

# Daniel T. Fitch

## Partner

Philadelphia, PA

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Dan Fitch is a trial lawyer with extensive experience litigating and trying cases in federal and state courts. He has handled a variety of commercial litigation matters for large and small corporate clients, providing pre-litigation consultation and advice; evaluating disputes pending in court or arbitration; and managing the litigation or arbitration process to obtain successful, cost-effective results for his clients.

Dan's experience includes class actions; resolution of coverage disputes, including claims involving the National Flood Insurance Program, for insurance, fidelity and surety companies through negotiation, motion practice or trial as required; the defense of products liability claims, including toxic tort and manufacturing and pharmaceutical drug claims; and trials and arbitrations for financial services clients. Dan has tried well over 40 matters to verdict.

## RESULTS

- obtained multiple defense verdicts following jury trials in mass tort actions involving asbestos, toxic torts, pharmaceuticals and medical devices
- obtained the dismissal of a class action against a large broker-dealer, alleging improper handling of account assets, following class certification hearing
- defended a large bank in several actions involving claims of forged checks, receiving a favorable opinion from a Pennsylvania appellate court in a case of first impression regarding the accrual of the statute of limitations under the revised Uniform Commercial Code
- obtained the dismissal of a class action, following a class certification trial, against a large insurance company, where it was alleged that homeowners insurance policies required the payment of general contractor overhead and profit regardless of whether such services were required
- obtained summary judgment in favor of an insurance company client on breach of contract and bad faith claims involving a fire loss in Northeastern Pennsylvania
- obtained a verdict in favor of an insurance company client following a jury trial as to whether an exclusion for asbestos claims was void as a matter of public policy

## FOCUS

Products Liability & Mass Tort Defense  
Insurance Coverage Advisory & Litigation  
Complex Commercial & Class  
Action Litigation  
Litigation

## BAR ADMISSIONS

Pennsylvania

## COURTS

Pennsylvania Supreme Court  
U.S. Court of Appeals for the Third  
Circuit  
U.S. Court of Appeals for the Fifth Circuit  
U.S. District Court for the Eastern District  
of Pennsylvania

## EDUCATION

J.D., *with honors*, George Washington  
University Law School  
B.A., *cum laude*, Dickinson College

## MEMBERSHIPS

American Bar Association, Litigation and  
Tort Trial and Insurance Practice  
Sections  
Philadelphia Association of Defense  
Council



# Daniel T. Fitch

Page 2

## **SPEAKING ENGAGEMENTS**

- Presenter, "A Surety's Dilemma – The Ethical Pitfalls in Assisting the Principal in Prosecuting Affirmative Claims," Surety Claims Institute
- Presenter, "Anatomy of a Coverage Action"

## **IN THE COMMUNITY**

Dan has been an executive committee member of the Philadelphia Association of Defense Counsel since 2008.

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