

## Matthew F. Popp

Partner

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Matthew Popp is trial ready, trial tested, and trial smart.

Whether the trial involves defending an insurance company, towboat company, dredging company, or any other marine industry or construction company, your defense attorney needs to be able to discern the cases in which your company truly has a defense versus the cases that should not be tried. Having knowledge of the judge or jury pool that will decide the case is paramount, and having tried cases in Louisiana, Texas, and Florida, Matt has the experience to best advise clients as to how to proceed, and how to save money, whether it be by settling a bad case early, and avoiding defense costs, or taking it to trial to not pay a ridiculous and exorbitant settlement demand.

### Representative Experience

Defense verdict (judge-tried case) for major U.S. dredging company sued by four recreational boaters, inclusive of proving to the Court that the Oregon Rule (rebuttable presumption of fault against a moving vessel that strikes a stationary vessel) and Pennsylvania Rule (rebuttable presumption of fault against a party who violates a safety statute intended to prevent the type of harm that occurred) applied against the plaintiffs, and that plaintiffs failed to prevent any evidence to rebut the presumption of fault.

Defense verdict (jury) for major U.S. dredging company against a Jones Act seaman who fell down a set of stairs.

Defense verdict for Louisiana towing company accused of negligence by two plaintiffs who, during the towage of a rig, alleged being struck by the swinging block of a crane caused by the towboat's alleged failure to maintain tow.

Jury verdict finding plaintiff 60% at fault and only awarding gross damages of \$240,000.00, net recovery of \$96,000.00, after last settlement demand of \$550,000.00, and requesting a jury verdict in the amount of

\$2.1M in total damages.

Verdict (judge-tried case) in favor of major U.S. dredging company limiting plaintiff's recovery to maintenance and cure only, for 5 days, dismissing plaintiff's Jones Act negligence and unseaworthiness causes of action.

Verdict (judge-tried case) in favor of major U.S. dredging company limiting Plaintiff's recovery to maintenance and cure for knee replacement only, dismissing plaintiff's Jones Act negligence and unseaworthiness causes of action.

Verdict (jury) in favor of major U.S. dredging company limiting plaintiff's recovery to \$198,710.00, after last settlement demand of \$450,000.00.

Defense verdict (jury) finding plaintiff failed to prove any accident happened, and finding defendant, a Louisiana towing company, entitled to the McCorpen defense, denying plaintiff any maintenance and cure benefits, after last settlement demand of \$450,000.00.

Verdict (judge-tried case) in favor of lending institution, against Louisiana river tug company, for failure to repay promissory notes, in the amount of \$2,234,469.57, plus 25% attorneys' fees.

Verdict (judge-tried case) in favor of major U.S. dredging company finding plaintiff failed to prove he sustained any injury in his alleged accident event, thus no maintenance and cure benefits were owed, and dismissal of plaintiff's Jones Act negligence and unseaworthiness causes of action.

## **Related Services**

[Business and Commercial](#)

[Construction](#)

[General Liability/Catastrophic Injury](#)

[Health Care](#)

[Insurance](#)

[Labor & Employment](#)

## **Education, Admissions & Activities**

### EDUCATION

Tulane University School of Law

J.D., 1996

Sports Law Certificate

Tulane University

B.S., 1993

Accounting

Four-Year Letterman, Basketball

#### BAR ADMISSIONS

Louisiana

Texas

New York

Florida

#### COURT ADMISSIONS

United States Supreme Court

United States Court of Appeals

Second, Fifth and Eleventh Circuit

United States District Court of Louisiana

Eastern, Middle, Western

United States District Court of Texas

Northern, Southern, Eastern, Western

United States District Court of Florida

Northern, Middle, Southern

United States District Court of New York

Eastern, Southern

#### PROFESSIONAL AND COMMUNITY ACTIVITIES

Louisiana State Bar Association

Texas State Bar Association

Florida State Bar Association

New York State Bar Association

Federal Bar Association

Maritime Law Association of the United States

The Mariners Club of the Port of New Orleans