DIRECTORY OF ATTORNEYS

complex tort and product liability

2018
USLAW Complex Tort and Product Liability Practice Group

MISSION STATEMENT

The USLAW NETWORK Complex Tort and Product Liability Practice Group is a nationwide network of experienced attorneys committed to providing the highest quality legal services to effectively and efficiently achieve the goals of the clients we serve. We share a commitment to integrity and professionalism and are dedicated to finding creative and cost-effective solutions to the full range of product liability and complex tort exposures, including toxic and mass tort, class actions and claims under consumer protection statutes, so that the results we achieve exceed the expectations of our clients.

WHY CHOOSE USLAW COMPLEX TORT AND PRODUCT LIABILITY FIRMS?

The lawyers within the Complex Tort and Product Liability Practice Group are specialists and include leaders in our field who have lectured and written extensively on cutting edge topics and litigation techniques. We provide a full range of litigation and counseling services related to the entire spectrum of product liability and complex tort issues, from traditional exposures to emerging trends, and from single lawsuits to multi-jurisdiction litigation. Often, these matters involve catastrophic injuries or property damage.

Our attorneys have successfully represented clients in thousands of product liability matters across the country and throughout the world. In addition to our vast experience with product liability trials and litigation, we advise our clients on matters relating to pre-litigation planning, litigation management, liability exposure, risk management, risk avoidance and risk transference. This can include working with clients on recall and/or retrofit campaigns, warning labels, operator manuals, disclaimers, indemnity agreements and insurance coverage issues. Utilizing the USLAW Complex Tort and Product Liability Practice Group provides clients with nationwide access to highly experienced liability attorneys who share information and resources for the benefit of their clients. When you retain a USLAW Complex Tort and Product Liability Practice Group attorney, you are assured the highest level of quality representation whatever, and wherever, your needs may be. Through seminars, meetings and electronic networking, the members of this practice group communicate with one another to stay abreast of technological advances and changes of law in all areas relating to product liability.

We are trial lawyers, not just litigators. Our attorneys are skilled at early case evaluation and are dedicated to finding creative and cost-effective solutions to complex issues and to look for alternative methods for dispute resolution when appropriate. We represent regionally, nationally and internationally-based manufacturers, distributors and retailers of all sizes. Clients from around the world rely upon us to get the job done.

AREAS OF PRACTICE

Our lawyers defend products of every sort, from consumer goods and automobiles to industrial machinery and high tech medical devices and everything in between. In addition, USLAW Complex Tort and Product Liability Practice Group attorneys have represented clients in every major mass product liability and toxic tort litigation since the inception of Section 402A of the Restatement (Second) of Torts, including asbestos, silica, breast implant, Dalkon Shield, Pedicle Screw, Fen/Phen, Redux and latex glove litigation, to name a few. Products defended by our members include:

- Agricultural Equipment
- Alcohol and Distilled Spirits
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Breast Implants
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction, Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Locomotives and Locomotive Equipment
- Medical Devices and Supplies
- Mining Equipment
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Tobacco Products
- Trucks and Commercial Transportation
- Windows
IT’S NEVER BEEN EASIER TO STAY ON TOP OF TODAY’S MOST IMPORTANT PRODUCT LIABILITY ISSUES

Just tell us when, and our team of experienced attorneys will arrive at your door.

**INTRODUCING** a completely customizable one-stop educational program that delivers information on today’s trending topics directly to your office or a pre-selected local venue.

We focus on the specific markets where you do business and utilize a team of experienced attorneys who can share relevant jurisdictional knowledge important to your business’ needs.

Whether it is a one-hour “lunch and learn”, half-day intensive program or simply an informal meeting discussing a specific legal matter, USLAW will structure the opportunity to your requirements – all at no cost to your company.

- Use of the Corporate Witness as Expert
- Importance of Designating and Defending the 30(b)(6) Deponent
- Social Media and Its Effect on Product Misuse, Foreseeability and Product Liability Claims
- Pitfalls with Standard Contract Language for Defense/Indemnity
- Manufacturer’s Responsibilities with Respect to Governmental Agencies
- Media Issues in the Recall, MDL and High Profile Case
- Insuring Vendors for Their Negligence/The Manufacturer’s Additional Insured Endorsement
- Dealing with the Reptile Plaintiff’s Lawyer in Deposition and Motion Practice
- Mediation Tactics
- Post Manufacture Duty to Warn (or Recall)
- Strategies for Developing and Delivering a Corporate Apology

To get started, email roger@uslaw.org or fax request to 800-231-9110...and we’ll take it from there.
About USLAW

Mega-firms...big, impersonal bastions of legal tradition, encumbered by bureaucracy and often slow to react. The need for an alternative was obvious. A vision of a network of smaller, regionally based, independent firms with the capability to respond quickly, efficiently and economically to client needs from Atlantic City to Pacific Grove was born. In its infancy, it was little more than a possibility, discussed around a small table and dreamed about by a handful of visionaries. But the idea proved too good to leave on the drawing board. Instead, with the support of some of the country’s brightest legal minds, USLAW NETWORK became a reality.

Fast-forward to today.
The commitment remains the same as originally envisioned. To provide the highest-quality legal representation and seamless cross-jurisdictional service to major corporations, insurance carriers, and to both large and small businesses alike, through a network of professional, innovative law firms dedicated to their client’s legal success. Now as a diverse network with more than 6,000 attorneys from more than 60 independent, full practice firms with roots in civil litigation across the U.S., Canada, Latin America and Asia, and with affiliations with TELFA in Europe, USLAW NETWORK remains a responsive, agile legal alternative to the mega-firms.

Home Field Advantage.
USLAW NETWORK offers what it calls The Home Field Advantage which comes from knowing and understanding the venue in a way that allows a competitive advantage – a truism in both sports and business. Jurisdictional awareness is a key ingredient to successfully operating throughout the United States and abroad. Knowing the local rules, the judge, and the local business and legal environment provides our firms’ clients this advantage. The strength and power of an international presence combined with the understanding of a respected local firm makes for a winning line-up.

A Legal Network for Purchasers of Legal Services.
USLAW NETWORK firms go way beyond providing quality legal services to their clients. Unlike other legal networks, USLAW is organized around client expectations, not around the member law firms. Clients receive ongoing educational opportunities, online resources including webinars, jurisdictional updates, and resource libraries. We also provide a semi-annual USLAW Magazine, USLAW DigiKnow, which features insights into today’s trending legal topics, compendiums of law, as well as annual membership and practice group directories. To ensure our goals are the same as the clients our member firms serve, our Client Leadership Council and Practice Group Client Advisors are directly involved in the development of our programs and services. This communication pipeline is vital to our success and allows us to better monitor and meet client needs and expectations.

USLAW Abroad.
Just as legal issues seldom follow state borders, they often extend beyond U.S. boundaries as well. In 2007, USLAW established a relationship with the Trans-European Law Firms Alliance (TELFA), a network of more than 20 independent law firms representing more than 1000 lawyers through Europe to further our service and reach.

How USLAW NETWORK Membership is Determined.
Firms are admitted to the NETWORK by invitation only and only after they are fully vetted through a rigorous review process. Many firms have been reviewed over the years, but only a small percentage were eventually invited to join. The search for quality member firms is a continuous and ongoing effort. Firms admitted must possess broad commercial legal capabilities and have substantial litigation and trial experience. In addition, USLAW NETWORK members must subscribe to a high level of service standards and are continuously evaluated to ensure these standards of quality and expertise are met.

USLAW in Review.
• All vetted firms with demonstrated, robust practices and specialties
• Efficient use of legal budgets, providing maximum return on legal services investments
• Seamless, cross-jurisdictional service
• Responsive and flexible
• Multitude of educational opportunities and online resources
• Team approach to legal services

The USLAW Success Story.
The reality of our success is simple: we succeed because our member firms’ clients succeed. Our member firms provide high-quality legal results through the efficient use of legal budgets. We provide cross-jurisdictional services eliminating the time and expense of securing adequate representation in different regions. We provide trusted and experienced specialists quickly.

When a difficult legal matter emerges – whether it’s in a single jurisdiction, nationwide or internationally – USLAW is there. Success.

For more information, please contact Roger M. Yaffe, USLAW CEO, at (800) 231-9110 or roger@uslaw.org
About USLAW: Your Homefield Advantage
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Glenn Ireland has been involved in defending manufacturers and distributors of industrial, commercial, retail and pharmaceutical products for over 25 years in the state and federal courts of Alabama. Approximately 25% of his practice is devoted to defense of product liability litigation.

