



DISMISSAL OBTAINED IN THE WESTERN DISTRICT OF PENNSYLVANIA FOR LACK OF PERSONAL JURISDICTION

Attorneys Bob James and Bill Aubel successfully obtained dismissal for an ATV rental company on claims for negligence, wrongful death, and product liability in the Western District of Pennsylvania for lack of personal jurisdiction. The plaintiff alleged that the Court had personal jurisdiction over the defendant because it targeted advertisements to the Western District of Pennsylvania and because of its internet conduct. Following a second round of briefing after the Court allowed the plaintiff to conduct jurisdictional and venue discovery, the Court granted a renewed motion to dismiss, finding that no evidence was adduced to show that neither the defendant's website nor its Google advertising or Facebook platforms, enabled interested individuals to do more than view offers, or offered a click-through method of contracting with the rental company. Accordingly, because the plaintiff proffered no evidence illustrating how the company purposefully availed itself of the privilege of conducting business in Pennsylvania, the Court found that it did not have jurisdiction over the rental company.

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PEOPLE

William J. Aubel

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