



PRACTICE

As founder and manager of the firm, Cheryl Nicolson focuses the firm's efforts in niche areas where its lawyers have substantial experience with both the legal issues and our clients' businesses.

Ms. Nicolson focuses her practice on the representation of product manufacturers and retailers. In addition, she represents schools and counsels individuals and commercial enterprises in insurance related matters.

Ms. Nicolson has been practicing law since 1989 and has represented clients in federal and state trial courts, courts of appeal, as well as, in domestic arbitration and ADR proceedings.

RELEVANT EXPERIENCE

- Substantial product litigation experience involving a broad range of residential, commercial and industrial products based upon claims of design defect, manufacturing defect and improper warnings.
- Serves as national coordinating counsel for global manufacturer in product litigation filed across the United States.
- Representation of auto manufacturer in Multidistrict litigation involving asbestos products.
- Representation of breast implant component part manufacturer in Multidistrict litigation.
- Representation of global leader in the manufacture of home and commercial appliances involving refrigerators, freezers, ranges, washers, dryers, dishwashers, dehumidifiers and vacuum cleaners in litigation and arbitration matters across the country.
- Representation of a tire manufacturer in product litigation.
- Representation of leading global automotive supplier in product litigation.
- Representation of manufacturer of electrical distribution systems and electrical components in litigation involving fire and electrocution.
- Representation of a diversified manufacturer of industrial components serving the railroad, vehicular and construction markets.
- Representation of global retailers in matters involving premises liability, sale of products, installation of products and post-sale service.
- Representation and counseling of private and public schools in a broad range of matters involving: school administration, student safety, policies and handbooks, curriculum, hiring and termination of employees, employment contracts, enrollment contracts, admission practices and discrimination.
- Representation of insured individuals and commercial entities involved in general liability litigation.
- Representation of brokers involved in disputes with third parties concerning errors and omissions, insurance coverage and breach of contract.

Received the highest ranking for legal ability and professional ethics from the Martindale-Hubbell Peer Review Ratings.



EDUCATION

- Fellow, Academy of Advocacy, Temple University School of Law, 1995
- J.D., Widener University School of Law, 1989
Law Review, The Delaware Journal of Corporate Law
- B.A., Villanova University, 1986

ADMISSIONS

- Pennsylvania
- New Jersey
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Middle District of Pennsylvania
- U.S. District Court, Western District of Pennsylvania
- U.S. District Court, District of New Jersey
- U.S. Court of Appeals, Third Circuit

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SIGNIFICANT REPRESENTATIVE MATTERS INCLUDE:

- Dismissal of three lawsuits in Pennsylvania state court involving a residential fire that destroyed three homes where it was alleged that the fire resulted from a manufacturing defect in a refrigerator. The defense established through witness testimony and expert opinion that the fire originated in an area across the room from the refrigerator and compelled dismissal under threat of sanction and prosecution under Pennsylvania's frivolous lawsuit statute.
- Defense verdict in Pennsylvania state court action where an allegedly defective refrigerator caused a fire and resulting property damage. The defense successfully proved that the refrigerator was not in the area of fire origin and that the refrigerator did not contain any evidence of abnormal electrical activity.
- Defense verdict in favor of servicer of refrigerator in Pennsylvania state court action where it was alleged that negligent service was the cause of a house fire. Through fact and expert testimony, the defense successfully proved that the servicer's work on the product was not the cause of a residential fire.
- Achieved cost-effective settlement of all cases on behalf of breast implant component part manufacturer involved in multidistrict breast implant litigation.
- Defense verdict in state court action in favor of an international retailer of children's toys in premises liability action where it was alleged that a defective condition in the property caused bodily injury to store patron.
- Represented broker in surety bond litigation in which surety company claimed in excess of \$24 million in damages on construction project. The case was tried in federal court to a verdict in favor of the plaintiff in an amount less than \$2 million dollars constituting a small fraction of the damages claimed and monies demanded in settlement prior to the trial.
- Achieved beneficial settlement on behalf of independent school and teacher in high-profile, contentious litigation by student and student's family in which they alleged, among other claims, breach of contract, assault and intentional infliction of emotional distress.
- Achieved economically favorable settlement on behalf of public school in litigation by student and student's family in which they alleged negligent supervision of student resulted in catastrophic injuries to student rendering her permanently brain damaged and quadriplegic.
- Successfully defended independent school in volatile litigation by student and student's family where student sought damages in excess of \$1 million dollars for harm allegedly resulting from student's expulsion for acts which student committed while off the school campus. Case was settled on the morning of trial for a nominal sum of money representing a small fraction of the claimed damages.
- Obtained dismissal of School Board in vehicular wrongful death action involving the transportation of student on school bus.
- Service as personal counsel to independent schools on all matters of school life and school administration.
- Successful and cost-effective management of multi-million dollar arbitration program involving hundreds of product liability claims across the country.
- Obtained Summary Judgment in favor of manufacturer on the threshold issue that the product was not "unreasonably dangerous" under Pennsylvania law.
- Obtained voluntary dismissal of foreign manufacturer after the filing of a Motion to Dismiss based upon lack of personal jurisdiction.
- Successfully challenged expert's testimony on design defect opinions under Daubert in product liability action.

PROFESSIONAL ACTIVITIES

Ms. Nicolson is an Adjunct Professor of Law at Villanova University School of Law where she currently teaches Federal Civil Pretrial Practice and has taught Business Torts. In addition, she has lectured internationally on NFPA 921 and its impact on arson investigations and product liability litigation.

At the request of the court, Ms. Nicolson was appointed to the Board of Directors of the Delaware County Legal Assistance Association where she co-chaired a national search for the selection of a new Director and Chief Counsel for the organization.

MEMBERSHIP

- NAMWOLF (National Association of Minority and Women Owned Law Firms)
- WBENC (National Women's Business Enterprise Certification)
- Pennsylvania Bar Association
- New Jersey Bar Association
- Defense Research Institute
Products Liability Committee
E-Discovery Committee
- National Association of Independent Schools
- United States Figure Skating Association