



## Brett W. Farrar

### SHAREHOLDER

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Brett W. Farrar is a shareholder of Dickie, McCamey & Chilcote, P.C. and serves as Vice Chair of the Professional Liability Defense Group. He also practices in the areas of commercial litigation, appellate law, legal malpractice defense, and general civil litigation.

Prior to joining the firm, Mr. Farrar served as a law clerk to the Honorable Eugene E. Fike, II and worked as an attorney in the Bayer Corporation litigation department.

## Practice Focus

- Appellate
- Commercial Law and Litigation
- Professional Liability Defense

## Representative Matters

- Represented university in breach of contract claim regarding construction delay for student dormitory
- Defended a rebuilder of coal mining shuttle cars for claims for civil contempt related to trade mark and trade dress issues
- Represented healthcare entity defending claims for breach of contract and breach of warranty arising from sale of facility
- Defended egg producer in egg Salmonella outbreak (in excess of 1,900 ill) in largest Salmonella outbreak in history
- Represented construction company defending breach of contract and negligence claims arising from the collapse of a building
- Represented insurance company in breach of contract, breach of fiduciary duty, fraud and negligence actions pertaining to multi-jurisdictional claims handling, commissions, and fee disputes
- Represented construction company defending negligence and indemnity claims arising from the construction of a highway
- Represented designer and manufacturer of generator and component parts defending product liability, negligence, breach of contract, and breach of warranty dispute regarding property damage and lost profit claims from large apparatus catastrophic failure
- Represented subcontractor in scaffolding collapse involving claims for professional negligence, breach of contract, and product liability

## Recent Appellate Matters

- Represented doctor before Pennsylvania Superior Court and Pennsylvania Supreme Court in appeal involving application of the discovery rule
- Represented healthcare entity before Pennsylvania Supreme Court in appeal involving Pennsylvania Rule of Civil Procedure 4003.3 and the work product doctrine
- Represented product manufacturer before Pennsylvania Superior Court in appeal involving asserted product defect claims affirming summary judgment trial court rulings in favor of product manufacturer
- Represented healthcare entity before Pennsylvania Superior Court in appeal involving duties owed to person committed to healthcare entity pursuant to the Mental Health Procedures Act affirming trial court rulings dismissing claims in favor of healthcare entity
- Represented retailer before Pennsylvania Superior Court in appeal involving summary judgment trial court rulings and evidence of asbestos exposure
- Represented university before Pennsylvania Superior Court in appeal involving shooting of students affirming summary judgment trial court rulings in favor of university concerning duty and causation
- Represented school district before the Pennsylvania Commonwealth Court in appeal involving limitations of damages and immunity under the Pennsylvania Political Subdivision Tort Claims Act
- Represented insurance carrier before United States Court of Appeals for the Third Circuit in appeal involving insurance coverage for loss affirming evidentiary rulings at trial and affirming verdict in favor of insurance carrier
- Represented construction company before United States Court of Appeals for the Sixth Circuit in appeal involving contract forum selection clause
- Represented lessor before United States Court of Appeals for the Federal Circuit in appeal involving lease with General Services Administration and reversing Civilian Board of Contract Appeals and entering judgment in favor of lessor on appeal

## Speaking Engagements

- “Developments in the Attorney-Client Privilege” (Co-Speaker), *The DMC Report Podcast Series*, 10/11/2023
- “Commercial Litigation in a Brave New World” (Co-Presenter); Colorado, New Jersey, New York, Ohio, Pennsylvania, South Carolina and West Virginia CLE; 4/27/2023
- “Commercial Litigation and the Vexatious Litigant” (Co-Presenter), Pennsylvania CLE, 11/14/2019
- “The Legal Issues Making Headlines - Key Developments in Commercial Law and Litigation Updates” (Co-Speaker), DMC Commercial Law and Litigation Group CLE Seminar, 11/20/2014
- “Commercial Litigation: Strategies and Objectives” (Co-Presenter), Pennsylvania CLE, 10/17/2013
- “Appellate Practice” (Co-Speaker), In-house Seminar, 6/12/2013

## Publications

- “Whose File is It Anyway?” (Co-Author), International Association of Defense Counsel, *Professional Liability Committee Newsletter*, April 2012
- “Legal Malpractice Statutes of Limitation: Overview and Pennsylvania Case Study” (Co-Author), International Association of Defense Counsel, *Defense Counsel Journal*, Vol. 77, No. 4, Oct. 2010, pp. 485–493

## Admissions and Licenses

- District of Columbia Bar Admission
- Pennsylvania Bar Admission
- District of Columbia Court of Appeals
- Supreme Court of Pennsylvania
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the Sixth Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Western District of Pennsylvania

## Memberships

- Allegheny County Bar Association

## Education

- Thomas R. Kline School of Law of Duquesne University, J.D. (1996)
- University of Pittsburgh, B.A. (1990)