

Dennis P. Ziemba

MEMBER CHAIR, PRODUCT LIABILITY

Dennis Ziemba is a Member of Eckert Seamans and serves as Chair of the firm's Product Liability practice group. He is a trial lawyer with a diverse civil practice, focusing on product liability litigation and other tort actions. He also represents product manufacturers in breach of warranty actions and insurance defense matters. Throughout his career, Dennis has represented multiple manufacturers of automobiles, automotive component parts, consumer products, industrial equipment, and motorcycles in civil litigation actions. Dennis serves as national trial counsel for a manufacturer of concrete mixers and refuse vehicles, where he also directs the pre-suit investigation of catastrophic personal injury accidents and complex fire events. He also serves national coordinating counsel for a national motorcycle manufacturer. In addition, Dennis has served as national coordinating counsel for a national plumbing component manufacturer.

Dennis has extensive experience in successfully handling mediations, arbitrations, and jury trials. He regularly appears in state and federal courts throughout Pennsylvania, New Jersey, and New York as well as other courts across the country. He has handled cases in the appellate courts of Pennsylvania, New Jersey, and Delaware, as well as the Sixth Circuit Court of Appeals. Dennis has also assisted clients in multistate and complex coordinated proceedings and class actions in federal and state courts. His background makes him well-qualified to evaluate and manage cases in a manner that is both cost-effective and results-oriented for his clients. Dennis frequently lectures and provides training to clients, their employees, and other counsel, providing them with tools to navigate through litigation and pre-litigation matters.

REPRESENTATIVE MATTERS

- In 2019, Dennis secured a defense verdict in a fraud matter on behalf of a national motor vehicle distributor. Plaintiff claimed that the distributor failed to disclose an alleged defect which could cause a fire in a model series of passenger vehicles which ultimately led to a recall. After a two week jury trial in the Allegheny County (Pennsylvania) Court of Common Pleas, the jury returned a verdict in favor of the distributor.
- In 2019, Dennis secured summary judgment on behalf of an international commercial vehicle manufacturer. Plaintiff alleged defects in the vehicle caused transmission issues which impacted the vehicle's operation. Despite multiple dealer repair attempts, plaintiff claimed these conditions continued to plague the vehicle. After extensive briefing, the trial court granted Dennis' Motion and dismissed plaintiff's Complaint.
- In 2019, Dennis secured another dismissal on behalf of a national manufacturer of solvents, removers, fuels and cleaning products. The case arose out of the plaintiff's alleged use of paint thinners and related products while in Pennsylvania. After being diagnosed with a form of leukemia, plaintiff sued various product manufacturers and their suppliers in the Philadelphia Court of Common Pleas, alleging his leukemia was caused by exposure to

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PRACTICE AREAS:

[Appellate](#)

[Litigation](#)

[Product Liability](#)

[Class Action Litigation](#)

[Artificial Intelligence, Robotics,
and Autonomous Transportation
Systems](#)

STATE ADMISSIONS:

Pennsylvania

New Jersey

New York

COURT ADMISSIONS:

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

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

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

U.S. District Court for the Eastern
District of New York

U.S. District Court for the
Southern District of New York

U.S. Court of Appeals for the Third
Circuit

U.S. Court of Appeals for the Sixth
Circuit

EDUCATION:

J.D., Temple University School of
Law, 1995

B.S., cum laude, University of
Scranton, 1992

benzene from the defendants' products. Plaintiff argued jurisdiction over the nonresident defendants was appropriate because his purported exposure to their products occurred within the state. The Eckert team successfully convinced the court to focus on the absence of evidence linking the client to Pennsylvania, and to rule that the plaintiff's alleged use of the client's product in Pennsylvania, without more, was insufficient to subject the client to jurisdiction in the Commonwealth.

- In 2017, Dennis secured a dismissal of all claims against a national manufacturer of solvents, removers, fuels and cleaning products. Plaintiff alleged he developed cancer as a result of working with the client's products. Because the plaintiff's alleged exposure occurred outside of Pennsylvania, the Eckert Seamans team moved to dismiss plaintiff's claims for a lack of personal jurisdiction. After detailed discovery and a hearing before the trial court, the court agreed that Dennis' client was not subject to personal jurisdiction in Pennsylvania and dismissed plaintiff's Complaint.
- In 2015, Dennis secured summary judgment for a national motorcycle manufacturer. Plaintiff alleged that the motorcycle suffered from defects that impacted the ability to safely operate the motorcycle. Dennis successfully argued for a dismissal of the case based upon plaintiff's failure to preserve critical evidence.
- In 2014, Dennis secured a defense verdict at trial for a national motorcycle manufacturer. Plaintiff alleged defects in the motorcycle caused excessive oil leaks which impacted the motorcycle's operation. Despite multiple dealer repair attempts, plaintiff claimed these conditions continued to plague the motorcycle. The jury found in favor of Dennis' client at the conclusion of the case.
- In 2013, Dennis successfully argued an appeal before the Pennsylvania Superior Court, Pennsylvania's intermediate appellate court, on behalf of multiple motor vehicle manufacturers concerning the ability of a consumer to recover attorney's fees in matters resolved through an Independent Dispute Settlement Procedure. The panel ruled in favor of the manufacturers, affirming the trial court's decision granting summary judgment to the manufacturers on the issue.
- In 2012, Dennis secured summary judgment for an international automotive manufacturer on plaintiff's product liability claims. In its written decision, the trial court found that plaintiff had offered no credible expert opinion to support a theory of product defect. The decision was affirmed on appeal by the Appellate Division of the New Jersey Superior Court.
- In 2010, Dennis obtained a defense verdict at trial on behalf of an international motor vehicle manufacturer. Plaintiff, the vehicle owner, asserted the vehicle unintendedly accelerated on multiple occasions during her ownership. She alleged she was involved in multiple accidents as a result of this condition, and that the condition continued to arise despite multiple repair attempts by authorized dealerships. The jury found at the conclusion of the case that the vehicle was not defective.
- In 2008, Dennis successfully defended an international automobile manufacturer at trial in a matter involving a motor vehicle operator rendered a quadriplegic in an accident. Plaintiff