Representative Trials
- Defended international pharmaceutical and medical provider company in a wrongful death case in federal court in Alabama. Client was dismissed, with prejudice, on a Motion for Judgment on the Pleadings.
- Defended a national plumbing component manufacturer and distributor in a commercial case filed in state court of Alabama. Client was dismissed via summary judgment.
- Defended a distributor of cigarette lighter in a wrongful death case of a toddler, who died as a result of a house fire. Plaintiffs voluntarily dismissed the client upon completion of Plaintiffs’ depositions.

Product Experience
- Agricultural Equipment
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Firearms
- Food Products
- Furniture
- Hand Tools
- Industrial Machinery
- Medical Devices and Supplies
- Mining Equipment
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Swimming Pools
- Tires
- Toys and Children's Products

Education
- 1990, J.D., Cumberland School of Law, Samford University
- 1985, B.S., History, Presbyterian College
Biography and Experience
Lea Richmond has represented manufacturers and distributors under the Alabama Extended Manufacturers Liability Doctrine (product liability litigation) in state and federal courts throughout Alabama for the last twelve years. He has defended manufacturing and design defect claims for an array of products, with an emphasis on heavy industrial equipment, LP Gas delivery systems, food products, and alcohol/distilled spirits. Approximately 20% of his practice is devoted to product liability defense.

Representative Trials
Lea Richmond successfully resolved a complex, design defect claim against a manufacturer of an asphalt mixer. The case focused on a hydraulic Salmi valve patented by the designer/manufacturer. The opposing experts claimed that the valve failed as a reliable safety mechanism. The defense established that no other feasible alternative design existed that would not interfere with the utility of the mixer.

Product Experience
- Alcohol and Distilled Spirits
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Food Products
- Industrial Machinery
- Tanks and Containers

Education
- 2002, J.D., Cumberland School of Law, Samford University, cum laude, Curia Honoris
- 1998, B.S., University of the South, Sewanee, Tennessee


**Biography and Experience**
For more than 29 years, Mr. Gutsch has worked on over 40 product liability cases. It comprises about 20% of his practice. Mr. Gutsch has attended at least 10 product liability seminars.

**Representative Trials**
In the last five years, Mr. Gutsch has defended and successfully resolved the defective design and manufacturing claims involving the following products: chair failure (cervical and lumbar fusions); toy jewelry kit (partial blindness); children's inflatable playground (broken leg); toddler bed spindles (compartment syndrome); swage press (hand amputation); seatbelt failure (paralysis); vehicle lift (back injury); escalator (back injury); therapeutic waterfall (house fire); lamp (house fire); elastic exercise band (partial blindness); tire explosion (head injury); ATV winch (house fire); MRI contrast agent (terminal liver disease).

**Product Experience**
- Aircraft (Private and Commercial)
- Automobiles
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Furniture
- Industrial Machinery
- Motorcycles and Recreational Vehicles
- Recreational Equipment
- Roofing Systems
- Tires
- Toys and Children's Products
- Trucks and Commercial Transportation

**Education**
- 1988, University of Illinois School of Law, Law Review
- 1982, B.A., Knox College
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www.jshfirm.com

Biography and Experience
Mr. Hochuli initially started doing products liability work more than 20 years ago, and he currently devotes roughly 50% of his practice to the defense of product liability cases. He has defended many cases directly for the manufacturer or distributor of a product, and many cases in which he has been hired by the liability insurance company for said companies. Mr. Hochuli has been the USLAW practice group leader for the products liability practice group for several years and continues to be part of the products leadership team.

Representative Trials
- Mr. Hochuli has tried more than 25 product liability cases to verdict. They have included such products as hand power tools (user cut off his own hand, and the allegations were that there was not proper guarding or kick-back protection), bicycle (front fork failed causing the rider to go over the handlebars and land face first at a high rate of speed), electric space heater (the fail safe protection allegedly failed and caused a house to burn down), conveyer belt (the emergency stop bottom allegedly failed, and the user lost his arm), punch press (the guarding was allegedly insufficient, and the user lost an arm), forklift (the guarding was allegedly defective and the user lost a foot).

Representative Seminars
- Mr. Hochuli has frequently spoken at seminars for products manufacturers, insurance carriers, and attorneys defending products cases. They include seminars for medical device manufacturers, power tool manufacturers, electrical appliance manufacturers, and several USLAW programs presented to clients and attorneys in the products liability practice group.

Product Experience
- Agricultural Equipment
- Asbestos
- Automobiles
- Beverage Containers
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
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- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Roofing Systems
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Trucks and Commercial Transportation
- Windows

Education
- 1976, J.D., University of Arizona College of Law, with distinction
- 1972, B.A., University of Texas, El Paso, Texas, with honors
Biography and Experience

Mr. Quattlebaum has served as lead trial counsel in over 100 trials, including the defense of: welding consumable manufacturers in numerous cases around the country, herbicide manufacturers, automobile manufacturers, pharmaceutical and medical device manufacturers, and consumer and industrial equipment manufacturers. These cases included claims alleging various personal injuries ranging from cancer and neurological injury to traumatic loss of limbs, paralysis and death. Some involved claims of crop loss, property damage, environmental contamination and nuisance.

Mr. Quattlebaum is a member of the Product Liability Advisory Council and listed by Who's Who Legal in the areas of Environmental, Commercial Litigation, and Products Liability Defense. Mr. Quattlebaum has been selected as a member of the Lawdragon 500 Leading Lawyers in America® five times. He has been named one of the leading business litigation lawyers in Arkansas by Chambers USA’s Guide to America’s Leading Lawyers for Business since 2003 and Super Lawyers since 2006. Mr. Quattlebaum has been listed in The Best Lawyers in America® since 2001 and is currently recognized in the areas of Commercial Litigation, Bet-the-Company Litigation, Insurance Law, Mass Tort Litigation/Class Actions – Defendants, Personal Injury Litigation – Defendants, Product Liability Litigation – Defendants, and was named Best Lawyers’ 2013 Little Rock Bet-the-Company Litigation Lawyer of the Year, 2014 Little Rock Mass Tort Litigation/Class Actions – Defendants Lawyer of the Year, 2015 Little Rock Personal Injury – Defendants Lawyer of the Year, and 2016 Little Rock Bet-the-Company Litigation Lawyer of the Year. He is rated AV Preeminent® by Martindale-Hubbell. He is also recognized as a Local Litigation Star for Arkansas in Benchmark Litigation, named one of the top 50 lawyers in Arkansas by Super Lawyers, and recognized by Chambers USA’s Guide to America’s Leading Lawyers for Business for Environmental Litigation. He is rated AV Preeminent® by Martindale-Hubbell.

Mr. Quattlebaum is a Fellow in the American College of Trial Lawyers, a Fellow of the International Academy of Trial Lawyers, and a member of the International Association of Defense Council and the Defense Research Institute.

Representative Trials

- Mary E. Green, et al. v. George’s Farms, Inc., et al.; Circuit Court of Washington County, Arkansas. Defense verdict in a toxic-tort trial in which the plaintiff claimed that arsenic used by poultry companies caused leukemia. The Arkansas Supreme Court affirmed the jury verdict in favor of the defense.
- Patricia Crews v. Charles Toney, Administrator of the Estate of Jessie Toney, Deceased: and Mercedes-Benz of North America, Inc., Circuit Court of Pulaski County, Arkansas. Defense verdict for Mercedes-Benz of North America, Inc. in this case regarding an allegedly defective air bag.
- DePuy Orthopaedics, Inc. Pinnacle Hip Implant Products Liability Litigation; United States District Court for the Northern District of Texas, Dallas Division. Serves as a member of the multi-district litigation (MDL) defense team for Johnson & Johnson in product liability litigation alleging defective artificial hip implants (DePuy Orthopaedics Pinnacle Hip Implant Products Liability Litigation) pending in the U.S. District Court for the Northern District of Texas in Dallas. Mr. Quattlebaum has served as one of the lead trial counsel for bellwether trials in Dallas, Texas. There are over 9,000 Pinnacle Hip complaints pending in the MDL that allege the company’s metal-on-metal hip replacement system causes metal poisoning, chronic pain, bone loss, blood poisoning, infection, and other complications to hip implant recipients.

Product Experience

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Beverage Containers
- Breast Implants
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Food Products
- Herbicides and Pesticides
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Respiratory Protective Equipment and Safety Devices

Education

- 1983, J.D., University of Arkansas School of Law
- 1981, B.A., Western State College of Colorado
Biography and Experience

In over 100 jury trials, Mr. Tull has served as lead counsel on behalf of large and small businesses and individuals in cases involving business torts, breach of contract, product liability, toxic torts, environmental litigation, securities fraud, franchise disputes, trade secrets, personal injury, First Amendment, and other matters. Since his admission to practice in 1984, Mr. Tull has devoted a significant portion of his practice to various product liability matters including the defense of manufacturers of welding consumables in numerous actions involving claims of neurological injury from exposure to welding fumes; the defense of major herbicide manufacturers in a number of cases including claims of personal injury and crop damage resulting from allegedly excessive drift propensity of a herbicide; the defense of numerous agricultural aviation services including claims of negligence and breach of warranty; the defense of numerous industrial and agricultural equipment manufacturers and suppliers in cases involving economic loss or traumatic injuries.

