

## R. ANTHONY MICHETTI

CHAIR, HOSPITALITY AND LIQUOR LIABILITY PRACTICE GROUP  
OF COUNSEL



### AREAS OF PRACTICE

Premises & Retail Liability  
Automobile Liability  
Miscellaneous Professional Liability  
Product Liability  
Health Care Liability  
Hospitality & Liquor Liability  
Lawyers' Professional Liability  
Catastrophic Claims Litigation

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### ADMISSIONS

Pennsylvania  
1979

### EDUCATION

Widener University School of Law  
(J.D., cum laude, 1979)

Gettysburg College (B.A., 1976)

### HONORS & AWARDS

AV® Preeminent™ by Martindale-  
Hubbell®

Pennsylvania Super Lawyers  
2006-2008

### ASSOCIATIONS & MEMBERSHIPS

Bucks County Bar Association

Master of the Bench of the Bucks  
County American Inn of Court

Montgomery County Bar  
Association

Montgomery County Trial Lawyers  
Association

Pennsylvania Bar Association

### OVERVIEW

R. Anthony Michetti handles a wide variety of cases in his practice, including premises liability, liquor liability, auto, municipal tort claims, professional liability (legal, accounting and medical) and construction defects claims. His clients include municipalities in tort claim cases, property management companies in premises liability cases and liquor licensees in dram shop cases. Over the course of his career, Tony has gained extensive litigation experience, having handled over 200 liquor liability cases, more than 700 auto accident cases, approximately 700 premises liability cases and over 300 municipal tort claims cases.

Tony's career with Marshall Dennehey began in 1978 as a law clerk. He was hired after graduation as an associate attorney working in the Montgomery County office. In 1983, he moved to the firm's Doylestown office where he was made the managing shareholder in 1989.

Tony has experience in bringing high-exposure cases to successful conclusion. Some examples include: successful defense of a liquor licensee in an action where the plaintiff was murdered by an allegedly intoxicated patron; successful defense of a day development program against a claim that a staff member sexually abused three mentally handicapped clients of the program; settlement for cost of defense in a multi-million dollar construction defect case as a result of successfully moving to preclude plaintiff's expert from giving testimony at trial.

In all, Tony's exceptional trial record includes 125 cases taken to trial, 123 of which resulted in defense verdicts. Consistent with his record, Tony has been named a Pennsylvania Super Lawyer for 2006 to 2008 in the area of Personal Injury Defense.

Tony graduated from Gettysburg College in 1976 with a Bachelor of Arts in History. At Widener University School of Law, Tony was elected and served as class representative. In 1977, he received the Charles Lowenthal Award given annually to the winner of the Law School's Moot Court Competition. In 1979, he graduated from Widener University School of Law, *cum laude*.

Outside of his practice, Tony is an active Plumstead Christian School Booster, Our Lady of the Sacred Heart School Booster, and a coach for various youth baseball teams.

## THOUGHT LEADERSHIP

### On the Pulse...Liquor Liability/Hospitality Practice Group

#### Hospitality & Liquor Liability

**March 1, 2019**

Defense Digest, Vol. 25, No. 1, March 2019 By R. Anthony Michetti, Esq.\* Defense Digest, Vol. 25, No. 1, March 2019. Defense Digest is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

## RESULTS

### Summary Judgment Secured in Slip and Fall Case in Pennsylvania

#### Premises & Retail Liability

**September 17, 2024**

We won a motion for summary judgment in a slip and fall case in Pennsylvania. The plaintiff suffered a hip fracture when he fell on the defendant's sidewalk while delivering a food order. At the time of the accident, there was an active freezing rain and sleet storm, and generally slippery conditions prevailed. We filed a motion for summary judgment based on the "hills and ridges" doctrine. The plaintiff argued that the doctrine was inapplicable due to human intervention that allegedly altered the natural accumulation.

### Dismissal with Prejudice Obtained in Case Targeting Alcoholic Beverage Manufacturer

#### Product Liability

**January 10, 2024**

We secured a dismissal with prejudice in a product liability case in Pennsylvania. The plaintiffs, who were involved, but not responsible, for a drunk driving accident, claimed that the beverage manufacturer was liable to them because the product had more alcohol than other alcoholic beverages and was improperly marketed to minors.

### Defense verdict for homeowners' association.

#### Non-Profit D&O

**August 13, 2021**

We obtained a defense verdict in a Bucks County bench trial. The plaintiff claimed that the defendant homeowners' association was obligated to replace an old stone bridge that provided the only access to the plaintiff's residence and open public space. As part of the initial community development approval, the township directed the builder to carve out open space and repair the stone bridge so that emergency vehicles could access the open space. Continued maintenance/replacement of the bridge would thereafter pass to the homeowner's association.

### Defense verdict for driver despite his conviction for driving under the influence.

#### Automobile Liability

**March 1, 2020**

We obtained a defense verdict in a Bucks County case on behalf of a driver despite his conviction for driving at the time under the influence of alcohol and drugs. The accident occurred at an intersection controlled by a flashing traffic light. The defendant was traveling in the direction of the yellow flashing light. The plaintiff testified that he stopped at the painted stop block for the red flashing light.

### Successful defense of dog mauling claim

#### General Liability

**December 30, 2019**

We successfully defended a significant dog mauling case against a landlord defendant. The plaintiff was fortunate to have survived the attack and suffered severe permanent physical and emotional trauma.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Obtained a dismissal with prejudice of a products liability case filed against an alcohol beverage manufacturer. The Plaintiffs are individuals who were seriously injured or killed when the alleged minor drunk driver of the vehicle in which they were passengers was involved in a single car accident. The Plaintiffs claimed that the manufacturer was liable to them because the product had more alcohol than other alcohol beverages, was improperly marketed to minors, like their driver, and did not warn of the dangers associated with the beverage. Our team argued several points including that Pennsylvania does not recognize such a products liability cause of action because the dangers of drinking alcohol and driving are obvious, and the manufacturer has no duty to warn potential users of such dangers. Additionally, alcohol is not an unreasonably dangerous product.