McElroy Deutsch

Deborah Metzger Mulvey



Of Counsel

dmulvey@mdmc-law.com

Greenwood Village, CO

P: 303-293-8800

F: 303-747-6631

Download V-Card

Curriculum Vitae

DEBORAH METZGER MULVEY is Of Counsel in the Colorado office. Her defense litigation practice has included trial, litigation, and prelitigation work for individual and corporate defendants in Colorado, Pennsylvania, and New Jersey. She possesses over thirty years of experience in handling medical malpractice, premises liability, trucking, construction, general negligence, firearms defense, and insurance coverage cases.

Ms. Mulvey possesses unique experience with complex, catastrophic, high profile and multi-claim/multi-party litigation. She is adept in analysis and negotiation of matters involving the interplay of insurance coverage with contracts between parties. She has been retained frequently to assist clients approaching mediation, consulting on liability, contractual indemnification, primacy of coverage, and allocation. Her work has resulted in reported case law on several emerging issues.

Ms. Mulvey's work experience included claims, claims counsel, and management work at two large insurers. In that capacity, she handled multistate mediations, long tail claims, and large exposure accounts. The most notable of these were public entity, law enforcement, terrorism, airline, declaratory judgment and extracontractual claims, and childhood sexual abuse cases.

Ms. Mulvey is a graduate of Rutgers College (1988) and New York Law School (1993). She clerked for the Hon. Mac. D. Hunter, J.S.C., Superior Court of New Jersey. She is admitted to the bars of

Colorado, New Jersey, Pennsylvania, and the United States District Courts for the District Courts of New Jersey and Colorado and Eastern District of Pennsylvania. She has been admitted pro *hac vice* in multiple additional jurisdictions upon the request of clients.

Ms. Mulvey has always volunteered her time professionally and to assist nonprofit organizations. She is a parliamentarian, City Council Member and serves on the boards of several organizations serving at risk youth.

Speaking Engagements

- Philadelphia Bar Association, 2009 - 2015 - Insurance Coverage Committee, Advancing Civics Education (ACE) Instructor for Philadelphia Public High School
- Claims & Litigation Management Alliance (CLM), 2012 - 2015 - Insurance Coverage and Transportation Committees
- Trucking Industry Defense Association (TIDA) - Advanced Seminar Speaker, 2015
- Women's Construction Litigation Alliance (WCLA), 2014 - 2015
- New Jersey Supreme Court Commission on Professionalism, 2002- 2004 (appointed)
- New Jersey State Bar Association, 1994 - 2004 - Trustee, Chair-Young Lawyers Division, Professionalism and Civil Trial Bar Executive Committees, Public Help Forum Volunteer
- Richard J. Hughes American Inn of Court, 1994-2002 - Barrister
- American Bar Association Young Lawyers Section, 1995 - 2002 - Speaker
- DRI (Defense Research Institute), NJ Chapter, 1997 - 2000 - Products Liability Section, Speaker
- Union County (NJ) Bar Association, 1994 - 2000 - Trustee, Chair of Young Lawyers Division, Speaker, Law Day Planning, Mentor, Nominating Committee

Reported Cases

- Carolina Casualty Insurance Co. v. Travelers Property Casualty Co., 90 F.Supp.3d 304 (D.N.J. 2014) (loading of trailer, contractually required to be insured by tractor owner, was "use" of tractor under "loading and unloading" doctrine of omnibus statute, therefore, state case law, which voids all exclusions in loading cases, mandates coverage for ensuing bodily injury claim).

- Hutton v. KDM Transport, 2014 WL 3353237 (E.D. Pa. Jul. 9, 2014) (state law service of process rules govern to determine that service of process on employee-defendant was defective, meaning that statutory time limit for removal neither started nor expired before Notice of Removal was filed, thus disallowing remand to state court).

- McKenney v. Jersey City Medical Center, 330 N.J.Super. 568 (App.Div. 2000), *aff'd* 167 N.J. 359 (2001) (attorney client privilege did not relieve counsel of the obligation to inform adversary of material change in witness' dispositive testimony where counsel was made aware of discrepancy between deposition and planned testimony, prior to witness taking stand).

- Estrada v. Hendricksaw Corp., 302 N.J. Super. 262 (App.Div. 1997) (fellow employee immunity applies to plaintiff's former coworker who removed guard from machinery, even though coworker was no longer in the same employment at the time of injury).

Industries

Automotive
Construction
Insurance

Practices

Automotive
Construction
Insurance Coverage
Litigation
Product Liability
Transportation

Education

New York Law School (J.D. 1993)
Rutgers College (B.A. 1988)

Admissions

State of New Jersey
State of Colorado
Commonwealth of Pennsylvania