Mr. Tull has been named one of the leading business litigation lawyers in Arkansas by Chambers USA’s Guide to America’s Leading Lawyers for Business since 2004 and Super Lawyers since 2006. He is listed in The Best Lawyers in America® in the areas of Bet-the-Company Litigation, Commercial Litigation, First Amendment Law, Litigation – Banking & Finance, Litigation – First Amendment, Mass Tort Litigation/Class Actions – Defendants, Media Law, Personal Injury Litigation – Defendants, Product Liability Litigation – Defendants, Product Liability Litigation – Plaintiffs, and was named Best Lawyers’ 2012 Little Rock Litigation – Banking & Finance Lawyer of the Year, 2014 Little Rock Litigation – First Amendment Law Lawyer of the Year, and 2016 Little Rock Litigation – First Amendment Law Lawyer of the Year. Mr. Tull is recognized as one of the top 50 lawyers in Arkansas by Super Lawyers and listed as a Local Litigation Star for Arkansas in Benchmark Litigation. He is rated AV Preeminent® by Martindale-Hubbell.

Mr. Tull is a Fellow in the American College of Trial Lawyers, a Fellow of the International Academy of Trial Lawyers, and a member of the American Board of Trial Advocates, the International Association of Defense Counsel, and the Defense Research Institute.

Representative Trials

- **R. Gail Burns, et al. v. Universal Crop Protection Alliance, Nufarm Americas, Inc., et al.**; Circuit Court of Clay County, Arkansas. Defense verdict for two pesticide-formulator clients in a four-week trial alleging crop damage due to widespread pesticide drift. Plaintiffs sought more than $4 million in compensatory damages for claims based on allegations of negligence and strict liability. Punitive damages were dismissed on directed verdict by the court.
- **DePuy Orthopaedics, Inc. Pinnacle Hip Implant Products Liability Litigation**; United States District Court for the Northern District of Texas, Dallas Division. Serves as a member of the multi-district litigation (MDL) defense team for Johnson & Johnson in product liability litigation alleging defective artificial hip implants (DePuy Orthopaedics Pinnacle Hip Implant Products Liability Litigation) pending in the U.S. District Court for the Northern District of Texas in Dallas. There are over 9,000 Pinnacle Hip complaints pending in the MDL that allege the company’s metal-on-metal hip replacement system causes metal poisoning, chronic pain, bone loss, blood poisoning, infection, and other complications to hip implant recipients.

Product Experience

- **Agricultural Equipment**
- **Aircraft (Private and Commercial)**
- **Asbestos**
- **Automobiles**
- **Chemicals, Solvents and Plastics**
- **Construction Products, Vehicles and Equipment**
- **Consumer Products, Appliances, Equipment and Goods**
- **Electrical Equipment and Devices**
- **Herbicides and Pesticides**
- **Industrial Machinery**
- **Lifting Equipment**
- **Medical Devices and Supplies**
- **Motorcycles and Recreational Vehicles**
- **Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications**
- **Scaffolding**
- **Swimming Pools**
- **Tanks and Containers**
- **Tires**
- **Tobacco Products**

Education

- 1984, J.D., University of Arkansas School of Law, with high honors
- 1980, B.A., Vanderbilt University
Mr. Williams has practiced law since 1988 and is a Managing Member of Quattlebaum, Grooms & Tull PLLC. His practice focuses primarily upon the defense of personal injury, wrongful death, and large to catastrophic property damage claims in the areas of products liability, trucking and transportation, and premises liability, with approximately sixty percent (60%) of his practice focusing on products liability disputes. Mr. Williams has represented a variety of clients in such matters including numerous nationwide retailers, product manufacturers, and transportation companies. Mr. Williams has extensive experience in both state and federal court and he has served as lead counsel in over eighty jury trials. Mr. Williams is listed in The Best Lawyers in America® in the area of Product Liability Litigation – Defendants and Personal Injury Litigation – Defendants. He is recognized by Super Lawyers in the area of Personal Injury Defense and named one of the Top 50 Super Lawyers in Arkansas. He is rated AV Preeminent® by Martindale-Hubbell.

Product Experience

- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Industrial Machinery
- Lifting Equipment
- Motorcycles and Recreational Vehicles
- Trucks and Commercial Transportation

Education

- 1988, J.D., University of Arkansas School of Law, with high honors
- 1985, B.S., University of Arkansas at Fayetteville
Mert Howard has defended product liability and complex litigation cases for more than 20 years. His practice covers all aspects of civil litigation and business risk management. He is experienced in legal project management and strategic planning, alternative dispute resolution, trial, and appeal. In the product liability area, he defends mass torts, class actions, and allegations of product defect and failure to warn. He represents clients in matters concerning California’s Proposition 65 (the Safe Drinking Water and Toxic Enforcement Act of 1986), California’s Unfair Competition Law (Business & Professions Code § 17200), Deceptive, False, and Misleading Advertising laws (such as California’s Business & Professions Code § 17500), the California Consumer Legal Remedies Act (CLRA), California Civil Code § 1750), Breach of Express and Implied Warranties under state and federal laws, including the Magnuson-Moss Act, Breach of Contract, and Premises Liability. Additionally, he assists companies with regulatory compliance, warnings and instructions, privacy and data security, corrective actions and recalls, crisis management, and best practices for risk management.

**Representative Trials**

- Over the last five years, Mert has been the lead trial lawyer for numerous high exposure asbestos and toxic tort cases. Many of these cases proceeded to trial, but none of them resulted in a verdict. All of the cases were resolved favorably.
- Mert was lead trial and appellate counsel for a manufacturer of a generic pharmaceutical in the matter of *Conte v. Wyeth, Inc. (2008) 168 Cal. App. 4th 89 (Review denied by Conte (Elizabeth Ann) v. Wyeth, Inc., 2009 Cal. LEXIS 233 (Cal., Jan. 21, 2009)).* His client’s summary judgment motion on causation was upheld in a published decision from the California Court of Appeal.

**Representative Seminars**

- “Ethical Concerns About Delegating,” DRI Young Lawyers Conference, June 2017
- “Even a Good Recall Causes Turbulence: Best practices for managing the press, litigation, and investigations after the recall announcement,” USLAW LawMobile Product Liability Seminar, May 2017
- “Product Recalls and Crisis Management: How to Protect Your Company,” 2016 USLAW Fall Client Conference, September 2016
- “Do’s and Don'ts of Record Preservation,” 2016 USLAW Spring Client Conference, Transportation Track, Rancho Palos Verdes, CA, April 2016

**Representative Articles**

- “Forecasting Liability While Connecting to the Internet of Things,” co-author, *USLAW Magazine, Spring/Summer 2016*
- “Building a Solid Foundation To Support The Internet of Things,” *HB Tech On The Twenties, November 2015*
- “The Erosion of California’s Sophisticated User and Purchaser Defenses in Product Liability Litigation,” co-author, *IADC Product Liability Committee Newsletter, August 2014*
- “Defending Your Case Through Social Media and In Court,” co-author, *Association of Defense Counsel of Northern California*

**Product Experience**

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Flooring Systems
- Food Products
- Furniture
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Mining Equipment
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Trucks and Commercial Transportation
- Windows

**Education**

- 1992, J.D., University of San Francisco School of Law, *summa cum laude*
- 1989, B.A., University of Connecticut, *cum laude*
Shannon M. Nessier has spent the last nine years representing the firm’s litigation clients against individual and class action claims. Her work concerns the defense of product manufacturers, suppliers, and retailers as well as premises owners in personal injury and defective product/premises litigation. She also defends clients in Toxic Tort matters. Her cases have involved catastrophic injuries, automobile accidents, children’s products, chemicals, food and related services, consumer goods, asbestos and other toxic substances.

Shannon also works with her clients to handle business litigation they face, including breach of contract actions for goods and services, property damage claims, and indemnity and subrogation issues. In addition, she has provided advice and litigation defense on matters involving product and food labeling claims, Organic labeling issues under COPA, and Proposition 65 claims.

On top of her litigation experience, she advises firm clients on their obligations to Medicare for medical expense reimbursement and assists in the drafting of settlement language in compliance with the Medicare Secondary Payer Act Of 2007. She is a graduate of UC Hastings College of the Law and Santa Clara University, and turned to this profession after seven years of teaching and coaching at an all-boys high school in San Jose, California.

