



## Caroline S. Vahey

Partner

[caroline.vahey@wilsonelser.com](mailto:caroline.vahey@wilsonelser.com)

Philadelphia, PA – 215.606.3970

Caroline Vahey is an experienced trial lawyer who concentrates her practice in the areas of construction, general liability, product liability, premises liability and transportation. She has a loyal base of clients who rely on her experience in a wide range of claims. Caroline is an aggressive advocate for her clients, who appreciate her responsiveness, attention to detail and regular comprehensive reporting at every stage of litigation.

From case assignment to final resolution, Caroline will employ her institutional knowledge and experience in her fields of practice to achieve a successful result. For some clients, successful resolution is early settlement over protracted litigation; for others it is a dispositive motion or a final verdict. Caroline takes the time to understand each client's needs and what each client wants out of the case. She understands that surprises in litigation are often the worst thing a client can face. To avoid that, Caroline will report to her clients throughout the litigation to ensure that the client's goals are always front of mind and that the client has all of the facts, law and analysis they need to make informed decisions about moving the case forward.

### **Construction**

Caroline's practice in construction law has developed over years of representing contractors and subcontractors in a wide variety of trades and types of jobs. Caroline defends contractors in heavy highway construction, refineries, HVAC contractors, electrical contractors and commercial construction contractors. Caroline will employ her institutional knowledge to defend her clients. From smaller claims to catastrophic loss, Caroline has achieved reliably successful results for clients in Pennsylvania and New Jersey.

### **General Liability**

As an active member of the firm's Complex Tort & General Casualty Practice, Caroline has built a diverse civil litigation practice on a national basis for small business as well as

### **Services**

- Complex Tort & General Casualty
- Construction
- Product Liability, Prevention & Government Compliance

large companies. In many instances where her clients hold a self-insured retention, Caroline has spent countless hours learning her clients' unique business and needs to offer better representation every day. In those cases assigned by an insurer, Caroline will go the extra mile to get to know the insured client and make them feel understood, valued and confident in the quality of the representation she provides.

### **Premises Liability / Security**

Caroline represents security contractors providing both armed and unarmed security services to various sites throughout Pennsylvania and New Jersey. In cases ranging from slip and falls to mass shootings, Caroline diligently defends security contractors in this niche area of law to reach the best outcomes for her clients. Caroline stays informed of relevant precedent that impacts her cases in her jurisdictions. She knows the attorneys regularly representing co-defendants and works to develop a relationship that ultimately benefits her clients.

### **Product Liability**

A large portion of Caroline's practice involves the defense of product liability claims against domestic and foreign manufacturers, distributors, component parts suppliers, and owners of heavy construction equipment or industrial machinery. These cases often involve wrongful death or catastrophic loss, and some have involved extremely specialized knowledge in a particular industry. She will learn everything she can about the product to be in a better position to defend its design. Caroline stays informed on recent changes in the ever-evolving area of products liability law to ensure that the advice and counseling she provides her clients is always relevant, reliable and applicable.

### **Transportation**

Many of Caroline's construction clients own and operate construction equipment, trucks and company vehicles. When those vehicles are involved in accidents, Caroline is on call. When an accident happens on or off a construction site, Caroline has been contacted to respond to the scene to start the pre-suit investigation and crisis management. Knowing the importance of early investigation, Caroline will retain experts to digitally scan and photograph a site, she will speak to all employee witnesses, she will counsel clients on media and law enforcement communications, and she will start to compile the relevant records that will be necessary if the case gets to litigation. Clients know how to reach her in an emergency, and know she will respond to their needs efficiently.

Caroline always maintains high professional and ethical standards in every area of her practice. She is a staunch advocate, impeccable writer, persuasive negotiator and skilled trial attorney for her clients. She is held in high esteem by her clients, by adjusters, by co-defendants and even by her opposition.

### **Education**

- Chicago-Kent College of Law (J.D., 2006)
  - cum laude, 2003 Joseph Amodio Award for Excellence in Civic Service; Bar and Gavel Award for Excellence in Public Service; Dean's Certificate of Service Award
- Catholic University of America (B.A., 2003)

## **Bar Admissions**

- Pennsylvania
- New Jersey

## **Court Admissions**

- U.S. Court of Appeals, Third Circuit
- U.S. District Court, District of New Jersey
- U.S. District Court, Eastern District of Pennsylvania

## **Awards & Honors**

- Selected as a “Pennsylvania Rising Star” by Super Lawyers and Law & Politics Magazine, 2015–2016
- Illinois State Bar Association Certificates of Recognition, 2005–2006, for meritorious public service and professional responsibility

# **Client Wins**

## **Donovan and Vahey Summary Judgment Affirmed by Appellate Division on Issue of First Impression in New Jersey**

Philadelphia, Pennsylvania, partners John Donovan and Caroline Vahey defended our stone quarry operator client in a case in which the plaintiff entered the client’s property riding a dirt bike when he struck a raised cable and suffered severe internal injuries requiring helicopter transport and emergency surgery. The plaintiff sued the quarry alleging that decades of use by dirt bike and ATV riders resulted in implied consent for entry and, with it, a common law duty to prevent concealed dangers such as the raised cable. We filed a Motion for Summary Judgment invoking a never-before-cited New Jersey statute (N.J.S.A. 39:3C-18) that immunizes property owners from claims by dirt bike, ATV and snowmobile riders who are injured on a landowner’s property without the landowner’s express consent to enter. The only exception preventing immunity is that the landowner must not have created the hazard willfully or maliciously. The Law Division agreed granting summary judgment and holding that the ATV Act immunized the quarry. The plaintiff appealed, and the New Jersey Appellate Division affirmed the decision in an opinion approved for publication as an issue of first impression. The court held that the ATV Act applied and that the cable was in place for a “legitimate business function.” The Court held that for the willful and malicious exception to apply, the quarry must have knowingly created a hazard to a dirt bike rider and “not simply the knowing creation of a hazard, in general. The decision sets binding precedent for future actions that will provide protection to the quarries operated by our client and any other property owners on whose land trespassers operate ATVs, dirt bikes and snowmobiles.