

ANTHONY J. SBARRA, JR.

SHAREHOLDER

📞 617.210.7755

✉ asbarra@hermesnetburn.com



KEY SERVICES

Litigation

- Breach of Warranty
- Commercial
- Construction
- Negligence/Personal Injury
- Premises Liability
- Product Liability
- Toxic Torts

Insurance

- Bad Faith

BAR ADMISSIONS

State Bar Admissions

MA, RI, CT
Pro hac vice admissions NH,
NY, DE

United States District Court

United States Court of
Appeals

United States District
Court
MA, RI, CT

EDUCATION

Suffolk University Law
School, J.D., 1988

OVERVIEW

Tony Sbarra is a trial attorney who focuses his practice in products liability and toxic torts. Tony defends manufacturers of automobiles; light, medium and heavy trucks; construction equipment; farm/agricultural equipment and other products in products liability cases. He also defends toxic tort actions, particularly those involving asbestos.

Tony serves as lead examining counsel in multiple lay and expert depositions throughout the country and conducts numerous direct and cross-examinations of epidemiologists, industrial hygienists, pathologists, naval historians and practitioners of occupational medicine, among others. Tony is an experienced member of asbestos trial teams for major motor vehicle manufacturers in Massachusetts, Rhode Island and Connecticut, and has tried asbestos cases to verdict in New York. His pro bono work involves representing attorneys seeking readmission to the Bar.

Tony's experience defending products liability and toxic tort cases spans over 30 years. He has tried to verdict more than 30 Superior Court and 60 District Court actions and arbitrated or mediated several hundred cases. He also serves as a neutral arbitrator in personal injury cases and has been court appointed as guardian ad litem for persons injured in such cases.

A leader in his field, Tony is often found at the cutting edge of the industry. He is an elected National Director for the prestigious Defense Research Institute (DRI), an international membership organization for all lawyers involved in the defense of civil litigation. Recognized for his trial experience, he is also an elected member of the American Board of Trial Advocates.

Tony has served as faculty for continuing legal education programs sponsored by preeminent

University of Massachusetts
at Amherst, B.A. Political
Science, 1985

organizations such as the Massachusetts Bar Association, the Massachusetts Defense Lawyers Association, the American Bar Association, the American Conference Institute and for the insurance industry. He lectures nationally for the Defense Research Institute, and has been a main stage presenter at DRI seminars several times. He has also spoken on behalf of DRI at the invitation of state local defense organizations throughout the country.

EXPERIENCE

- **Baptiste v. Briggs** – Defense verdict obtained in Plymouth Superior Court where plaintiff, who sustained permanent injuries in motor vehicle accident, alleged that adult defendant negligently supervised operator who was intoxicated at time of accident.
- **Pola v. Huck** – Summary judgment obtained in Barnstable Superior Court in paraplegia case where plaintiff alleged that professional tree cutting was “inherently dangerous” activity.
- **Argemma v. DeLuca** – Defense verdict obtained in Worcester Superior Court where plaintiff alleged that lack of handrail on attic stairs proximately caused fall resulting in permanent back injuries.
- **Pelligrino v. Marchant** – Defense verdict obtained in Lowell Superior Court where plaintiff alleged that defendant was liable for tree falling on car causing permanent head injuries.
- **Lazaro v. Ferreira** – Defense verdict obtained in Fall River Superior Court where plaintiff alleged that he was permanently injured when struck from the rear by defendant’s vehicle.
- **Wright v. Chisholm** – Defense verdict obtained in Somerville District Court (jury of six) where plaintiff alleged permanent scarring from dog bite.
- **Howard v. Scannel** – Defense verdict obtained in Lowell Superior Court on causation after court directed verdict for plaintiff on issue of liability.
- **Courtemanch v. AT&T** – Defense verdict obtained in Lawrence Superior Court where plaintiff alleged defendant construction company negligently maintained scaffolding system.
- **Fitchburg v. Juliano** – Declaratory judgment action defeated at summary judgment stage in Norfolk Superior Court where homeowner’s carrier declined coverage for social host claim.
- **Medeiros v. Chrysler** – Summary judgment obtained in Plymouth Superior Court in favor of automobile manufacturer in asbestos/mesothelioma case after Special Master recommended denial of motion.
- **Petty v. General Motors** – Summary judgment obtained in Bridgeport Superior Court in favor of naval engine manufacturer due to lack of sufficient expert product identification testimony.
- **Kroskob v. Detroit Diesel Corporation** – Dismissal of claims obtained in Providence Superior Court in asbestos/mesothelioma case just before jury selection.
- **Owens v. MacMillen** – Defense verdict obtained in Plymouth Superior Court where plaintiff sustained permanent facial/eye injuries while constructing a deck at defendant’s home.
- **Zdanowicz v. Zides** – Defense verdict obtained in Suffolk Superior Court where plaintiff fractured leg while delivering oil to defendant’s home.
- **Pactovis v. Moran** – Defense verdict obtained in Norfolk Superior Court where plaintiff fractured hip when she fell at a donut shop after being bumped by the defendant.
- **Wagner v. Leroy** – Defense verdict obtained in Plymouth Superior Court where plaintiff fractured both hips, requiring surgery, after tripping over a holiday decoration (pumpkin) while delivering

packages to the defendant's home.