Representative Seminars

- “The Essential Guide For Settlements Involving Minors,” DRI Product Liability Seminar, February 2018
- “Creating Your Path, Advice to Young Lawyers,” DRI Young Lawyers Seminar, June 2016
- “Effective Demonstratives,” co-speaker, PLI Day Evidence Seminar, October 2013

Representative Articles

- “Forecasting Liability While Connecting to the Internet of Things,” co-author, USLAW Magazine, Spring/Summer 2016
- “Proposed Prop. 65 Regulations Make California More Unfriendly Market, Create More Obligations for Businesses,” Prop. 65 Law Alert, March 2015
- “Meeting of Minds on Medicare Is Harder Than It Looks: Negotiating Medicare Settlement Terms,” The Whisper Newsletter, February 2015
- “The State Of Arbitration Enforcement In California,” co-author, Law360, April 2014
- “Be Smart About the SMART Act Handling the Modified Medicare Secondary Payer Act,” The Whisper Newsletter, August 2013

Product Experience

- Asbestos
- Boats and Ships (Commercial and Pleasure)
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Food Products
- Locomotives and Locomotive Equipment

Education

- 2009, J.D., University of California, Hastings College of the Law, magna cum laude, Order of the Coif
- 1999, B.A., Santa Clara University, magna cum laude, Phi Beta Kappa
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Biography and Experience
As the Chair of Hanson Bridgett’s Class Action Practice Group, Megan’s practice is focused on defending consumer class actions, civil rights class actions, and other complex business litigation. She litigates and counsels clients regarding diverse claims including unfair business practices, false advertising, Telephone Consumer Protection Act (TCPA) violations, Fair and Accurate Credit Transactions Act (FACTA) violations, California’s Consumers Legal Remedies Act (CLRA) violations, California’s Automatic Renewal Law (ARL) violations, fraud, contract disputes, regulatory matters, civil rights, and disability access. She has represented clients in a wide range of industries including food, restaurant, dairy, retail, technology, franchising, transit, and financial.

In addition to being a seasoned litigator, Megan is a trained mediator and a volunteer arbitrator for the Bar Association of San Francisco’s attorney client fee dispute program. She is also the Chair of Hanson Bridgett’s Women’s Impact Network.

Representative Trials
• Defeated class certification in a Fair and Accurate Credit Transactions Act (FACTA) case alleging violation of the credit and debit card “truncation” requirement, in which potential statutory damages to public agency client were $40 million.
• Defeated a $4.6 million claim in arbitration for breach of contract and obtained an award for damages on behalf of renowned international sporting event company against head licensee merchandising company.
• Defeated a $1 million breach of contract suit against a shopping center landlord at trial.
• Obtained decertification of a Rule 23(b)(3) damages class in a federal food labeling class action alleging unfair business practices, false advertising, and violations of California’s Consumer Legal Remedies Act.
• Defeated class certification in an unfair business practices and false advertising case brought against a national retailer.

Representative Seminars
• “Is Federal Court the Right Court,” National Business Institute, Representing Your Client in Federal Court Seminar, November 2014
• “Thorough Discovery,” National Business Institute, Representing Your Client in Federal Court Seminar, November 2014
• “Business Law Basics,” U.S. Small Business Administration, June 2012
• “Designing a Business/Career Plan,” Bar Association of San Francisco, June 2012

Representative Articles
• “Reducing the Risk of an AwDA Lawsuit,” co-author, Journal of the California Dental Association, September 2013

Product Experience
• Consumer Products, Appliances, Equipment and Goods
• Food Products

Education
• 2001, J.D., Chicago Kent College of Law, Illinois Institute of Technology
• 1996, B.A., The George Washington University, magna cum laude
Kevin J. Gramling, the managing shareholder at the firm’s Orange County office, has extensive experience defending product liability, premises liability, mold and indoor air quality, environmental, transportation, and construction defect claims. He has successfully represented product manufacturers, retailers, importers and distributors in multi-million dollar product liability and premises liability suits. Kevin Gramling is an AV® Preeminent™ Peer Rated attorney, having achieved Martindale Hubbell’s highest rating for legal ability and ethical standards.

**Representative Trials**

- Successfully defended manufacturer of sheet metal tube and crimp rolling machine. Plaintiff’s injuries included amputation of two fingers and de-gloving.
- Successfully defended welded wire fabric machine manufacturer. Plaintiff had four fingers chopped off by machine blade. Court sustained demurrer to First Amended Complaint.

**Representative Seminars**

- “When Trivial's the Call, Plaintiff Takes the Fall,” USLAW NETWORK Client Conference, April 16, 2010
- Panelist, “Dealing with the Litigation Wild Card – Punitive Damage Claims,” USLAW Spring Conference, March 2009

**Product Experience**

- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Wire and Cable
- Flooring Systems
- Food Products
- Industrial Machinery
- Roofing Systems
- Scaffolding
- Swimming Pools
- Tanks and Containers

**Education**

- 1997, J.D., California Western School of Law
- 1988, B.A., Villanova University
Mark H. Nys is a shareholder in the San Diego office of Klinedinst PC. He practices in all state and federal courts in California, as well as before the U.S. Patent and Trademark Office in Washington, D.C. A practicing attorney for over 19 years, Mr. Nys entered the legal profession with a science background and twenty years of service as a commander in the United States Navy. Over the course of this legal career, he has successfully advised and defended the following types of commercial clients: credit unions, automobile dealerships, RV and boat manufacturers, construction developers, contractors and subcontractors, and mobile home parks. He has extensive experience handling product liability and class action litigation, wrongful death, exposure cases, including asbestos and silica, and catastrophic injury.

**Product Experience**

- Automobiles
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Industrial Machinery
- Motorcycles and Recreational Vehicles
- Recreational Equipment
- Roofing Systems
- Swimming Pools
- Tires
- Windows

**Education**

- 1997, J.D., California Western School of Law
- 1985, B.A., Claremont McKenna College, *cum laude*
- University of California at Irvine (Graduate Certificate in Hazardous Materials Management)
Biography and Experience

Mr. Weiss represents national and local businesses that design, manufacture and distribute a wide array of commercial, industrial and consumer products. Since joining Klinedinst PC in 2006, and previously as Senior Trial Counsel with a national commercial liability insurance carrier, Mr. Weiss has successfully defended these businesses in both personal injury/wrongful death settings, as well as subrogation cases. He has succeeded in obtaining jury verdicts in a wide array of commercial cases, including products liability disputes involving consumer and commercial products. Mr. Weiss is an AV® Preeminent™ Peer Review Rated attorney, having achieved Martindale Hubbell's highest rating for legal ability and ethical standards.

Representative Trials

- **USAA/Symms v. Fluidmaster**: Plaintiffs alleged a defectively designed water connector failed which resulted in property damages in excess of $1m. Mr. Weiss represented the product designer and manufacturer of the connector; defense verdict as to liability.
- **Andrews v. Caterpillar Tractor Company**: Plaintiff's heirs alleged defective design due to lack of back up alarm, with grade checker struck and killed by backing tractor. Mr. Weiss represented tractor distributor and installer of back up alarms; case settled favorably on fourth day of trial.
- **Taylor v. National Lumber Company**: Plaintiff alleged defective design and manufacture of aluminum ladder (strut and rivet system) resulted in failure of ladder and catastrophic injury to plaintiff (including multiple level spinal fusion). Mr. Weiss represented U.S. distributor as to design and manufacture; defense verdict as to liability.
- **Mack v. River Ranch, Pat & Oscar's et.al.**: Plaintiff claimed that he contracted Thrombotic Thrombocytopenic Purpura (TTP) as a result of ingesting e-coli contaminated lettuce. Mr. Weiss represented regional restaurant chain re: all issues of e-coli initiation and alleged injury; case settled favorably after first day of trial.

Representative Seminars


Product Experience

- Agricultural Equipment
- Alcohol and Distilled Spirits
- Automobiles
- Chemicals, Solvents and Plastics
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Furniture
- Industrial Machinery
- Ladders
- Lifting Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Power Tools
- Recreational Equipment
- Roofing Systems
- Scaffolding
- Tanks and Containers
- Toys and Children's Products
- Trucks and Commercial Transportation

Education

- 1983, J.D., McGeorge School of Law, University of the Pacific
- 1979, B.S., Santa Clara University
Richard C. Moreno is a Senior Partner at Murchison & Cumming, LLP and serves as Co-Chair of the Product Liability practice group. Mr. Moreno focuses his practice in the areas of transportation, product liability, general liability, warranty liability, and the defense of utility companies in wildland fire litigation. Mr. Moreno is AV-rated by Martindale-Hubbell. Mr. Moreno is a member of the State Bar of California and is admitted pro hac vice in Texas.

