

**CONTACT**

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J. Michael Kunsch

PHILADELPHIA, PA

Michael Kunsch brings over two decades of experience to MGC, representing manufacturers, retailers, transportation companies and commercial clients in complex civil litigation matters. Licensed in all state and federal courts in Pennsylvania and New Jersey, he focuses on product liability, catastrophic injury, fire and explosion cases, transportation, general liability and commercial disputes. Michael has successfully argued before various appellate courts, including the Third Circuit Court of Appeals, the Pennsylvania Superior Court and the New Jersey Appellate Division.

Michael has extensive experience defending manufacturers and retailers in high-exposure product liability cases, including fire and explosion litigation, catastrophic burn injuries and litigation involving a wide range of industrial, commercial and consumer products such as ladders, power tools, gas-fired appliances, plumbing fixtures, recreational equipment and tractor-trailer components. He also handles general liability claims for clients in the retail and hospitality sectors—including concert promoters, entertainment venues, security companies, apartment complex owners, restaurants and national retailers—and defends trucking and logistics companies in transportation matters involving fatalities and serious injuries.

As a trusted advisor, Michael counsels clients on evidence preservation, expert retention and e-discovery protocols. He is a frequent lecturer on issues central to high-stakes litigation, regularly presenting to national audiences on topics including product liability defense, expert witness strategy, spoliation, risk management, supply chain liability and effective litigation practices for the retail, hospitality and transportation industries.

PRACTICE AREAS

Commercial & Business Litigation

Construction Litigation

Premises Liability

Products Liability

Trucking & Transportation

Curriculum Vitae

EDUCATION

Villanova University School of Law (JD)

University of Arizona (BA, cum laude)

PROFESSIONAL MEMBERSHIPS

DRI (Product Liability Committee)

USLAW (Former Director, Board of Directors; Former Chair, Complex Tort and Product Liability Practice Group)

BAR ADMISSIONS

United States Supreme Court (2015)

U.S. District Court for the Western District of Pennsylvania (2004)

U.S. District Court for the Middle District of Pennsylvania (1995)

U.S. Court of Appeals for the Third Circuit (1992)

U.S. District Court for the Eastern District of Pennsylvania (1992)

U.S. District Court for the District of New Jersey (1992)

Pennsylvania (1991)

New Jersey (1991)

AWARDS

Pennsylvania Super Lawyer (2011-2024)

Pennsylvania Super Lawyer Rising Star (2006)

Martindale-Hubbell® Peer Review Rating™ - AV Preeminent®

PUBLICATIONS

No Standards: Defending Product Liability Claims When Compliance with Standards is Inadmissible - USLAW Magazine, Summer 2024

Don't Be So Forward: A Cautionary Tale for the Digital Age - USLAW Magazine, Fall 2021

Avoiding Rudderless Litigation: Assessing the Standard of Care for COVID Claims, USLAW Magazine - USLAW Magazine, Spring 2021

Locking the Plaintiff In: Accident Demonstrations in Product Liability Litigation - USLAW Magazine, Fall/Winter 2018

Accident Investigation: Avoiding the Creation of Plaintiff's Exhibit "A" - USLAW Magazine, Fall/Winter 2016

Love Me Tender, Don't be Cruel - USLAW Magazine, Spring/Summer 2015

Pre-Emption Double Standard? Manufacturers of Identical Products are Not Equal - USLAW Magazine, Spring/Summer 2012

Personal Jurisdiction: A Casualty of Global Commerce? - USLAW Magazine, Fall/Winter 2011

PRESENTATIONS

New Perspectives on the 30(b)(6) Deposition - USLAW Transportation and Logistics Winter Roundtable
Critical Succession Planning for Key 30(b)(6) Witnesses - USLAW Client Conference
Starting Off Right With Spoliation Letters - USLAW Client Conference
Strategies to Work Effectively and Successfully With Outside Counsel - USLAW General Counsel and In-House Counsel Forum
Examination of an Expert: Direct Examination - USLAW Client Conference
Courtroom Academy
Use of Exemplars and Testing to Defend Power Tool Litigation - USLAW Complex Tort & Product Liability Exchange
Don't Be Left Holding The Bag: How To Protect Yourself From Insolvent (Foreign) Suppliers - USLAW Client Conference
Global Supply Chains: Were Businesses Asleep at the Wheel at the Beginning of the Pandemic and How to Avoid Similar Issues Next Time - USLAW Client Conference
Protecting the Privilege - USLAW Worldwide Virtual Retreat
Combatting National Discovery Requests in the Retail and Hospitality Industry - USLAW Retail & Hospitality Exchange
Just Saying "No": The Success and Perils of Believing in Your Product and How That Can Affect Litigation - USLAW Client Conference
Reserve or Not to Reserve - USLAW Retail & Hospitality Exchange
Effective Use of Exemplar Tools at Deposition and Trial - DRI Product Liability Conference

REPRESENTATIVE MATTERS

Defended the distributor of scaffold in a product liability case that resulted in a defense verdict following a four-day jury trial in the Eastern District of Pennsylvania.

Obtained summary judgment for the franchisee of a national fast food restaurant in a premises liability case in the Superior Court of New Jersey: Hunterdon County which was later affirmed by the Superior Court of New Jersey Appellate Division.

Defended a leading manufacturer of outdoor power equipment in a product liability case that resulted in a defense verdict after 13 days of trial in the Court of Common Pleas of Philadelphia County (Pennsylvania).

Obtained summary judgment for the manufacturer of a stepladder in a product liability case following a successful Daubert challenge to plaintiffs' liability expert in the Eastern District of Pennsylvania.

Defended the manufacturer of a stepladder in a product liability case that resulted in a defense verdict following a three-day jury trial in the Middle District of Pennsylvania.