- **Epro v. Letendre** – Defense verdict obtained in Norfolk Superior Court where plaintiff sustained shoulder injuries falling while filling his car with gas at the defendant's service station.
- **Watson v. Aubert** – Verdict of \$2,400 in dog bite case in Fall River Superior Court. Plaintiff alleges permanent scarring and nerve/leg injuries and demanded \$100,000. Settlement offer prior to trial was \$15,000.
- **Ortega v. Roman** – Defense verdict obtained in Hamden Superior Court where plaintiff fractured leg falling on snow and ice on the defendant's driveway.
- **Gonsalves v. Martin** – Defense verdict overturning a plaintiff's award from the District Court obtained in Fall River Superior Court in motor vehicle accident case.
- **Switzer v. Hamilton** – Defense verdict obtained in Middlesex Superior Court where plaintiff sustained facial and head injuries with resulting vertigo after being hit by a shot-put thrown by the defendant at high school track practice.
- **Lewis v. Valle** – Defense verdict obtained in Middlesex Superior Court where plaintiff sustained wrist injuries after an altercation with her sister-in-law at a family holiday gathering.
- **Scully v. McGrath** – Defense verdict obtained in Suffolk Superior Court where plaintiff fractured leg when struck by wedding guest while dancing at the defendant's premises.
- **Andrade v. Andrade** – Defense verdict obtained in Plymouth Superior Court where plaintiff fractured both feet and legs falling from the defendant's roof.
- **Hostetter v. ArvinMeritor, Inc.** – Summary judgment awarded in mesothelioma case where plaintiff through documents, but not testimony, claimed he was exposed to Rockwell brakes allegedly installed in Mack trucks. Rockwell prevailed on argument that "a" supplier was not the same as "the" supplier. This was the first contested summary judgment motion awarded to an asbestos defendant in Providence Superior Court in over 20 years.
- **Centerplan Construction v. Connecticut Doubleplay** – Summary judgement awarded to the Hartford Yard Goats minor league baseball team in dispute over construction of Dunkin Donuts Park. The plaintiff claimed that the team and its owner tortuously interfered with its contracts with the City of Hartford. The case was in the Hartford Superior Court Complex Litigation section and, despite Connecticut's high summary judgment burden, the defendants were able to illustrate that no such interference occurred as a matter of law.

AWARDS & HONORS

- Lawyer of the Year 2023, Best Lawyers®, Mass Tort Litigation/Class Actions/Defendants in Boston
- AV® Preeminent™ Rated by Martindale-Hubbell
- Superb 10.0 rating from Avvo
- Massachusetts Chapter of the American Board of Trial Advocates, Associate Member
- Best Lawyers® for Mass Tort Litigation and Personal Injury Defense annually since 2018
- Super Lawyers, annually since 2011
- Exceptional Performance Citation, Defense Research Institute, 2012
- Outstanding Leadership Award, MassDLA
- Special recognition awards for member recruitment at DRI's Leadership Conferences in 2016, 2017,

2018 and 2019.

- American Bar Association – Tort Trial & Insurance Practice Section – Certificate of Appreciation – 2017
- American Bar Association – Tort Trial & Insurance Practice Section – Most Innovative Committee Award, Products Liability – 2017



INVOLVEMENT

American Bar Association

- Member, Tort Trial & Insurance Practice Section
- American Bar Foundation, Life Fellow – an honor limited to one third of one percent of all American lawyers

American Board of Trial Advocates (ABOTA)

Defense Counsel of Rhode Island

Defense Research Institute

- Elected Member of the Board of Directors
- Massachusetts State Representative to DRI
- Massachusetts State Membership Chair
- National Membership Committee
- Inaugural Chair of the SMC Sub-Committee
- SMC Liaison for the New England Region
- Vice-Chair of the SLDO Relationship Committee
- Main stage presentations at the DRI Asbestos Medicine Seminar in 2013, 2014, 2016 and 2020
- Steering Committee – DRI Asbestos Medicine Seminar
- Steering Committee – DRI Annual Meeting

Massachusetts Bar Association

- Past Member, Civil Litigation Section and Trial Practice & Procedure/Court Rules Practice Group

Massachusetts Defense Lawyers Association (Mass DLA)

- President, 2011-2012
- Board of Directors, 1999 – 2017

ABA – Tort Trial and Insurance Practice Committee

- Ethics and Professionalism Committee (2017)
- Long Range Planning Committee (2017)
- CLE Board Member (2017)
- Products Liability Chair (2017)
- CLE Board Member (2016)
- Products Liability Chair Elect (2016)
- Ethics and Professionalism Committee (2016)

Speaking Engagements

- Defense Research Institute (DRI), featured main stage speaker
- Massachusetts Defense Lawyers Association
- Massachusetts Academy of Trial Lawyers Annual Meeting
- Massachusetts Defense Lawyers Association
- Massachusetts Bar Association
- Massachusetts Defense Lawyers Association
- Massachusetts Continuing Legal Education
- American Conference Institute
- ABA – Tort Trial and Insurance Practice Committee