



Maureen Daley, left, and Robert Tyson, right, of Tyson & Mendes. Courtesy photos

NEWS

Insurance Defense Firm Tyson & Mendes Opens Phila. Office With Rawle & Henderson Team

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What You Need to Know

- Tyson & Mendes will open a new office in the Philadelphia suburbs, looking to combat an increasing number of high-dollar value verdicts.
- Maureen Daley, a former department co-chair at Rawle & Henderson, will be leading the new office along with three other former Rawle attorneys.
- The firm has recently opened offices in Chicago, Florida and Texas.

Insurance defense firm Tyson & Mendes has opened a new Philadelphia office with the help of newfound office managing partner Maureen Daley, formerly the chair of Rawle & Henderson's premises liability department, aiming to fight what co-founder Robert Tyson calls an ongoing wave of "nuclear verdicts" in the Philadelphia Court of Common Pleas.

Daley, who served at Rawle for over 20 years, is joined by partners Jocelyne Peregoy and Joseph Longo along with senior counsel Allan Goulding in Tyson & Mendes' new office.

"We've made our name defending and trying big lawsuits," said firm co-founder Tyson. "We've opened offices where our clients are complaining about nuclear verdicts ... [this move] makes a lot of sense from a business point of view and firm point of view."

According to Tyson, the firm has expanded into Chicago, Florida and Texas in response to the ongoing trend.

"We moved into Cook County, Chicago, within the last few years [as a] direct response to Chicago being a 'judicial hellhole,'" Tyson said. "[And] within the last six months we've opened offices in Texas. ... Texas is a really tough jurisdiction for nuclear verdicts."

In December, the Philadelphia Court of Common Pleas and the Pennsylvania Supreme Court took the top spot as the nation's worst "[judicial hell-hole](#)" for nuclear verdicts, according to the American Tort Reform Association, tied with the state of Georgia.

“It’s been frustrating to my clients as we’re trying to evaluate cases,” Daley said of the trend. “We’re understanding that Philadelphia verdicts can go very far ... the verdicts are just going higher and higher.”

The firm intends to open a brick-and-mortar office on the Main Line, according to Daley, but it has yet to finalize a location.

Beyond expanding in response to the rise of nuclear verdicts following the pandemic, the firm has also distilled its own strategy to combat excessive non-economic damages and shared it with other insurance defense firms. Tyson outlines the approach in his book, “Nuclear Verdicts: Defending Justice for All.”

“The four big [strategies] that we talk about is one, accepting responsibility ... we believe you should accept responsibility for something in every jury trial,” Tyson recounted, authoring a book on the subject back in 2020. “Two is give the jury number, a defense number. ... Three is the defense should be personalizing the corporate defendant, [and] four is the defense needs to learn how to argue pain and suffering.”

Daley said she had to incorporate some of these strategies into her practice while at Rawle & Henderson, but looks forward to taking a deeper dive into them now that she’s at Tyson & Mendes. She highlighted the firm’s national platform, giving her clients the ability to rely on one firm across jurisdictions.

“Tyson & Mendes has developed a program for how to defend against nuclear verdicts and is using this model on a national basis,” Daley said “I’ll be bringing that model to my clients in the market.”

According to Tyson, he and the firm will be publishing a second book in the coming months, this time offering data to support the effectiveness of the firm’s strategies.

“In the beginning, four or five years ago when I started talking to partners about writing this [first] book, they didn’t necessarily want to,” Tyson recalled. “[Insurance defense firms] don’t [share this information] because we’re competing with each other.

“The plaintiffs bar shares this information with each other,” he continued. “Our clients are talking about it a lot, and insurance companies are pushing us to share information with each other.”

As such, Tyson decided to launch a four-day nuclear verdicts defense institute in San Diego to spread his strategies amongst other insurance defense attorneys.

“We’re the only insurance defense firm that’s training our competitors,” Tyson quipped.

Despite his attempts to educate his fellow insurance defense attorneys, Tyson doesn’t see an end in sight just yet to the rising plaintiffs’ verdicts plaguing insurance companies.

“The trend is going to continue. Nuclear verdicts are on the rise both in frequency and severity,” he predicted. “If it continues the way it’s going, the significance of ‘judicial hellholes’ will decrease because the entirety of America will become a judicial hellhole. From a litigation point of view, to be blunt, it looks bleak.”

Yet Tyson and his firm intend to put up a fight. In addition to his set of strategies, Tyson rolled out a new artificial intelligence program six months ago as an initial wave of defense for insurance companies designed to flag down potential nuclear verdict-worthy claims when they are first filed.

“The data shows [that] nuclear verdicts are not just happening to new insurance-defense professionals —It’s the best defense lawyers that are getting killed by these verdicts,” Tyson explained. “The No. 1 question we’ve received from insurance companies is, ‘How can we spot a nuclear verdict before it happens?’”

The firm also plans to continue to grow throughout the year to address the increasing demand for defense against high-dollar verdicts, with Philadelphia as one of the prime markets.

“There’s a tremendous ability for growth right now,” Daley said. “The firm is looking for associate attorneys, and the expectation is other firm clients may have the opportunity to use the Philadelphia office.”

In response to Daley’s decision to leave Rawle & Henderson, Philadelphia-based partner and executive committee member John McMeekin II said in a written statement that “with the evolving legal landscape, some attorneys may choose to pursue other career options. While we wish our former partners well, we are excited for our own continued growth.”

<https://www.law.com/thelegalintelligencer/2024/01/16/insurance-defense-firm-tyson-mendes-opens-phila-office-with-rawle-henderson-team/>