

Michael L. DeBona

Counsel

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OVERVIEW

Michael DeBona is a litigator in the firm's Subrogation Department, where he represents major property insurers in recovering their losses caused by product and construction defects. Michael has a particular specialty in recovering on water losses arising from product design and manufacturing defects. He litigates cases throughout the United States, including in Pennsylvania, New Jersey, New York, Massachusetts, Illinois, Maryland, Virginia, the District of Columbia and Florida.

As a trial lawyer, Michael has tried dozens of cases before both judges and juries. In addition to trying jury and bench trials to verdict, Michael has successfully taken dozens of cases before binding arbitration panels. Having previously defended the claims he now prosecutes, Michael is uniquely positioned to build a strong and cohesive case at each step in litigation - allowing him to weave complex expert issues into clear, creative and compelling stories for the jury.

Michael serves as a writer for The Subrogation Strategist, White and Williams' subrogation blog, providing commentary on emerging subrogation issues. He is also a contributor to Subrogator, a publication of the National Association of Subrogation Professionals, as well as CLM Magazine, a publication of the Claims and Litigation Management Alliance.

Michael graduated *magna cum laude* from Rutgers University and earned his law degree from Villanova University School of Law, where he was an Editorial Board member of the *Environmental Law Journal* and published his comment in Volume 22 of the Journal.

RECOGNITION AND INVOLVEMENT

Michael has been named as a *Best Lawyers: Ones to Watch® in America* since 2021 for Insurance Law and since 2023 for Litigation - Construction.

PRACTICES

Subrogation

BAR AND COURT ADMISSIONS

Pennsylvania

New Jersey

New York

Massachusetts (admission pending)

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the District of New Jersey

EDUCATION

Villanova University School of Law, JD

Rutgers University, BA, *magna cum laude*



Michael handles pro bono cases for the Senior Law Center, where he assists Pennsylvania seniors with their legal matters. He also serves as a volunteer attorney for the Philadelphia Bar Association's Legal Line.

REPRESENTATIVE MATTERS

Achieved million dollar settlement in complex product liability and construction defect case in New Jersey

Litigated product and construction defect claims in New York action involving a water loss occurring at the top floor of one of Manhattan's tallest skyscrapers, affecting 30 floors and causing over \$20 million in damages

Defeated defendant's *Daubert* challenge resulting in tripling of settlement offer in complex product liability action

Convinced federal court that statute of repose did not bar million dollar product liability claim, defeating summary judgment and resulting in settlement at 70% of full damages

Conducted and defended expert depositions in construction defect case resulting in immediate doubling of six figure settlement offer

Represented global insurer in multi-million dollar water loss at historic landmark hotel in Washington, DC

Briefed and argued opposition to defendant's preliminary objections seeking to dismiss insurer's strict liability cause of action, which the judge overruled on all grounds

Overtaken arbitration award involving three issues of first impression

Obtained summary judgment for insurer by persuading court to narrowly apply seemingly far-reaching Supreme Court precedent

Prosecuted declaratory judgment action rescinding insurance policy and precluding coverage of \$25 million claim

IN THE NEWS

White and Williams Announces Partner and Counsel Promotions
Press Release, 1.17.24

Best Lawyers® Recognizes 45 White and Williams Lawyers
Firm News, 8.18.23

Best Lawyers® Recognizes 40 White And Williams Lawyers
Firm News, 8.18.22

Best Lawyers® Recognizes 38 White and Williams Lawyers
8.19.21

Best Lawyers® Recognizes 43 White and Williams Lawyers
8.20.20

Law Week 2017: Associates Volunteer for Lawyers in the Classroom and Legal Advice Live
5.5.17

PUBLICATIONS

Negligent Undertaking Claim Against Amazon May Succeed Where a Products Liability Claim Fails
The Subrogation Strategist, 4.29.24

In Pennsylvania, Contractors Can Be Liable to Third Parties for Obvious Defects in Completed Work
The Subrogation Strategist, 6.13.23

Amazon Can be Held Strictly Liable as a Product Seller in New Jersey
The Subrogation Strategist, 7.11.22

The Future of Automated Manufacturing: What Will be the Effect on Product Failures?
Subrogator Magazine, Fall/Winter 2020

California Appellate Court Rules Amazon Can Be Strictly Liable for Defective Product
The Subrogation Strategist, 8.31.20

COVID-19's Effect on Property Losses and Subrogation Claims
CLM Magazine, 5.20

Viewpoint: The Coronavirus' Impact on Property Losses and Subrogation Claims
Claims Journal, 4.9.20

COVID-19 and Subrogation: The Coronavirus' Impact on Property Losses and Subrogation Claims
The Subrogation Strategist, 4.3.20

Connecting With the Modern Juror – Communication Strategies in the Age of Information
CLM Magazine, 9.19

Florida Adopts Daubert Standard for Expert Testimony
The Subrogation Strategist, 7.15.19

New York Court Holds That the "Lesser of Two" Doctrine Limits Recoverable Damages in Subrogation Actions
The Subrogation Strategist, 6.11.19

St. Bernard Parish: Federal Circuit Washes Away Takings Clause Claims Arising from Hurricane Katrina
Subrogator, Spring/Summer 2019

New Jersey Clarifies How the Discovery Rule Applies In Construction Cases
The Subrogation Strategist, 10.19.17

In Kentucky, the Economic Loss Doctrine Precludes Negligent Misrepresentation Claims Only in the Context of a Commercial Product Sale
The Subrogation Strategist, 6.2.17

Triggering a Statute of Repose: When a Product Becomes Real Property
Subrogator, Fall 2016

Economic Loss Doctrine Bars Negligence Claim Against Building Company Owner, Individually
The Subrogation Strategist, 10.20.16

Subrogating Products Liability Claims: A Law and Economics Analysis
Subrogator, Spring 2016

In Minnesota, a Tenant may, Depending on the Language of the Lease, be Liable to the Landlord for Property Damage to the Tenant's Apartment but not for Damage to the Rest of the Building
The Subrogation Strategist, 6.2.16

In Wyoming, the Economic Loss Rule Does Not Preclude a Negligence Claim Against Home Builders for Negligent Construction of the Home
The Subrogation Strategist, 4.26.16

In Wyoming, Economic Loss Rule Does Not Preclude a Negligence Claim Against Home Builders for Negligent Construction of the Home
The Subrogation Strategist, 4.26.16

In Texas, a General Contractor May be Liable in Tort to a Third-Party Lessee for Property Damage Caused by a Subcontractor's Work
The Subrogation Strategist, 1.20.16

In Texas, a General Contractor May be Liable in Tort to a Third-Party Lessee for Property Damage Caused by a Subcontractor's Work
The Subrogation Strategist, 1.20.16

In Florida, Component Parts of an Improvement to Real Property are Subject to the Statute of Repose for Products Liability Claims
The Subrogation Strategist, 11.18.15

In Florida, Component Parts of an Improvement to Real Property are Subject to the Statute of Repose for Products Liability Claims
The Subrogation Strategist, 11.18.15

In Kentucky, The Economic Loss Doctrine Precludes Negligent Misrepresentation Claims Only In The Context Of A Commercial Product Sale
The Subrogation Strategist, 10.2.15