



Pernell A. Choren

Of Counsel

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Pernell (Perry) Choren has more than a dozen years of experience handling complex tort, premises liability, risk analysis, and commercial litigation matters. He is a skilled litigator with extensive experience conducting depositions, motion arguments, mediations, jury and bench trials, and appeals. Perry has tried cases in various jurisdictions in the state of Maryland, including Montgomery, Anne Arundel and Allegany counties, as well as in the District of Columbia Superior Court. He also has drafted briefs for and argued in front of the Appellate Court of Maryland and the District of Columbia Court of Appeals.

Perry takes pride in his ability to communicate effectively with clients, carriers, opposing counsel, judges and juries. He is adept at translating complex legal jargon into easily comprehensible language for his clients and to persuade the ultimate adjudicator. Perry is attuned to the nuances of interpersonal communication, demonstrating empathy when interacting with clients and colleagues. A former family law attorney, he has honed the invaluable skill of discerning when to employ empathy versus when to adopt an authoritative stance, understanding that navigating complex litigation requires a delicate balance between a subtle touch and a more strategic and assertive hand. As such, he actively listens to all of those involved in his cases, and then organizes, strategizes and assesses the status of his matters to determine possible resolution opportunities. He makes it a priority to remain in constant contact with his clients and carriers.

A principled and pragmatic approach to matters makes Perry adept at finding innovative solutions to his clients' problems through zealous advocacy in disputed litigations and delicate negotiations among firmly entrenched parties. In addition, his experience on the plaintiffs' side early in his career often gives him an advantage in knowing what avenues an adversary is likely to pursue.

Complex Tort & General Casualty

Perry represents various corporations, not-for-profit organizations and individuals in

Services

- Complex Tort & General Casualty
- Risk Analysis & Mitigation
- Insurance & Reinsurance Defense

defense of transportation, premises, construction and various other general liability matters. He has defended store owners, building owners, management companies, franchisees and franchisors in matters claiming personal injury. Perry provides his clients with a high level of responsiveness and personalized attention to assist in risk and crisis management at the pre-litigation phase of potential claims and when preparing a defense in litigated matters. He also provides his clients with proactive risk analysis feedback and safety compliance advice.

Premises Liability

Perry has a particular skill set relating to the defense of alleged human trafficking claims. His experience includes defending companies that have been accused of allowing, aiding, and/or turning a blind eye to trafficking on company property. Specifically, he represented a hotel in four complex human trafficking cases in which he was responsible for all of the day-to-day litigation tasks, including fact investigation development, analysis strategy, retaining expert witnesses, drafting pleadings and motions, completing discovery, and extensive trial preparation. Perry also ensured that formal weekly reporting to the client and insurer was timely, accurate and complete. Due to the unique and sensitive nature of human trafficking cases, Perry has the ability to be compassionate for the victims, yet fiercely defensive of his clients.

Additionally, Perry has handled numerous alleged negligent security cases involving deadly shootings on client property. His intimate understanding of gun and knife violence in the District of Columbia and Maryland enables him to craft the most successful defenses for his clients, particularly related to foreseeability and preventability. Additionally, he is passionate about this work and achieving the best possible result for his clients.

Commercial Litigation

Perry's practice involves contract negotiation, drafting and interpretation; asset and liability valuation; financial/accounting analyses; and general transactions. His litigation experience in this area includes commercial and breach of contract lawsuits.

Education

- The George Washington University Law School (J.D., *with honors*, 2011)
- Tufts University (B.A., *cum laude*, 2008)

Bar Admissions

- District of Columbia
- Maryland

Court Admissions

- U.S. District Court, District of Maryland
- Court of Appeals of Maryland
- District of Columbia Court of Appeals

Professional Affiliations

- District of Columbia Bar Association
- Maryland State Bar Association
- Tufts Lawyers Association, DC Steering Committee
- Former Board Chair, Lupus Foundation of America, DC/MD/VA Chapter
- Tufts University Alumni Admissions Program
- Young Friends of Tufts Advancement

Awards & Honors

- AV® Peer Review Rated by Martindale-Hubbell

Representative Matters

Obtained dismissal of a multimillion-dollar wrongful death case filed in Prince George's County, Maryland, against a private security company, alleging inadequate security in an apartment complex. The lawsuit arose out of the multiple shooting deaths of a mother and daughter inside their apartment by the daughter's on-again off-again boyfriend. The plaintiffs brought their wrongful death and survival action against three entities – the security consultant, the landlord and the property management company – alleging failure to provide adequate security in a case with potential exposure in excess of \$4 million. After months of factual and expert discovery, Perry and his colleagues filed a comprehensive motion for summary judgment on the grounds that (1) plaintiffs lacked the requisite expert testimony, (2) there is no duty to protect tenants inside their own privately leased apartment and (3) there was no foreseeability or causation as a matter of law. The plaintiffs failed to file an opposition, conceding the dispositive issues, and ultimately Perry and his colleagues were able to convince plaintiffs' counsel to dismiss the security consultant with prejudice.

