



# Daniel C. Theveny, Sr.

## Member

## Philadelphia

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Daniel C. Theveny concentrates his practice in insurance defense, insurance coverage and insurance subrogation matters. Dan has also spent a considerable part of his career in Cozen O'Connor's Northwest Regional Office in Seattle. Dan served as both the Office Managing Partner and Northwest Region Subrogation & Recovery Practice Group head while in the Seattle office.

Dan has experience in all aspects of insurance related issues, including first party insurance coverage disputes and property subrogation matters. He has litigated numerous first-party coverage claims and subrogation claims, including claims involving complex product liability issues and advanced theories of recovery. His extensive litigation experience includes numerous jury trials, mediations and arbitrations. Dan has also been a frequent lecturer on insurance-related coverage, liability and recovery issues.

Dan graduated *magna cum laude* from LaSalle University in 1980, and earned his law degree, *cum laude*, at Temple University Beasley School of Law in 1984.

## Experience

Successfully moved for judgment on the pleadings on behalf of an insurance company seeking a declaration that it was not obligated to defend or indemnify a \$40 million breach of contract action against its insured, which designs, manufactures, and supplies tunnel-boring machines (TBM). This result was affirmed by the U.S. Court of Appeals for the Sixth Circuit. The underlying action arose when the insured rented out a TBM for use on a tunnel project, and the TBM failed, causing the general contractor to terminate its rental agreement with the insured and initiate arbitration seeking consequential damages for delays to the project. In granting our motion, the court agreed that the underlying action fell within policy exclusions for contract-related claims, for damage to the insured's property, and for "property damage" caused by an "occurrence."

Primary responsibility for the management and direction of the Firm Subrogation Department In-House Continuing Legal Education Program for our attorneys.

Successful recovery in numerous claims where traditional tort remedies were not available in light of the complexities of the economic loss doctrine.

Substantial recoveries in the pursuit of subrogation claims based upon theories of piercing the corporate veil against parent corporations.

Substantial recoveries in the pursuit of numerous subrogation claims involving complex environmental contamination issues and the parties responsible for same in several jurisdictions around the country.

Co-counsel in the successful prosecution of a multimillion dollar fire loss at a major casino property.

Substantial recoveries in the pursuit of numerous subrogation claims based upon successful development and proof of complex spread theories of liability against parties not responsible for the cause in several jurisdictions around the country.

## Practice Areas

- Subrogation & Recovery
- Appellate & Supreme Court

## Industry Sectors

- Insurance

## Education

- Temple University—James E. Beasley School of Law, J.D., *cum laude*, 1984
- La Salle University, B.A., *magna cum laude*, 1980

## Bar Admissions

- New Jersey
- Ohio
- Pennsylvania
- Washington

## Court Admissions

- U.S. District Court -- Eastern District of Pennsylvania
- U.S. District Court -- Eastern District of Washington
- U.S. District Court -- Western District of Washington

## Affiliations

- American Bar Association
- New Jersey State Bar Association
- Pennsylvania Bar Association
- Pennsylvania Bar Institute
- Philadelphia Bar Association

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