



John J. Haggerty

Partner

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Philadelphia, PA

John is Co-Chair of the firm's Class Actions group and has a national practice focused on insurance, complex commercial, class action, product liability and mass tort litigation for major corporations in state and federal courts throughout the country.

A seasoned trial lawyer, John leads a talented team of attorneys who are adept at tackling large-scale cases anywhere in the country. He has extensive experience in Multi-District Litigation, including the massive Opiate Litigation and the Auto Body Antitrust Litigation, and has served as national counsel in cases involving tobacco, welding fumes and lead paint litigation.

John is also sought after by professional athletes for representation in a variety of high-stakes litigation, including proceedings before the Court of Arbitration for Sport, as well as serving as their trusted advisor regarding foundations, sponsorships, tax issues, estate planning, family law and real estate.

For every client, John believes in getting to the right result as quickly and cost-effectively as possible. He uses early and aggressive case assessment to map out the most expeditious paths to the finish line by developing creative potential exit ramps, often through strategic early motion practice and the identification and exploitation of leverage points. John's approach is to take his client's legal problem and make it his own, resolving it in the most efficient and successful way possible.

John is also a mentor to the lawyers on his team, guiding their litigation strategy choices and imparting the values of client service and responsiveness that are the hallmarks of his practice.

A former Co-Chair of the firm's national Litigation Department, John is currently the Managing Partner of the firm's Warrington, PA office and a member of the firm's Executive and Strategic Growth committees.

Services

- Litigation
- Class Actions
- Entertainment & Sports Law
- Insurance
- International Arbitration
- Product Liability & Mass Torts
- National Coordinating Counsel

Before Fox Rothschild

Prior to joining Fox, John was Chair of the Business Litigation Group of a large Cleveland, OH law firm. Before that, he was Vice President, General Counsel and Secretary for ICI Paints – one of the world's largest producers of paints, coatings and specialty products. He previously served as global litigation counsel for ICI Americas, Inc.

He began his career at Dechert LLP in Philadelphia.

Bar Admissions

- Pennsylvania
- New Jersey
- Ohio
- Virginia
- Arkansas

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. District Court, District of Colorado
- U.S. District Court, Central District of Illinois
- U.S. District Court, Northern District of Illinois (also a member of the Trial Bar)
- U.S. District Court, Northern District of Indiana
- U.S. District Court, District of Maryland
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Western District of Michigan
- U.S. District Court, District of New Jersey
- U.S. District Court, Eastern District of Oklahoma
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Middle District of Pennsylvania
- U.S. District Court, Western District of Pennsylvania

Education

- Temple University School of Law (J.D., *cum laude*, 1992)
- Franklin & Marshall College (B.A., *cum laude*, 1989)

Memberships

- American Bar Association
- Defense Research Institute
- International Association of Defense Counsel
- Ohio Bar Association
- Pennsylvania Bar Association

Insurance Litigation

John and his team have established a track record of success in representing and defending insurers and their insureds in high-stakes disputes throughout the country.

Representative Matters*

- Secured two unanimous rulings from the 6th U.S. Circuit Court of Appeals that affirmed the dismissal of two proposed nationwide class actions that sought business interruption insurance arising out of the COVID-19 pandemic.
- Secured a unanimous ruling from the Seventh Circuit Court of Appeals that upheld summary judgment in favor of an insurer in a \$52.5 million garnishment proceeding arising out of an environmental nuisance class action in Indiana.
- Won a reversal by the Eighth Appellate District of Ohio of a trial court's finding that an insurer failed to exercise good faith in attempting to settle a rear-end motor vehicle accident on behalf of its insured driver and his business that originally resulted in a \$42.5 million verdict.
- Dismissal of a complaint against an insured in the Delaware Superior Court seeking underinsured motorist benefits for damages the plaintiff suffered as a result of a motorcycle accident.
- Convinced an Ohio homeowners' association to voluntarily dismiss its lawsuit against two insurers for failure to procure coverage while two co-defendant insurance agencies paid substantial amounts to settle identical claims.
- Secured a declaratory judgment in federal court in Pennsylvania that an insurer was not obligated to indemnify a maker of modular homes in three lawsuits pending in New York, Massachusetts and Vermont lawsuits because the claims did not trigger coverage under the policies since the damages alleged arose out of faulty workmanship.
- Obtained complete dismissal for insurer in coverage dispute stemming from a property manager's claim that a landscaper shared responsibility for injuries caused by accumulated snow and ice.

