



John T. Donovan

Partner

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John Donovan is the regional managing partner of the Philadelphia office. John is a trial lawyer who develops strong personal relationships with his clients based on his responsiveness and high accessibility. He concentrates his practice on the defense of premises liability claims in the security industry, product liability, transportation, toxic tort and construction law matters, and has tried dozens of cases to verdict in Pennsylvania and New Jersey. John was the designated liability catastrophic injury counsel for a major international insurance carrier for Pennsylvania and New Jersey, and continues to support that work in his role at Wilson Elser.

John has written about the spoliation of evidence defense for the *Product Law and Liability Journal* and has spoken on various topics for the Pennsylvania Bar Institute. He initiated the program on trial and pretrial issues at Temple University School of Law, where he continues as an adjunct faculty member. In the past John has taught at Villanova University School of Law and Rutgers School of Law as an adjunct faculty member.

Education

- University of Pittsburgh School of Law (J.D., 1992)
- Lafayette College (B.A., 1989)
 - cum laude, Phi Alpha Theta

Bar Admissions

- Pennsylvania
- New Jersey

Court Admissions

Services

- Complex Tort & General Casualty
- Construction
- National Trial Team
- Product Liability, Prevention & Government Compliance
- Transportation
- Toxic Tort

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

Professional Affiliations

- National Association of Distinguished Counsel
- American Board of Trial Advocates
- Philadelphia Bar Association
- Pennsylvania Bar Association
- American Bar Association
- Temple Inn of Court
- Philadelphia's Brehon Society

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America®*, 2024-2026
- First Judicial District 2018 Pro Bono Roll of Honor
- Selected for inclusion in *Pennsylvania Super Lawyers*, 2010–2021
- Philadelphia Support Center for Child Advocates, volunteer, Distinguished Advocate, 2017
- Philadelphia Court of Common Pleas First Judicial District's Roll of Honor, Pro Bono Committee, 2006–2007, 2013–2014, 2017

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.

Donovan and Rice Secure Defense Verdict in Work Zone Liability Case

John T. Donovan (Partner-Philadelphia, PA) and Hannah Rice (Associate-Philadelphia, PA) secured a defense verdict on behalf of their client, a prominent road contractor in the Philadelphia area, after a non-jury trial in the Court of Common Pleas, Bucks County, Pennsylvania. The plaintiff suffered significant head injuries and orthopedic injuries in a motorcycle accident in a work zone and sued the Commonwealth and the contractor that had milled and marked the road. The plaintiff’s demand never dropped below seven figures despite the judge admitting plaintiff’s blood alcohol level and the fact that he was not wearing a helmet. The plaintiff presented three experts and the defense presented four, including an expert in the area of work zone safety. It is expected that the plaintiff will appeal the court’s decision.