. Claimants asserted a professional negligence theory for allegedly allowing a commercial insurance policy to lapse, failing to notify the policyholder claimant of the lapse or cancellation, and allowing a subsequent gap in coverage to exist after the policy cancelled, when an underlying loss occurred. However, after completed discovery depositions and expert discovery, we successfully moved for summary judgment, arguing the policy cancelled because of the policyholder's own failure to comply with premium audit requirements, rather than any liability or breach of standard of care by the insurance broker.

MD Successfully Defends Low Verdict Against Insurance Broker that Plaintiff Challenged on Appeal

In a case where an insurance broker faced claims of professional negligence, Carol VanderWoude (Philadelphia) successfully defended the plaintiff's appeal from a verdict obtained by Tim Ventura and Dana Gittleman (Philadelphia). The verdict against our client, an independent insurance broker, was well below the lost value of UIM coverage (i.e., \$1 million), which the plaintiff sought to recover based on an alleged breach of the professional standard of care in failing to procure an endorsement for \$ 1 million in UIM coverage on the plaintiff's decedent's commercial auto policy.

The verdict is notable because, at trial, the client gave unexpected testimony which impacted liability, and when confronted with the client's new trial testimony, our standard of care expert conceded a breach of the professional standard of care. Still, causation/damages were contested, and it was disputed at trial that the plaintiff's decedent would have actually received \$1 million in coverage. Tim elicited testimony on cross-examination of the plaintiff's expert to show that there was no evidence establishing the insurer would have provided additional UIM coverage even if the endorsement had been purchased.

Prior to trial the parties entered into a stipulation stating that damages were capped at the value of the lost coverage, \$1 million. Plaintiff's counsel challenged the low verdict on various grounds, focusing on the fact that our expert conceded a breach of a standard of care based on the client's unexpected trial testimony. He argued that, as a matter of law, the damages amount was the lost value of the coverage and the verdict should be increased to \$1 million. The trial court agreed with our arguments, raised in opposition to

the plaintiff's post-trial motions, that the low verdict amount was supported by the record and that the plaintiff's requests for post-trial relief were otherwise waived for various reasons.

The Superior Court affirmed in a unanimous decision.

Philadelphia Court Dismisses Lawsuit Against Insurance Broker

We obtained dismissal of our insurance broker client on Motion for Judgment on the Pleadings in the Philadelphia County Court of Common Pleas on the basis of a statute of limitations defense. Plaintiff alleged a failure to procure insurance that would cover an employee's death in the course of business operations. We successfully argued that the four-year statute of limitations applicable to breach of contract claims barred plaintiff's claims based upon several instances of notice of the insurance policy terms and coverages, and a claim determination, all of which preceded the suit inception by more than four years.

Federal Court Lawsuit Against Insurance Broker Dismissed

We obtained dismissal of claims asserted against our insurance broker client for breach of contract and declaratory judgment in connection with a COVID-related business interruption loss. The Court granted our Motion to Dismiss, determining that plaintiff restaurant lacked a viable breach of contract claim against the insurance broker, and thus that the derivative declaratory judgment claim also failed as a matter of law.

The lawsuit arose from pandemic-related, government-mandated business closures and plaintiff's claim for business interruption losses, which was denied by its insurer. The allegations against our client pertained to alleged breach of the insurance policy and coverage obligations under the policy, which unequivocally stated that the parties to the insurance policy were plaintiff as policyholder and the insurer – not our insurance broker client.

In the Magistrate Judge's Opinion, adopted by U.S. Middle District of PA Judge Mariani, the Court concluded that our client was not a party to the insurance policy contract and did not agree to undertake any responsibilities or liabilities for the insurer's coverage determinations, but merely acted as an agent for a plainly disclosed principal (insurer) and facilitated the contract between the parties thereto.

Thought Leadership

March 1, 2026

On the Pulse...Defending the Professionals Who Power the Insurance Industry

January 26, 2026

Pennsylvania Superior Court Rejects Breach of Oral Contract Claim Against Insurance Agent

March 4, 2025

Statute of Limitations Stands: Pennsylvania Court Affirms Dismissal of Breach of Contract Claim Against Insurance Broker

February 1, 2025

Statute of Limitations Stands: Pennsylvania Superior Court Affirms Dismissal of Breach of Contract Claim Against Insurance Broker

March 14, 2024

Words Matter: Shielding Against UTPCPL Claims with Subjective Verbiage

October 5, 2021

Pennsylvania Federal Court Takes a Bite Out of Restaurant's COVID/Business Interruption Coverage Claims Against Insurance Broker

May 1, 2021

Absent Specific Request for Coverage That Might Apply to a Pandemic-Related Government Closure, Brokers Did Not Breach Their Duty

April 1, 2021

Without any specific inquiry or request from the insured for insurance coverage that might apply to a pandemic-related government closure, the brokers had not breached their duty to obtain requested coverage.