

Anthony W. Hinkle

PHILADELPHIA, PA

Anthony W. Hinkle is a co-managing partner of the firm's Philadelphia office and a member of the Board of Directors. He is also Chair of the General Liability Practice Group for C&W's Pennsylvania region, which includes the Philadelphia, Harrisburg, Lancaster, Scranton and Pittsburgh regional offices. He concentrates his practice in general insurance liability litigation including product liability, motor vehicle and premises liability matters. He has devoted a significant part of his practice to the **defense of ski areas and ski resort activities**. He also has significant experience in employer/employee relations, representing clients in civil rights, ERISA and wrongful termination matters. He has tried over 60 cases to verdict in Pennsylvania's state and federal courts.



Mr. Hinkle is a member of the Pennsylvania and Philadelphia County Bar Associations. He is also a member of the Association of Ski Defense Attorneys.

Mr. Hinkle is admitted to practice in all Pennsylvania state courts and U.S. district courts and the U.S. Court of Appeals for the Third Circuit.

He has been named a *Pennsylvania Super Lawyer* annually since 2017 in the area of General Litigation.

Mr. Hinkle graduated from Wabash College in 1983 with a B.A. in Economics and Psychology. He then completed a dual degree program in 1987, receiving his J.D. from the University of Pittsburgh School of Law and his M.S. from the Carnegie-Mellon University Heinz School.

Mr. Hinkle and his family reside in Glenside, Pennsylvania.

PRACTICE AREAS

- Commercial Litigation
- Premises Liability
- Professional Liability & Licensure
- Motor Carrier
- Product Liability

REPRESENTATIVE MATTERS

Hughes v. Seven Springs Farm, Inc., 762 A.2d 339 (Pa. 2000)

- Downhill skiing incident
- Summary Judgment entered in favor of Seven Springs ski resort
- Resort owed no duty to protect skier from errant skier
- Affirmed by the **Pennsylvania Supreme Court**

Kibler v. Blue Knob Rec., Inc., 184 A.3d 974 (Pa. Super. 2017)

- Downhill skiing incident
- Summary Judgment entered in favor of Blue Knob ski resort
- Resort owed no duty to protect skier from ruts left on the trail by the snowmaking crew
- Affirmed on appeal by the **Pennsylvania Superior Court**

Vu v. Ski Liberty Operating Corp., 763 Fed. Appx. 178 (3rd. Cir. 2019)

- Downhill skiing incident
- Summary Judgment entered in favor of Ski Liberty resort
- A trail-side drop-off on a ski trail is an inherent risk of downhill skiing
- Affirmed by U.S. **Third Circuit Court of Appeals**

Hamber v. Camelback Mountain Resort, CCP Monroe County, PA No. 8778-2017 (2017)

- Summary Judgment entered in favor of Camelback Mountain Resort
- Snowtubing incident
- Contact with a deceleration mat is an inherent risk of the recreational activity of snowtubing

O'Neill v. Camelback Mountain Resort, CCP Monroe County, PA No. 2616-2019 (2019)

- Motion Granted to pursue Indemnity on Camelback Release
- Mountain Coaster cart-to-cart collision
- Court held the Camelback Release Indemnity provision may be valid and enforceable
- See <https://www.law.com/thelegalintelligencer/2021/01/21/how-do-you-spell-indemnify-pa-judge-says-amusement-parks-typo-doesnt-void-waiver/>

Monroe v. Camelback Mountain Resort, CCP Monroe County, PA No. 8184-2016 (2016)

- Summary Judgment entered in favor of Camelback Mountain Resort
- Zipline incident
- Court held that Plaintiff's negligence claim was barred by the Camelback Release and Plaintiff failed to plead or establish a claim for reckless conduct

RECENT TRIALS:

Manley v. Bear Creek Mountain Resort

- Montgomery County, PA Court of Common Pleas (February 2022)
- Skiing accident allegedly due to an inadvertent ski binding release

- Non-Suit Granted based on Skier's Responsibility Act and Assumption of Risk

O'Neill v. Camelback Mountain Resort, et al.

- Monroe County, PA Court of Common Pleas (November 2021)
- Jury Trial
- Mountain Coaster Cart-to-Cart collision
- Fractured Thoracic Spine
- Defense Verdict

Stephanie Amadeo v. Spring Mountain Adventures, Inc.

- USDC Eastern District, PA (2020)
- Jury Trial
- Snowtubing incident-Plaintiff struck the barrier wall
- Trimalleolar fracture of the right ankle with ORIF (open reduction with internal fixation)
- Defense Verdict

K.L. v. Montage Mountain Resorts, LP

- Lackawanna County, PA Court of Common Pleas (2018)
- Jury Trial
- Minor slipped on surface of swimming pool floor
- Fractured teeth with facial scarring
- Defense Verdict

Gordon v. JFBB Ski Areas, Inc.

- Carbon County, PA Court of Common Pleas (2018)
- Jury Trial
- Snowtubing incident-Plaintiff struck barrier wall
- Multiple ankle fractures, three surgeries, permanent limitations
- Defense Verdict

Dunn v. JFBB Ski Areas, Inc.

- USDC Middle District, PA (2018)
- Jury Trial
- Trip over industrial fan in ski lodge entranceway
- Fractured arm with surgery involving ORIF (open reduction with internal fixation)

- Minimal verdict, molded: \$8,628.79


EDUCATION

Wabash College (B.A., 1983)

Carnegie Mellon University (M.S., 1987)

University of Pittsburgh School of Law (J.D., 1987)

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