Convinced the Superior Court of the District of Columbia to grant a Motion for Judgment on behalf of a property management company in a property damages case. The plaintiff claimed that two contractors had destroyed several items of her property during past renovation projects. At the conclusion of the plaintiff's case-in-chief, Perry requested that the court enter judgment for the firm's client based on the plaintiff's inability to offer evidence on duty, causation and damages. After hearing argument from both sides, the court granted the Motion for Judgment based on the plaintiff's inability to offer an accurate valuation of her damages.

Client Wins

Hanrahan and Choren Persuade Court to Grant Dispositive Motion in Campus Assault Case

Catherine Hanrahan (Partner-Washington, DC) and Pernell Choren (Of Counsel-Washington, DC) obtained dismissal of an eleven-count complaint in the Superior Court of the District of Columbia, on behalf of two entities affiliated with a local university's student housing operations. The case arose from a horrific sexual assault that occurred on campus in August of 2022. The plaintiffs sued Wilson Elser's clients, asserting a wide range of claims, including negligent hiring, negligent supervision, negligent retention, vicarious liability, respondeat superior, intentional infliction of emotional distress, failure to provide a safe workplace, negligence per se, breach of bond, loss of consortium, and joint enterprise liability – and sought \$1.5 million in damages.

Catherine and Perry filed a comprehensive motion to dismiss, adopting and incorporating three prior motions to dismiss from a predecessor case and crafting detailed arguments demonstrating that the plaintiffs failed to plead any facts establishing that their clients, rather than the staffing company that employed both the victim and the assailant, had any responsibility for hiring, supervising, or controlling the perpetrator. They further established that the staffing company maintained "absolute and exclusive" authority over concierge personnel, and that the plaintiffs themselves had admitted in their prior lawsuit that the assailant was employed and paid by an entirely different entity. In a detailed nine-page order, the Court found Wilson Elser's arguments persuasive and ruled that all the plaintiffs' claims were barred by collateral estoppel based on the court's prior dismissal order in the related action. Accordingly, the court granted the motion and dismissed all of the plaintiffs' claims with prejudice.

Hanrahan & Choren Persuade D.C. Superior Court to Grant Dispositive Motion

Catherine Hanrahan (Partner-Washington, DC) and Pernell "Perry" Choren (Senior Associate-Washington, DC) obtained dismissal of the plaintiff's Complaint in the Superior Court of the District of Columbia on behalf of a local government agency and one of its employees after filing a motion to dismiss based on the plaintiff's failure to provide timely pre-litigation notice. Catherine and Perry filed a motion to dismiss that argued that the plaintiff's Complaint must be dismissed for her failure to comply with the strict notice requirements of D.C. Code § 6-205(a). In an oral ruling, the Court found Catherine and Perry's arguments persuasive and ruled that the plaintiff's Complaint is barred by her failure to provide compliant § 6-205(a) before filing suit. Accordingly, the court granted the motion and dismissed the plaintiff's claims. This is the seventh dismissal that Catherine and Perry have secured on behalf of this same client in the past year and a half.

Hanrahan and Choren Persuade Plaintiff's Counsel to Voluntarily Dismiss Case Based on Pending Motion to Dismiss

Catherine Hanrahan (Partner-Washington, DC) and Pernell "Perry" Choren (Senior Associate-Washington, DC) recently persuaded plaintiff's counsel to voluntarily dismiss all claims asserted against their client after filing a motion to dismiss based on the plaintiff's failure to provide timely pre-litigation notice. Their client, a local government agency, was sued pertaining to the operation and management of a large residential property. Catherine and Perry filed a motion to dismiss that argued the plaintiff's complaint must be dismissed for her failure to comply with the strict notice requirements of D.C. Code § 6-205(a). Plaintiff's counsel found Catherine and Perry's arguments persuasive and agreed to voluntarily dismiss all claims with prejudice. This is the sixth dismissal that Catherine and Perry have secured on behalf of this same client this calendar year.

Hanrahan and Choren Successfully Argue Statute of Limitations, D.C. Code § 6-205(a) and Rule 12(b)(6) Defenses to Secure Complaint Dismissal

Catherine Hanrahan (Partner-Washington, DC) and Pernell “Perry” Choren (Senior Associate-Washington, DC) obtained dismissal in the Superior Court of the District of Columbia on behalf of a local government agency that was sued pertaining to the operation and management of a large residential property. Catherine and Perry argued that the plaintiff’s Complaint (1) was duplicative of allegations she was arguing in related litigation; (2) must be dismissed for the plaintiff’s failure to comply with the strict notice requirements of D.C. Code § 6-205(a); and (3) to the extent she was alleging equitable and/or contractual claims within, must be barred by the doctrine of laches and the applicable statute of limitations. In a written decision, the court found Catherine and Perry’s arguments persuasive and ruled that the plaintiff’s Complaint is barred by the applicable statute of limitations, for the plaintiff’s failure to provide compliant § 6-205(a) before filing suit, and because her allegations are likely being addressed in the aforementioned related litigation. Accordingly, the court granted the Motion to Dismiss and dismissed the plaintiff’s claims with prejudice. This is the fifth dispositive motion victory that Catherine and Perry have achieved on behalf of this same client this calendar year.