**Results may vary depending on your particular facts and legal circumstances*

Commercial Litigation

Representative Matters*

- In an antitrust suit lodged against 11 insurers by two disaster recovery services, secured a dismissal with prejudice in the U.S. District Court for the Northern District of West Virginia of claims that insurers engaged in an unlawful conspiracy to "steer" policyholders away from the plaintiffs.
- Won dismissal on summary judgment in federal court of negligence claims against a construction manager and a general contractor brought by a concrete subcontractor who injured his foot when he failed to properly secure a set of large concrete panels to a crane's lifting mechanism. The federal court ruling, later upheld by the Third Circuit, dismissed claims against the first defendant on grounds of statutory employer immunity and against the second because it owed no duty to the plaintiff.
- Secured dismissal of all claims against a bank in two related cases in South Carolina while the co-defendants in the case – an insurance agency and carrier – paid to settle nearly identical claims. The dispute stemmed from claims against a tavern for overserving a patron who later seriously injured others while driving. The bank had financed a premium insurance policy but later directed its cancellation due to nonpayment.
- In litigation over a jeweler's claim that two companies had negligently failed to procure insurance that would have covered a burglary, Fox convinced the jeweler to drop all claims against our client while the co-defendant paid to settle with the jeweler.
- Secured summary judgment for a property manager in a \$5.8 million suit over losses in a produce warehouse fire. A tenant and the warehouse owner sued an HVAC maintenance company which in turn lodged a claim against the property manager. A federal judge in New Jersey granted summary judgment based on the lack of any legal duty owed by a landlord's property manager to maintain the interior building elements under the terms of the lease.
- Obtained dismissal of all claims against an insurer and its President and CEO in an Ohio insurance agency's suit alleging improper termination of an agency agreement. The court dismissed multiple claims for negligence, fraud and tortious interference, and awarded the insurer full recovery on its counterclaims.
- Won summary judgment on all claims in a private nuisance suit lodged against a Pennsylvania farm after it opened a state-of-the-art chicken barn to produce eggs. The court adopted our arguments that the farm was shielded from nuisance lawsuits by Pennsylvania's Right to Farm Act. Secured a second victory in a similar nuisance case brought by neighbors of a farm producing fertilizer, with the court ruling that "normal agricultural activities" are shielded by Pennsylvania's Right to Farm Act.

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Honors & Awards

- **Selected to the "Best of the Bar" list (2019)**
This award is conferred by Philadelphia Business Journal. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- **Selected to the "Distinguished Leaders" list (2017)**
This award is conferred by The Legal Intelligencer. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- **Selected to the "Local Litigation Stars" list in Pennsylvania by Benchmark Litigation (2018-2024)**
This award is conferred by Benchmark Litigation. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- **Selected to the Chambers USA Guide list of ranked attorneys for General Commercial Litigation - Nationwide (2005-2010)**
This award is conferred by Chambers & Partners. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- **Selected to the "Super Lawyers - Rising Stars" list for Class Action & Mass Torts in Pennsylvania (2005-2007)**
This award is conferred by Thomson Reuters. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- **Selected to the "Super Lawyers" list for Class Action & Mass Torts in Pennsylvania (2008-2014, 2017-2021)**
This award is conferred by Thomson Reuters. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- **Selected to the "Client Service All-Star Team" list by BTI Consulting Group (2007)**
This award is conferred by BTI Consulting Group. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.