

John M. Wutz represents large national self-insured companies, insurance carriers and businesses in defense of general liability claims and commercial matters. Serving as trial and appellate counsel, John has tried more than 50 cases to verdict in bench and jury trials. He has had success in federal and state courts as well as arguing successfully before the Third Circuit Court of Appeals.

John has a comprehensive practice in general liability where he focuses on matters involving premises liability, insurance fraud, automobile liability and product liability. He also serves as regional coordinating counsel for major national retailers overseeing litigation in all states located throughout the northeastern United States, and Florida and Tennessee.

In the area of commercial disputes, John's breadth of litigation experience allows him to advise clients on a variety of legal fronts, including contract disputes, breach of contract, defamation and fraud and deceptive practices. He represents a diverse roster of clients hailing from industries such as retail, entertainment, sports and recreation, finance, professional services, hospitality and insurance.

Throughout his career, John has saved his clients millions of dollars off the amounts sought in litigation by plaintiffs and their counsels. He prides himself on getting the best resolution possible for his clients. If a case merits early settlement, he will work to resolve it cost-effectively; if the case is defensible, he will prepare a creative litigation strategy devised to obtain the best possible result for his client. A sampling of John's recent achievements include:

- Prevailing after a six-day jury trial with a unanimous verdict in favor of a national retailer in a slip and fall case. During trial, John was also successful in having the plaintiff's liability expert precluded from testifying pursuant to the Supreme Court's decision in *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993). The case was appealed to the United States Circuit Court for the Third Circuit. An opinion was issued affirming the judgment of the District Court.
- Defending a national retailer in a dog bite case in which the plaintiff contended the retailer negligently failed to adequately screen dogs for violent propensities before permitting them into the store where other patrons were walking with their pets. The jury unanimously determined the retailer was not negligent.
- Obtaining a defense verdict on behalf of a national retailer in defense of a slip and fall accident on wet asphalt in the retailer's parking lot during a rainstorm, in which the plaintiff's retained expert engineer opined that the retailer was negligent by installing parking medians in the parking lot that changed the natural drainage and created a slipping hazard. John, through cross-examination, was successful in debunking each of the expert's theories of liability during trial.
- Successfully positioning and amicably resolving a toxic tort case in which the plaintiff claimed a substance with which her deceased husband worked caused him to develop buccal cancer, which metastasized and ultimately lead to his death.



John M. Wutz
Partner

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- Successfully defending a national retailer against claims that a snowblower was defectively designed, resulting in the loss of the plaintiff's fingers when the manufacturer of the snowblower was liquidated in bankruptcy.
- Obtaining a defense verdict on behalf of an insured involved in a rear-end accident based upon "factual cause" in a case where the insured admitted to rear-ending the plaintiff's vehicle. After a four-day trial, the jury found that the insured was at fault for the accident but that his negligence was not the factual cause of the plaintiff's claimed injuries, which included an alleged minor traumatic brain injury.

Rounding out John's capabilities is his experience handling property insurance and subrogation matters involving coverage disputes. He serves his clients' recovery interests on property damage involving power generation facilities and provides coverage analysis and guidance on builder's risk policies, personal lines, and policies including homeowners, personal and group automobile policies.

Prior to joining Chartwell Law, John had an active trial practice in New York. While at law school, John was inducted into the Order of the Barrister, a national honor society.

Practice Areas

General Liability and Casualty Defense
 Products Liability
 Commercial Litigation
 Subrogation
 First-Party Property
 Bad Faith Defense

Bar Admissions

United States Second Circuit Court of Appeals
 United States Third Circuit Court of Appeals
 Pennsylvania
 United States District Court for the Eastern District of Pennsylvania
 United States District Court for the Middle District of Pennsylvania
 United States District Court for the Western District of Pennsylvania
 New Jersey
 United States District Court for the District of New Jersey
 New York
 United States District Court for the Northern District of New York
 United States District Court for the Southern District of New York
 United States District Court for the Eastern District of New York
 United States District Court for the Western District of New York

Education

Syracuse University College of Law (J.D., 2006)
 Colgate University (B.A., 2002)

Honors and Awards

Selected to Pennsylvania Rising Stars® (2013-2020)