Russell and Choren Secure Dismissal Under D.C. Rules 8(a) and 12(b)(6) for Multi-National Food & Beverage Client

Angela Russell (Partner-Baltimore) and Pernell Choren (Associate-Washington, DC) obtained dismissal in the Superior Court of the District of Columbia for a multinational food and beverage company accused of negligence. Angela and Perry filed a motion to dismiss, arguing dismissal was warranted because the claim contained insufficient pleadings and that pro se litigants like the plaintiff are not entitled to special treatment in the District of Columbia. Angela and Perry demonstrated that the plaintiff failed to effectuate the service of process on either our client or its insurer. In a four-page written decision, the Court found Angela and Perry’s arguments persuasive and ruled that the plaintiff failed to identify any element of any legally viable claim. The Court granted Wilson Elser’s motion and dismissed the plaintiff’s complaint and the amended complaint under Rule 12(b)(6).

Goodson, Finucane and Choren Obtain Defense Verdict in Medical Malpractice Wrongful Death Case in Maryland

Robert Goodson (Senior Counsel-Washington, DC), David Finucane (Of Counsel-Baltimore, MD) and Pernell “Perry” Choren (Associate-Washington, DC) obtained a defense verdict in Montgomery County Circuit Court in Maryland on behalf of a local plastic surgeon/wound care physician. Plaintiffs alleged that our client breached the standard of care when he issued a verbal order that included a STAT repeat blood draw and instructions to the in-home nurses to send the patient to her primary care physician or the hospital based on the repeat lab values after receiving notification of her low hemoglobin value. Bert and Perry successfully argued at trial that even though our client was not the ordering physician for the patient’s weekly CBCs, he did not violate the standard of care when he quickly acted to ensure that the patient received the treatment required for her condition. The patient ultimately refused the STAT blood draw and died five days later. After a six-day trial spanning a week and a half and less than an hour of deliberation, the jury of six returned a unanimous verdict finding that our client did not breach the standard of care. The verdict did not require the jury to consider whether the

patient had assumed the risk or been contributorily negligent for refusing the STAT blood draw on the day in question, or whether the in-home nursing company had been a superseding cause of the patient's death.

Hanrahan and Choren Successfully Argue D.C. Code § 6-205(a) Defense and Secure Claim Dismissal

Catherine Hanrahan (Partner-Washington, DC) and Pernell "Perry" Choren (Associate-Washington, DC) obtained dismissal in the Superior Court of the District of Columbia on behalf of a local government agency sued for allegations of negligence pertaining to the operation and management of a large residential property. The court's primary focus was on the sufficiency of the plaintiff's mandatory written notice of claim pursuant to D.C. Code § 6-205(a). In their Motion to Dismiss, Catherine and Perry argued that neither of the plaintiff's alleged § 6-205 notices were submitted to the correct individual at the agency as set forth in the statute. Additionally, they argued that the plaintiff was too vague in describing the time that she was injured and the location of the alleged incident. The court initially granted the Motion to Dismiss, but provided the plaintiff with the opportunity to file an Amended Complaint and further support how she was compliant with § 6-205. Catherine and Perry renewed their Motion to Dismiss, fully briefed by both parties, and the court held a remote motion hearing. In an oral ruling from the bench, the court found Catherine and Perry's arguments persuasive and ruled that the plaintiff failed to produce evidence demonstrating that she timely provided the mandatory written notice of claim to the correct individual at the agency. Additionally, the court correctly ruled that actual notice by the agency is not a consideration in a § 6-205 analysis. Accordingly, the court granted the Motion to Dismiss.

Hanrahan, Warshauer and Choren Successfully Defend Local Government Agency

Catherine Hanrahan (Partner-Washington, DC) and DC associates Evan Warshauer and Pernell Choren obtained summary judgment in the Superior Court of the District of Columbia on behalf of a local government agency sued for allegations of negligence and breach of contract pertaining to the management of the plaintiff's apartment. The court's primary focus was on the sufficiency of plaintiff's mandatory notice of claim pursuant to D.C. Code § 6-205(a). In their Motion to Dismiss, Catherine, Evan and Perry argued that not only were all of plaintiff's alleged notices untimely, but none of them was submitted to the correct individual at the agency as set forth in the statute. The court ordered supplemental briefing from the parties to specifically address whether written notice was timely provided to the right person. Once that was completed, and with the Motion to Dismiss still pending, Catherine, Evan, and Perry opted to file a Motion for Judgment, further arguing that the plaintiff did not provide the mandatory notice of claim. In a 14-page decision, the court ultimately decided that the plaintiff failed to produce evidence to create a genuine dispute concerning whether she timely provided a mandatory notice of claim to the correct individual at the agency. Accordingly, the court granted the Motion to Dismiss and the Motion for Judgment.