



Michael A. Boomsma

Principal
Casualty Litigation

Lancaster, PA
Phone: 717-391-4421
Fax: 717-291-1609
Harrisburg, PA

mboomsma@postschell.com

Defends clients in multiple areas including commercial trucking, construction accident and defect, fire loss, hospitality, premises liability, and products liability.

Bio

Michael A. Boomsma is a Principal in the Firm's **Casualty Litigation Practice Group** in both its Lancaster and Harrisburg, PA offices, and joined the Firm in 1999. Mr. Boomsma possesses a diverse legal background allowing him to practice in multiple areas including commercial trucking, construction accident and defect, fire loss, hospitality, premises, and products liability.

Prior to joining Post & Schell, P.C., Mr. Boomsma served for three years as an Assistant District Attorney in Montgomery County, Pennsylvania, prosecuting and trying to verdict all levels of felonies and misdemeanors. Following his tenure as a prosecutor, for six years Mr. Boomsma was a partner in private practice, which included serving as court-appointed counsel.

Mr. Boomsma applies this wealth of client counsel and trial experience to approach cases and matters from a variety of perspectives.

Representative Cases

- Successfully defended commercial truck drivers and carriers in numerous accidents involving death and serious bodily injury resulting in multi-million dollar settlements.
- Successfully defended commercial road contractors in cases involving death, dismemberment and permanent injury resulting in multi-million dollar settlements.
- Successfully defended general contractor in crane collapse case resulting in permanent injuries to multiple workers obtaining equal contribution from design professional, property owner and contractor.
- Successfully defended product manufacturer of industrial mower causing foot amputation resulting in settlement of less than \$105,000.
- Successfully defended product manufacturer of metal folding machine causing bi-lateral partial thumb amputation resulting in settlement of less than \$60,000.
- Successfully defended developers and contractors in Stormwater Management Act cases resulting in minimal settlements.
- Successfully defended distributor of aerial work platforms involving fatal tip-over accidents resulting in multimillion dollar settlements where

Practices

- Products Liability Litigation
- Appellate
- Hospitality and Retail
- Construction Defect/Injury Litigation
- Commercial Transportation Litigation
- Casualty Litigation
- Alternative Dispute Resolution

Industries

- Manufacturing
- Hospitality
- Commercial Transportation
- Construction

Education

- J.D., Temple University School of Law, 1989
- B.A., *Cum Laude*, Indiana University of Pennsylvania, 1986

Bar Memberships

- Pennsylvania (1989)

Court Admissions

- U.S. District Court for the Eastern District of Pennsylvania
- U.S. Court of Appeals, Third Circuit
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania

client's share was at or below 10% contribution.

- Successfully defended distributor of elevated work platforms involving multi-employer worksite accidents resulting in multi-million dollar settlements where client's share was at or below 10% contribution.

Representative Jury Trials

- Defense verdict for one of the largest privately-held corporate food service providers in the U.S. and its commercial truck driver. Case involved an alleged "courtesy wave" by the commercial truck driver resulting in an accident, a fatality and serious injuries. Jury found no liability. (Luzerne County).
- Defense verdict for commercial driver involved in double fatality tractor trailer accident (Lancaster County).
- Defense verdict for general contractor in road construction accident involving permanent, catastrophic injuries to legs and back. (Dauphin County).
- Defense verdict for sub-contractor in road construction accident involving permanent catastrophic injuries to legs and back. (Lancaster County).
- Defense verdict for general contractor in construction defect claim. Jury awarded contractor damages on counterclaim for unpaid work. (Chester County).
- Defense verdict for horse racing track where jockey suffered serious, permanent injuries. (Dauphin County).
- Defense verdict (bench trial) in boating accident involving colliding boats and near drowning resulting in permanent injury (Huntingdon County).
• Defense verdict in premises liability case involving serious leg injury and multiple surgeries (Dauphin County).
- Defense verdict in premises liability case involving serious shoulder injury and multiple surgeries (Adams County).
- Defense verdict in premises liability case involving knee injury and subsequent surgeries (Lancaster County).
- Settlement after two weeks of trial involving double leg amputation at commercial construction site involving multiple parties (Philadelphia County).
- Finding of equal liability in industrial accident case resulting in minimal gross award (< \$50,000) involving triple digit amputation (Lancaster County).
- Finding of shared liability in hotel premises case resulting in minimal gross award (<\$20,000) involving serious permanent scarring (Allegheny County).
- Finding of no causation and minimal award (< \$3,000) in admitted liability vehicle roll-over case (Cumberland County).

Representative Clients

Approved and retained counsel for:

- International auto remarketing company
- Several regional commercial and residential construction firms
- Manufacturer of turf products with international distribution
- Pennsylvania gaming company
- International restaurant chain
- International hotel chains

- Distributor of elevated work platforms
- Distributor of aerial work platforms
- Regional trucking firms
- National store chain

Speaking Engagements

- "The Mechanics of Trial Preparation," Seminar for Lancaster County Bar Association
- "Alternative Dispute Resolution: Suggestions For Alternatives To Litigation" Seminar for Central Pennsylvania Chapter of the Association of Corporate Counsel and the PBA In-House Counsel Committee
- "Defenses in Premises Liability Cases" Seminar for the Lancaster Bar Association
- "Premises Liability Issues in the Hospital Setting" Seminar for Lancaster Regional Health Medical Center

Training & Certifications

- 30 Hour Pennsylvania Commercial Driver's License Training, 49 CFR 383
- Class B CDL with air brake endorsement and passenger endorsement
- OSHA 30 Hour Certification in Construction Safety and Health
- MSHA Part 46, 8 Hour Certification in Mine Safety and Health
- OSHA 10 Hour Certification in Construction Safety and Health

Affiliations

- Pennsylvania Trial Lawyers Association
- Pennsylvania Bar Association
- Pennsylvania Claims Association
- Member, Associated Builders & Contractors (ABC) - Keystone Chapter
- Treasurer, Lancaster Bar Association Foundation