Representative Trials
- Mr. Moreno has tried more than 20 product liability cases to verdict. Some of those cases include products such as gym equipment (user injures his neck on a Smith machine rendering him a quadriplegic), class 8 tractor manufacturers in numerous ingress and egress matters as well as forklift manufacturers in cases involving catastrophic injuries, degloving and wrongful death.

Representative Seminars
- “2013 California Case Law Update (Product Liability)” Murchison & Cumming Year in Review
- “Issues that Arise Between Truck Manufacturers and Transportation Companies in a Product Liability Case” USLAW Transportation Conference, 2006
- “A Necessary Dress Rehearsal: Achieving Maximum Trial Results Through the Use of Mock Trial/Focus Groups” Murchison & Cumming Fall Symposium, 2004

Product Experience
- Agricultural Equipment
- Automobiles
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Furniture
- Hand Tools
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Mining Equipment
- Motorcycles and Recreational Vehicles
- Power Tools
- Recreational Equipment
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Trucks and Commercial Transportation
- Windows

Education
- 1997 J.D., Whittier Law School
- 1994, B.A., University of Southern California, Los Angeles
Biography and Experience

Friedrich W. Seitz serves as the Product Liability practice group Chair for USLAW and Co-Chair for Murchison & Cumming. His past leadership roles include chairing the Federation of Defense and Corporate Counsel's Product Liability Section; he is also a current member of the International Association of Defense Counsel's Product Liability Committee and the Product Liability Advisory Council. Mr. Seitz has over 40 years of experience in handling product liability matters for self-insured corporations, as well as the insureds of national and international liability insurers. He has represented manufacturers, distributors and retailers of a wide range of products, such as tools, machinery, heavy equipment, vehicles and aircraft. A specialist in defending wildland fire litigation, he also represents public and private utilities, including Southern California Edison. Mr. Seitz has tried more than one hundred jury trials and devotes 80% of his practice to the area.

Representative Trials

- **Martinez v. Taylor Machine Works, Inc.** – Defense verdict involving allegations of a defective forklift design resulting in the permanent disabling of the plaintiff. Activating a back-up alarm of the type installed on the truck in the courtroom convinced the jury that the plaintiff would have been alerted by the alarm, had it been connected.
- **Blasdell v. Freightliner** – Defense verdict involving allegations of a defective tractor, in that the upper berth was not equipped with a safety harness, resulting in plaintiff's disabling injuries. Biomechanical testimony demonstrated that the injuries could not have been caused by ejection from the bunk.

Representative Seminars

- "Deposing Foreign Witnesses under the Hague Convention," USLAW NETWORK Client Conference, October 2010
- "Product Liability," Johanson Dielectrics Seminar, July 2009

Representative Articles

- "California's Application of Strict Products Liability to the Hybrid Enterprise," IADC Committee Newsletter, July 2009
- "Product Safety Regulation in the U.S. and Europe – Challenges for Global Manufacturers," Australian Product Liability Reporter, August 2007
- "How to Prevent Bad Results in a Good Case: Document Discovery in the Electronic Age," FICC Quarterly, Spring 2001

Product Experience

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Breast Implants
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Mining Equipment
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children's Products
- Trucks and Commercial Transportation

Education

- 1971, J.D., Southwestern University School of Law
- 1965, B.A., University of Southern California
Biography and Experience

Barry Snyder’s trial experience is unmatched by all but a handful of California attorneys. He has over 30 plus years of product liability experience, with cases involving catastrophic and other damages ranging from brain damage, death, and dismemberment to long term toxic exposure. The over 140 jury trials in his career have been tried in every county in Central and Southern California.

Representative Trials

- December 2005 defense verdict for microkeratome manufacturer on a matter filed in Orange County. Plaintiff claimed that the product, used to create a flap on the patient’s cornea prior to a LASIK procedure to enhance vision, was defectively designed. Plaintiff claimed that the microkeratome could be and was misassembled, resulting in deep, diving cuts in plaintiff’s cornea. Plaintiff contended that he would lose his vision, require corneal implants with no guarantee of visual improvement.
- 2003 defense verdict for a wheelchair lift manufacturer on a matter filed in Los Angeles County. Decedent, a quadriplegic PhD, backed his motorized wheelchair out of his van, falling to the ground and suffering fatal head injuries. Plaintiff wife claimed a defectively designed lift system, allowing it to go the ground rather than remaining at van floor height.
- 2002 defense verdict for a retailer in a matter filed in San Bernardino County. Plaintiff mother claimed she purchased a defectively designed hooded sweatshirt for her two year old daughter at the retailer. At a day care center, the drawstring on the daughter’s garment caught and she hung for several minutes, resulting in severe brain damage.

Product Experience

- Asbestos
- Automobiles
- Breast Implants
- Building and Construction Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Furniture
- Ladders
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Toys and Children’s Products
- Trucks and Commercial Transportation

Education

- 1974, J.D., Loyola University School of Law, Los Angeles
- 1970, B.S., Bacteriology, University of California at Los Angeles
Mike Plachy practices in product liability and toxic tort litigation. He provides counsel in all areas of potential liability including the design, manufacture and distribution of consumer, commercial, and industrial products. He has represented clients in all aspects of product liability litigation, including strict liability, failure to warn, breach of express and implied warranties, negligence, consumer protection claims, component part, fraud, and non-disclosure. He has advised clients and litigated claims for a broad range of products including construction materials, consumer goods, food and food service, and medical devices. He has extensive experience litigating state and national class actions on behalf of his clients. Mr. Plachy has been listed in the 2010-2016 editions of Colorado Super Lawyers® in the area of Business Litigation. Law Week Colorado named Mr. Plachy “Lawyer of the Year” in 2008.

Representative Trials

- Lead lawyer for the defense in toxic tort case brought by over 100 plaintiffs. Prevailed on summary judgment on all claims.
- Lead trial counsel for a multi-national escalator manufacturer in mass tort action resulting from an escalator in a Major League Baseball stadium that malfunctioned and injured dozens of people.
- Lead regional trial counsel for an automotive brake manufacturer in asbestos litigation.
- Lead regional trial counsel for numerous valve manufacturers in asbestos litigation.
- Obtained a $22.6 million jury verdict and judgment against the Goodyear Tire & Rubber Company in the first lawsuit by a real estate developer related to defects in Entran II hose.

Product Experience

- Asbestos
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Medical Devices and Supplies
- Recreational Equipment
- Roofing Systems
- Tanks and Containers

Education

- 1992, J.D., University of Colorado Law School; Order of the Coif; DeSouchet Trial Advocacy Award
- 1988, B.S., Finance, University of Colorado
Biography and Experience
Chris Lee is a Director in Cooch and Taylor P.A.’s Wilmington, Delaware office and has represented numerous clients in product liability matters since 2008. Chris has represented clients in manufacturing defect claims, design defect claims, failure to warn claims and toxic tort claims in all of Delaware’s courts. Chris has been involved in several jury trials involving product liability claims.
Chris has a bachelor’s degree in Economics from Clemson University and is a graduate of the Delaware Law School.

Representative Trials
- Chris has assisted in the successful defense of numerous corporations in asbestos-related actions in the Delaware Superior Court and the District Court of Delaware since 2008.

Representative Seminars
- “Deposition Conduct Presentation,” Delaware Asbestos Seminar, February 2012

Representative Articles

Product Experience
- Agricultural Equipment
- Asbestos
- Automobiles
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Flooring Systems
- Industrial Machinery
- Lifting Equipment
- Tires
- Toys and Children's Products
- Trucks and Commercial Transportation
- Window

Education
- 2008, J.D., Delaware Law School, Order of the Barristers
- 2001, B.S., Economics, Clemson University
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Biography and Experience
Mr. Reese has litigated products liability cases since 1981. He has defended the manufacturers of asbestos containing friction materials, floor tiles and numerous pieces of industrial equipment. In addition, Mr. Reese has defended the manufacturers of a wide variety of industrial equipment and consumer products.

Representative Trials
- Mr. Reese has tried more than 20 jury cases in Delaware and Maryland. The majority involved products liability including asbestos, eyeglass lens coating equipment, liftgates, industrial stoves and earth moving equipment.

Representative Seminars
- Mr. Reese is a frequent speaker regarding asbestos litigation and deposition techniques.

