

Practice Areas

- Admiralty & Maritime
- Litigation

Education

- Edinboro State University, B.A.
- Pennsylvania State University, Dickinson School of Law, J.D.

Bar Admissions

- Pennsylvania
- Texas

Court Admissions

- U.S. Supreme Court
- Supreme Court of the State of Texas
- Supreme Court of the Commonwealth of Pennsylvania
- U.S. Court of Appeals, 3rd Circuit
- U.S. Court of Appeals, 5th Circuit
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Southern District of Texas

Daniel D. Pipitone

Chairman, Admiralty Section
Houston

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Daniel D. Pipitone, the chair of Chamberlain Hrdlicka's Admiralty Section, has more than 30 years of legal experience, beginning with a two-year Federal Judicial Clerkship in Philadelphia, PA, followed by the private practice of law in Corpus Christi and, later, in Houston. Throughout his career, Mr. Pipitone's legal practice has focused primarily on Admiralty/Maritime Law and Litigation matters and he has successfully tried to a jury or to a court approximately 100 cases throughout Texas as well as in Georgia, Louisiana and Mississippi. Additionally, Mr. Pipitone has prevailed in a number of cases that have significantly impacted existing law in the maritime, construction and labor/employment law industries. Of significant importance to his clients, Mr. Pipitone has repeatedly negotiated and obtained advantageous and minimal settlements for clients without having to proceed to trial.

Mr. Pipitone's practice has afforded him considerable knowledge and experience in commercial, regulatory, personal injury, trial and appellate court matters in the context of the maritime and other industries, which has permitted him to expand his practice in recent years to matters beyond the maritime industry and, especially, to commercial and general litigation matters. This expanded practice area has included, among other matters, a U.S. Department of Labor misclassification wage and hour case that has led to a critical and first-impression procedural ruling favorable to the Firm's client, and an Equine case that exposed fraud and undisclosed dual agencies that elicited media attention and resulted in changes in the industry. He has also been pivotal in efforts to modify Texas legislation regarding venue issues.

Philosophically, Mr. Pipitone firmly believes that the most favorable resolution for a client is one that is eventually achieved by first proceeding proactively, aggressively and efficiently. Whether through settlement or trial, the measure of success of the result is often, if not always, dictated by this approach.

Daniel D. Pipitone, *Continued*

Representative Experience

- Prevailed in a case presented to the U.S. Supreme Court involving choice of law, venue and forum non conveniens issues, the resolution of which resulted in the dismissal of numerous personal injury and death claims collectively valued at approximately \$25 million, thereby permitting the client to remain viable.
- Successfully presented and argued a case to the Texas Supreme Court resulting in the adoption of the Search and Rescue Doctrine and the application of such doctrine in a manner so as to reverse and render judgment in favor of an international client against whom a substantial judgment had earlier been awarded.
- Successfully presented and argued a case to the U.S. Court of Appeals for the Fifth Circuit resulting in the adoption of the Primary Duty Doctrine Defense and the application of such doctrine in a manner so as to maintain a minimal judgment of less than \$10,000 awarded by the U.S. District Court to the Plaintiffs in a matter involving a wrongful death claim.
- Successfully presented and argued a case to the U.S. Court of Appeals for the Fifth Circuit resulting in the correct interpretation of "other insurance" clauses and the application of such an interpretation in a manner extremely favorable to a high-profile domestic Underwriter.
- Successfully presented a matter to a U.S. District Court allowing for the first time a business entity to initiate litigation against the Department of Labor when an alleged violation of the Fair Labor Standards Act has been lodged, thereby allowing the business entity to proactively pursue an adjudication in a venue of its choosing and affording it the benefits of proceeding as the Plaintiff.
- Successfully litigated a property damage and lost profit claim on behalf of a client whose offshore, semi-submersible drilling rig sustained structural damage to one of its legs, which litigation efforts resulted in a settlement of \$6.7 million in favor of such client.
- Successfully represented a major Texas-based dredging contractor in numerous litigation matters brought under the Jones Act and General Maritime Laws, many of which were tried to entirely defense or minimal verdicts in the Rio Grande Valley State Courts.
- Successfully marshalled through the Texas Legislature a Bill modifying the venue statutes so as to substantially limit the reliance upon a Plaintiff's residence as a basis for venue, thereby significantly reducing the volume of litigation.
- On invitation, made a presentation to the Panama Canal Authority regarding defense tactics when managing claims and when pursuing and presenting a defense in litigated matters.

Articles and Publications

- Misapplication of the "Specific Orders" Doctrine to the Benefit of Jones Act Plaintiffs, *Maritime Executive*, December 2011

Professional Affiliations

- American Bar Association
 - Proctor in Admiralty, Maritime Law Association of the United States
 - National Association of Defense Counsel
 - Texas Bar Association
 - Texas Association of Defense Counsel
 - Houston Bar Association
 - Corpus Christi Bar Association
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