alleged the airbag in his vehicle improperly deployed in the accident, causing him to strike the interior of the vehicle and cause his injuries. While the jury awarded in excess of \$20 million to plaintiff against the driver of another vehicle in the accident, it absolved Dennis' client of liability. The verdict was affirmed on appeal.

PROFESSIONAL AFFILIATIONS

- Sustaining Member – Product Liability Advisory Council
- Philadelphia Association of Defense Counsel

AWARDS AND RECOGNITION

- Profiled as a Top Rated Litigation Lawyer for 2023 by The American Lawyer
- Selected for inclusion in *Pennsylvania Super Lawyers – Rising Star*
- Attained an AV® Preeminent™ rating from Martindale-Hubbell

NEWS AND INSIGHTS

PUBLICATIONS

- “[Pennsylvania Supreme Court Precludes Introduction of Evidence of Compliance with Industry Standards](#),” Eckert Seamans’ Professional Liability Update, January 2024.
- “[U.S. Supreme Court Finds Consent through Registration Sufficient for Personal Jurisdiction](#),” Eckert Seamans’ Legal Update, June 30, 2023.
- “[Keeping Diverse Firms Diverse – Sponsors and Mentors Can Help](#),” The Legal Intelligencer, October 2019.
- “Pennsylvania Supreme Court Overrules *Azzarello*, Only to Have PBI Suggested Jury Instructions Continue to Seek *Azzarello*’s Reinstatement (Volume 3 – Updates and Addenda to Proper Suggested Standard Jury Instructions), co-authored, Counterpoint Bulletin, May 2019.
- “[Pennsylvania’s Statutory Employer Defense: A Primer](#),” The Legal Intelligencer, August 2010.
- “Personal Jurisdiction and Foreign Defendants: Issues to Consider,” co-authored, Pennsylvania Bar Association Quarterly, October 2007.

SPEAKING ENGAGEMENTS

- “Recent Trends and Hot Topics in Consumer Law,” webinar panel presenter, Philadelphia Association of Defense Counsel, September 2022.
- “Automated Vehicle Technology and the Changing Role of the Driver,” Product Liability Advisory Council (PLAC) Fall Conference, October 2019.
- “The Regulatory Environment for Autonomous Vehicles,” panelist, Product Liability Advisory Council (PLAC) Spring Conference, May 2019.

- “A Design Process for Autonomous Vehicle Decision-making Frameworks,” panelist, Product Liability Advisory Council (PLAC) Fall Conference, November 2018.
- “Autonomous Vehicles: Legal Issues to Consider,” co-presenter, Eckert Seamans’ Continuing Legal Education Seminar, August 2018.
- “Personal Jurisdiction Challenges,” American Conference Institute 10th Annual Summit on Defending & Managing Automotive Product Liability Litigation (Chicago), June 2017.
- “The Virtual Law Firm: Why Playing Nice in the Sandbox is Important to the Future of Your Practice,” Defense Research Institute Product Liability Conference (Las Vegas), February 2017.
- “[Tinchner and the Reformation of Products Liability Law in Pennsylvania](#),” co-presenter, Eckert Seamans’ Continuing Legal Education Seminar, August 2016.
- “Evidence Preservation/Spoliation, Controlling Costs Associated with Discovery and E-Discovery, and Avoiding Sanctions for Discovery Abuse,” American Conference Institute Automotive Product Liability Litigation Conference (Chicago), June 2016.
- “Virtual Testing: The Application of LS-Dyna and Madymo Computer Modeling in Automotive Products Liability Cases,” American Bar Association 2016 Emerging Issues in Motor Vehicle Product Liability Litigation Conference (Phoenix), April 2016.
- “Lights, Camera, Evidence!” Philadelphia Bar Association (Philadelphia), April 2013 and July 2015.
- “Expert Strategy Issues in Automotive Litigation,” American Conference Institute Automotive Product Liability Litigation Conference (Chicago), June 2014.
- “‘Green’ Vehicles: Emerging Liability Issues,” Pennsylvania Bar Association (Philadelphia), April 2012.
- “The Re-Shaped Landscape on the Preemption Defense, Personal Jurisdiction, and the Stream of Commerce Theory for Manufacturers,” American Conference Institute Automotive Product Liability Litigation Conference (Chicago), June 2012.
- “Venue, Venue, Venue: The Best and Worst Jurisdictions for the Defense and Key State-by-State Nuances,” American Conference Institute Automotive Product Liability Litigation Conference (Chicago), June 2011.
- “ADR and Dealerships: The First Line of Defense,” Automotive Forum: 360° Key Constituency’s Perspectives on the Automotive Industry, October 2005.