Product Experience
- Asbestos
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Flooring Systems
- Furniture
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Mining Equipment
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children's Products
- Trucks and Commercial Transportation

Education
- 1981, J.D., Delaware Law School
- 1978, B.A., Political Science, Colgate University
Biography and Experience

James W. Semple is a Director of Cooch and Taylor PA. He has practiced for over 40 years and products cases have historically amounted to 33% of his practice, and, at times, as much as 70%. He is a member of the Delaware Bar, the District of Columbia Bar, and had been admitted to practice in the Supreme Court of the State of Delaware and its other trial courts, the United States District Court for the District of Delaware, the United States Third Circuit Court of Appeals, and the United States Tax Court.

He has served on the Board of Professional Responsibility of the Supreme Court of the State of Delaware and on the Board of Bar Examiners of the Supreme Court of the State of Delaware, and is a member of the Delaware State, American and District of Columbia Bar Associations. He has served on the Executive Committee of the Delaware State Bar Association, on its Long Range Planning Committee, and was the founding chair of its Torts and Insurance Section. He has also served as Special Discovery Master in the United States District Court for the District of Delaware.

Representative Trials

- James W. Semple has successfully argued the cases which (1) determined that there is no strict tort liability in Delaware, (2) established the sophisticated purchaser defense, (3) established the causal nexus required in toxic tort cases, and (4) rejected claims for cancer phobia unaccompanied by injury or disease. He also successfully argued the first case in the Delaware Supreme Court to address the application of Daubert principles to alleged experts in a toxic tort case. He has also has successfully defended businesses in cases involving industrial and agricultural chemical exposures, silicone breast implants, industrial machinery, motor vehicles, consumer and food products.

Representative Seminars

- “Managing Cases on a Day to Day Basis,” Bifferato Trial Practice Forum, DSBA and ABOTA, Wilmington, DE, June 19, 2015
- Panelist, “The Role of Liaison Counsel,” Delaware Trial Lawyers’ Association Annual Meeting Panel Presentation, Rehoboth Beach, DE, June 22, 2012
- Co-Presenter, “Corporate Alzheimer’s: Dealing with the Loss of Institutional Knowledge,” FDCC Business Litigation Section, Annual Meeting, Southampton, Bermuduly 2006

Representative Articles


Product Experience

- Agricultural Equipment
- Alcohol and Distilled Spirits
- Asbestos
- Breast Implants
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Power Tools
- Tires
- Windows

Education

- 1974, J.D., Villanova University School of Law
- A.B., St. Joseph University
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www.wickersmith.com

Biography and Experience
Jordan Cohen is a Partner in the firm’s Fort Lauderdale office. Mr. Cohen’s practice is primarily devoted to litigation. Mr. Cohen has extensive experience in successfully representing clients with a focus on multi-district litigation (MDL), class action litigation, products liability, e-discovery, and commercial litigation. His clients have included F. Hoffmann-La Roche Ltd., Genentech, ZOLL Medical Corp, Hosmedica Osteonics Corp (Stryker Orthopedics), Seattle Genetics and Procter and Gamble. He practices in state and federal courts, with an emphasis on federal court practice. Mr. Cohen is admitted to practice before all courts in the state of Florida. Mr. Cohen has been admitted pro hac vice in multiple jurisdictions including New Jersey, Delaware, North Carolina, and Wisconsin. Among several honors, Mr. Cohen has been named a Best Lawyer from 2015 to 2017 and is an AV® Preeminent™ rated attorney by Martindale-Hubbell. He is an active member of The Florida Bar, Broward County Bar Association, and Defense Research Institute.

Representative Trials
- Allapattah DFC Qualified Settlement Fund v. U.S.A.
- Baytree Associates v. Dantzler Inc. v. Oracle

Representative Seminars
- “Winning the Case through Depositions, Giants of the Courtroom,” The Dade County Bar Association, Miami, FL, June 9, 2017
- “Medical Malpractice,” Wicker Smith Claims Seminar, Orlando, FL, June 7, 2013
- “Social Media Electronic Discovery Liability via Smart Phone,” Wicker Smith Claims Seminar, Orlando, FL, June 7, 2013
- “Electronic Discovery,” Wicker Smith Claims Seminar, Orlando, FL, June 11, 2010

Representative Articles

Product Experience
- Asbestos
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Tanks and Containers
- Toys and Children’s Products
- Tobacco Products

Education
- 2001, J.D., Duke University, cum laude
- 1997, B.A., Tulane University, cum laude
1979, J.D., Boston University
1976, B.A., University of Florida, with honors

**Biography and Experience**

Richards H. Ford is a Managing Partner in the firm’s Orlando office and a member of the firm’s managing committee. He has engaged in active civil trial practice, focusing on the defense of professional and corporate institutions. He has tried over 100 civil jury trials, including products liability, professional negligence, construction litigation, medical malpractice, automobile liability, transportation liability and general civil litigation cases. An AV® Preeminent™ rated attorney by Martindale-Hubbell, Mr. Ford is also a Board Certified Civil Trial Lawyer, certified with The National Board of Trial Advocacy and the Florida bar. Among several honors, Mr. Ford has been named a Florida Super Lawyers from 2006 to 2017, and has been listed among Florida Trend’s “Legal Elite” from 2012-2015 and 2017. He has recently been inducted into the International Academy of Trial Lawyers. The IATL is limited to only 500 truly elite trial lawyers from the United States.

**Representative Trials**

- Mr. Ford recently defended a hospital for the wrongful death of a three-day-old twin baby. The allegations were that the nursing staff failed to appreciate clear signs of Pulmonary Hypertension which could have been corrected with surgery. The child died in her mother’s arms the day following discharge. The Medical Examiner performed an autopsy and opined that the death was caused by Pulmonary Hypertension and that there would have been clear signs available to the nurses upon proper examination two days prior to the death. The mother and child remained in the hospital two days post birth. After investigation, the Hospital defended the actions of its nurses by disputing the Medical Examiners findings as well as the plaintiff’s experts. The defense argued that the mother (an attorney) unfortunately smothered her daughter while breast feeding the night after discharge and was mistaken when she said she saw the child breathing just prior to death. After a three week trial, the jury delivered a verdict for the defendant.

**Representative Seminars**

- “Are We Afraid to Take Cases to Trial,” USLAW Fall Client Conference, Boston, MA, September 18, 2015
- “Beware the Reptile: No Longer a Rare Deposition Trend,” Florida Healthcare Association Annual Conference & Trade Show, Orlando, FL, July 8, 2014
- “Bad Faith, Swiss Reinsurance Corporation,” Overland Park, KS, October 2013
- “Social Media and Smartphones,” Axis Insurance, Kansas City, MO, October 2013
- “The Reptile Brain,” NCMIC, Kansas City, MO, September 27, 2013

**Representative Seminars**


**Product Experience**

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Automobiles
- Beverage Containers
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Firearms
- Food Products
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Toys and Children's Products

**Education**

- 1979, J.D., Boston University
- 1976, B.A., University of Florida, with honors
Christopher J. Jahr is a partner in Wicker Smith’s Fort Lauderdale office and represents clients in state and federal court with cases involving aviation, product liability, personal injury, wrongful death, breach of contract, premises liability, insurance coverage, interpleader, and other matters.

Mr. Jahr is a Board Certified Specialist in Aviation Law. Board Certification is the highest level of evaluation by The Florida Bar of not only specialization within an area of law but also professionalism and ethics in the practice of law. Only about seven percent (7%) of eligible Florida bar members are board certified. Mr. Jahr also serves on the Aviation Law Committee of the Florida bar, and he is an active instrument-rated pilot.

Mr. Jahr regularly represents major airlines, aviation product manufacturers, aircraft operators, and fixed base operators in litigation and has also worked with air carriers and maintenance facilities during NTSB investigations following major aircraft accidents. He has also written and lectured on various aspects of aviation law.

In his non-aviation work, Mr. Jahr represents both life insurance and liability insurance carriers in coverage and interpleader matters, and he also regularly defends non-aviation clients in product liability, premises liability, automobile negligence, and other types of litigation. He has also successfully defended businesses and corporate executives against claims of slander, defamation, conversion, tortious interference, and alleged violations of the Americans with Disabilities Act and the Florida Deceptive and Unfair Trade Practices Act.

Mr. Jahr has worked in appeals to the Florida Supreme Court, the United States Supreme Court, and the United States Court of Appeals for the Eleventh Circuit.

Representative Trials

- Veronica M. Brown v. ACL Leasing, LLC and Earnest Hayes, In the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, State of Florida. Case No. 50-2010-CA-011688XXXMB ($5M pre-suit demand, defense verdict)

Representative Seminars

- Panelist on various topics of trial practice including how to draft motions in limine, how to draft jury instructions, witness sequestration, and preparing your client and witness for trial, Pincus Professional Education Faculty, Circuit Board Boot Camp, 2014 & 2015
- “Frequently Violated Federal Aviation Regulations – from a Pilot’s Perspective”, Broward College, 2013

Representative Articles

- “When Can an Air Carrier Refuse Transport to a Passenger with a Communicable Disease?,” Air and Space Law, Young Lawyers Division, 2014

Product Experience

- Aircraft (Private and Commercial)
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Motorcycles and Recreational Vehicles
- Toys and Children’s Products
- Trucks and Commercial Transportation

Education

- 2009, J.D., University of Florida, cum laude
- 2004, B.S., Tulane University, magna cum laude
James B. Durham
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Biography and Experience

Over the course of 32 years of practice, Mr. Durham has been involved in various product liability litigation cases. This includes over four years of litigation and eight months of trial on the San Juan DuPont Hotel fire case. Mr. Durham represented International Elevators defending the electronic touch buttons installed on the elevators in the hotel. Mr. Durham also represented General Electric for over seven years in asbestos litigation in defense of brake shoes, GE produced for cranes.

During the course of his practice, Mr. Durham has represented medical device companies, gun companies, industrial equipment manufacturers, companies providing electrical equipment to plants, construction equipment, and consumer appliances. Although the time involved in product liability defense has varied from year to year, approximately fifteen percent of his practice has been devoted to product liability defense over his years of practice.

Representative Trials

- Mr. Durham represented an industrial saw manufacturer in an action involving an employee at an industrial facility who sustained a severe injury to his hand while operating an industrial saw. The manufacturer contended the blade guard had been removed which constituted a substantial modification to the product as designed. The plaintiff contended that it was foreseeable that the blade guard could be removed and there were not sufficient warnings in place on the equipment. The case was tried for five days and the jury returned a verdict for the defendant manufacturer.
- Mr. Durham represented the manufacturer of a space heater in a wrongful death action involving a fire in a mobile home. A 48-year-old man perished in the fire. There were issues regarding the origin of the fire and modifications to the space heater. The case was tried for six days and the jury returned a verdict in favor of Defendant.
- Mr. Durham represented a gun manufacturer in a case in which the Plaintiff alleged a faulty trigger mechanism causing the gun to accidentally discharge. The Plaintiff was shot in the foot, although he had an excellent recovery from the accident. The Plaintiff had multiple issues with his retained experts and the case was ultimately tried with a jury returning a verdict for the Defendant.

Product Experience

- Agricultural Equipment
- Asbestos
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Firearms
- Industrial Machinery
- Medical Devices and Supplies
- Scaffolding

Education

- 1983, J.D., University of Georgia School of Law
- 1980, B.A., University of Georgia, cum laude
Michael S. Meyer von Bremen has been in practice since 1983. Ten percent of his practice is devoted to product liability.

Most recently handled defective tire cases where multiple lawsuits filed from one accident. Successful in Motion for Summary Judgment for retailer which went to Court of Appeals where it was affirmed and cert. was denied in the Georgia Supreme Court.

- Beverage Containers
- Chemicals, Solvents and Plastics
- Electrical Equipment and Devices
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Industrial Machinery
- Ladders
- Tires

- 1983, J.D., Mercer University Walter F. George School of Law
- 1979, Bachelor of Arts, Mercer University
Robert L. Shannon, Jr.
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Biography and Experience
Robert L. Shannon, Jr. is a senior partner at the Atlanta office of Hall Booth Smith, P.C. Mr. Shannon is licensed to practice in Tennessee and Georgia. Has an extensive 20 years practice involving complex products cases. Prior to attending law school in 1986, an E-3 for the United States Air Force. In 1988 he transferred his commission to the Air National Guard. Today, he is a Brigadier General and serves as the Vice Commander of the Georgia Air National Guard. He has handled large complex matters throughout the Southeastern U.S. As a National Trial Counsel he has been frequently brought in to try cases weeks prior to trial. He has tried 43 jury trials with two adverse verdicts. He has handled a wide variety of large complex product cases including commercial aircrashes and is extremely adept at learning complex technical concepts and presenting those same concepts to a jury in a manner in which they can understand. He has been recognized by Georgia Trend Magazine as one of the State's Legal Elite and is consistently listed by the Atlanta Business Chronicle to their list of “Who's Who in the Law” in Atlanta, Georgia.

Representative Trials
- Mr. Shannon has never lost a products case as trial and all of his non tried cases have had significant favorable results.
- Mason v. Home Depot, Cobb County State Court – This case involved complex chemical liability issues. After almost three weeks the case was mistried at 10-2 in favor of a defense verdict. Subsequent to trial Mr. Shannon successfully moved to strike all plaintiff’s experts. The Georgia Supreme Court affirmed the trial court. The Georgia Supreme Court also used the Mason case to affirm the Constitutionality of Georgia's expert witness tort reform statute adopting the Daubert scheme.
- Combs v. Horton Maddox Anderson, et. al. – Circuit Court for Hamilton County, Tennessee, Chattanooga. Mr. Shannon was brought in as lead counsel to try the case six weeks prior to trial. The case was a legal malpractice trial (missed statute of limitation) but Mr. Shannon had to defend the underlying products case involving three manufacturers without their involvement. The case involved a death. The jury would have returned a defense verdict but case settled minutes before the verdict.

Representative Seminars
- “Defending Burn Injuries in Air Crashes,” DRI Fire and Casualty Conference, Chicago, IL, 2007
- “Perspectives on Avoiding Large Punitive Awards,” USLAW Spring Client Conference, South Beach, FL

Representative Articles
- Co-Author, “Avoid Malpractice by Asserting Admiralty Law Claims,” USLAW Magazine, Fall/Winter 2010

Product Experience
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Food Products
- Furniture
- Hand Tools
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Roofing Systems
- Tanks and Containers
- Tires
- Trucks and Commercial Transportation

Education
- 1991, J.D., University of Georgia
- 1986, M.S., Oklahoma State University
- 1981, B.A., Valdosta State University
Biography and Experience

Ms. Duke is an experienced trial attorney who defends product liability claims as a part of her successful trial practice. Ms. Duke has represented automobile manufacturers, appliance manufacturers, medical device manufactures, medical equipment manufacturers, pharmaceutical companies, etc. in a number of product liability cases throughout Idaho. With respect to trial work, in the age of the vanishing trial, she has successfully tried 13 cases to a defense verdict, one of which was a medical device product liability claim.

Ms. Duke is the Immediate Past President of the Federal Bar Association, Idaho Chapter (she served four years as President) and is the current President of the Idaho Association of Defense Counsel. She has an AV rating from Martindale Hubbard and has been named in Best Lawyers in America and Chambers for the last several years. Ms. Duke devotes about 25% of her practice to Product Liability defense.

Representative Trials

- Defense verdict in a jury trial in Boise, Idaho involving the defense of a medical device manufacturer in an action involving a cervical spine locking plate that had broken in a patient's neck.

Representative Seminars

- “Effective Trial Skills in Medical and Medical Device litigation,” Inn of Court, January 2016
- “Lay and Expert Witness Discovery (Product Liability section),” June 2015

Product Experience

- Agricultural Equipment
- Asbestos
- Automobiles
- Beverage Containers
- Breast Implants
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Herbicides and Pesticides
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Recreational Equipment
- Roofing Systems
- Tires
- Tobacco Products
- Windows

Education

- 1999, J.D., Willamette University College of Law in Salem, Oregon
- 1996, B.A., Business Administration and Political Science, Carroll College in Helena, Montana
Biography and Experience

Lew’s areas of focus include the motor carrier industry and home construction building products. Motor carrier related matters have addressed trailers, chassis, lift gates, component parts, walkway and tread plates, tires, brakes, engines and vehicle electronics. Further, Lew has significant experience in fire and explosion matters involving tractors and related aspects of the motor carrier and chemical industries. Lew has represented clients in matters involving cosmetics, beverage product storage and display, and food borne product illness. Lew represents home construction product manufacturers in claims of warranty and defect claims. Lew is also a member of the firm’s Executive Committee.

Representative Seminars

- “Strategies and Considerations for Initial Accident and Case Handling: Collection and Protection, Early Resolutions Strategies, Preservation and Spoliation, and The Reptile and Case Preparation,” Client Seminar; Carmel, IN, September 28, 2017
- “Best Litigation and Claims Practices,” Client Seminar; Dallas, Texas, October 12, 2017
- “Legal and Litigation Issues with Employee Handbooks and Training Manuals,” Client Seminar; Las Vegas, Nevada, October 17, 2017
- Speaker, “Defending the Reptile and Witness Preparation,” Client Presentation, January 31, 2017
- Speaker, “Preservation and Spoliation,” Client Presentation, Pittsburgh, PA, September 12, 2016

Representative Articles

- Author, “Illinois Juries Reduced from 12 to 6 Jurors,” USLAW Digiknow and SmithAmundsen Transportation Alert, December, 2014
- Co author, “Illinois Spoliation of Evidence Law,” USLAW NETWORK Spoliation of Law Compendium, August 26, 2014-Present
- Co author, “The Burden of Showing that Accident/Incident Reports are Protected by the Attorney Client Privilege and/or Work Product Doctrine is not Getting Easier,” USLAW Digiknow, March 18, 2014
- National Editor and Project Director, USLAW NETWORK National Compendium of Law, 2009-Present

Product Experience

- Automobiles
- Beverage Containers
- Construction Products, Vehicles and Equipment
- Cosmetics
- Electrical Wire and Cable
- Flooring Systems
- Food Products
- Ladders
- Lifting Equipment
- Medical Devices and Supplies
- Tires
- Trucks and Commercial Transportation

Education

- 1991 J.D., University of Illinois at Urbana/Champaign, cum laude
- 1988, B.A. History, University of Illinois at Urbana/Champaign, with honors in history and cum laude
Mike is a partner and Executive Committee member with SmithAmundsen and serves as its Chair of the Product Liability Group. Prior to private practice, he garnered significant trial experience as an Assistant State's Attorney for Lake County, Illinois. Mr. McGowan acts as one of the firm’s lead trial attorneys on many high-profile product liability, construction and retailer liability cases. Throughout his career, he has defended a multitude of product liability cases involving everything from brake systems to ozone generators and destruct units to cosmetic manufacturing processes. Mr. McGowan is an expert in consumer product safety law and designs programs for manufacturers to bring their products into compliance with the Consumer Product Safety Act. His retailing clients include well-known Fortune 1000 merchandisers and his construction clientele include some of the country’s leading revenue-producers. As well, Mike is highly experienced in public entity law and his clients include many local municipalities, toll authorities, county governments and various schools, forest preserves, park districts and villages.

Representative Trials

- **Barrie v. Krueger Int’l and Jewel Food Stores**, Circuit Court of Cook County, State of Illinois. In a $5 million demand case where liability was admitted and tried solely on damages, the jury awarded a mere $95,000. Plaintiff was severely injured after a chair collapsed. The case was complicated by a spoliation claim against plaintiff’s employer, Jewel Food Stores, because they disposed of the chair.

- **Alvarado v. Target Corporation**, Circuit Court of Cook County, State of Illinois. A 51-year-old customer slipped and fell on a wet floor at a Target store allegedly due to a two-foot puddle of dirty water near an unattended mop and bucket. Plaintiff contended she landed on her knees and twisted her lower back, causing two traumatically herniated discs at L4-5 and L5-S1 (unoperated), requiring physical therapy, multiple epidural injections, and possible future lumbar fusion surgery ($50,335 past medical, no lost time). Defense received a “Not Guilty” verdict.


Representative Seminars

- “Retailers Deemed Manufacturers in Product Liability Actions,” USLAW Retail and Product Liability Exchange, Dallas, TX, October 24, 2017
- “Recalls and Government Investigations,” USLAW; Carlsbad, CA, September 9, 2017
- “Tools to Substantiate a Complex Claim,” Basking Ridge, NJ, April 19, 2017
- “Presumptions of Negligence,” Chatsworth, CA, March 2, 2017
- “Diligently Partnering with the CPS to Avoid Problems and Penalties and to Enhance Product Safety,” USLAW, September 18, 2015

Representative Articles

- “Product Liability 3rd Party Practice,” Chapter 7, IICLE, 2005

Product Experience

- Agricultural Equipment
- Alcohol and Distilled Spirits
- Asbestos
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Roofing Systems
- Tires
- Windows

Education

- 1988, J.D., Loyola University Chicago School of Law
- 1983, B.A., University of Notre Dame, *cum laude*
Biography and Experience

Phil Isenbarger is a partner with Bingham Greenebaum Doll LLP in Indianapolis, Indiana, with over 25 years of litigation and trial experience. A 1984 graduate from the Indiana University School of Law in Bloomington, Mr. Isenbarger has previously chaired the Firm’s litigation department and has been lead counsel for jury trials conducted in courts across Indiana. He practices in all state and federal courts in Indiana. He has overseen litigation in a multitude of settings including products liability matters ranging from single consumer actions to class actions.

Mr. Isenbarger has devoted a substantial part of his practice to the representation of manufacturers and retailers in the industrial, commercial and consumer industry, with particular emphasis in matters involving plumbing fixtures, small engines, gaspowered rental equipment, medical devices, and other electrical equipment and their respective component parts. He has extensive experience in defending fire and explosion litigation as well as personal injury and property damage matters arising from claims of defective manufactured or designed products.

Phil was admitted to the Indiana Bar and the U.S. District Court, Northern and Southern Districts of Indiana in 1984.

Representative Trials

- Mr. Isenbarger has successfully defended Kohler Company at both the trial level and on appeal with regard to allegations of defective handrails in a shower unit. See, Howerton v. Red Ribbon, Inc., 715 N.E.2nd 953.
- Mr. Isenbarger successfully defended the manufacturer of a refrigerator at trial involving allegations that the unit caused a fire and back draft that resulted in excess of $13 million in property damage and three deaths. The case was also upheld on appeal. See, Indiana Athletic Club v. Alco Standard Corp., 709 N.E.2nd 1070.
- Mr. Isenbarger has defended products liability matters brought as class actions in Indiana federal court.

Representative Seminars

- “Direct and Cross-Examination Techniques,” Indianapolis Bar Association Conference, Las Vegas
- “Direct and Cross-Examination Techniques,” IBA Litigation Practice Skills Series, 2011

Representative Articles

- “If not you, Mr. President, who speaks for the Company?,” describing and explaining the preparation techniques for a 30(B)(6) (corporate designee) deposition, USLAW Magazine, Spring/Summer 2010
- “Fire Litigation and Cross-Examination of Medical Experts,” Indiana Continuing Legal Education Forum (ICLEF)

Product Experience

- Alcohol and Distilled Spirits
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Furniture
- Hand Tools
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Tobacco Products
- Trucks and Commercial Transportation

Education

- 1984, J.D., Indiana University, Maurer School of Law, Bloomington
- 1981, B.S., Marketing and Management, Indiana University, Kelley School of Business
Philip Burian is a member of Simmons Perrine Moyer Bergman PLC located in Cedar Rapids, Iowa. He devotes a substantial part of his practice to defending product liability claims and insurance issues arising out of product and personal injury claims. Mr. Burian brings a range of experience to advice, advocacy and risk mitigation in complex matters. He also has significant experience in the production and use of Electronically Stored Information (ESI) under federal and state rules.

Mr. Burian is a member of the Iowa Defense Counsel Association. He is an AV Rated attorney with Martindale-Hubbell® and is included in the Best Lawyers® in America list. Mr. Burian is a veteran of the first Persian Gulf War.

**Education**
- 2001, Trial Academy, International Association of Defense Counsel
- 1996, J.D., University of Iowa College of Law, with high distinction
- 1993, B.A., History, Coe College, cum laude
- 1989, Kirkwood Community College

**Product Experience**
- Asbestos
- Automobiles
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Herbicides and Pesticides
- Industrial Machinery
- Lifting Equipment
- Motorcycles and Recreational Vehicles
- Roofing Systems
- Swimming Pools
- Tires
- Trucks and Commercial Transportation
- Windows
Robert Hatala practices law within the Litigation Practice Group at Simmons Perrine Moyer Bergman PLC in Cedar Rapids, Iowa. He has handled numerous liability matters since being admitted to the practice of law in 1983. Mr. Hatala has represented both plaintiffs and defendants in products liability lawsuits. Products include farm equipment, mowers, chemicals, steering wheels, hoses and hose connections, and others.

Mr. Hatala is a member of the Iowa Academy of Trial Lawyers and the Iowa Municipal Attorneys Association. He is included in the Great Plains Super Lawyers® list and the Best Lawyers® 2017 “Lawyer of the Year” list.

Education

- 1983, J.D., University of Iowa College of Law
- 1983, M.A., Public Affairs, University of Iowa
- 1974, B.A., Political Science, Iowa State University

Product Experience

- Agricultural Equipment
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Fire Sprinklers and Fire Protection Devices
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Roofing Systems
- Tanks and Containers
- Windows
Education

- 1978, J.D., University of Missouri-Kansas City, with distinction
- 1974, B.S., Southeast Missouri State University, cum laude
Biography and Experience

John Wilcox has practiced for nearly 25 years and products cases have typically amounted to 25% of his practice, particularly with regard to commercial vehicles and industrial machinery. He is an experienced litigator with substantial experience in the areas of transportation and logistics, products liability, commercial disputes, employment and criminal law. He is licensed in the state and federal courts of Missouri and Kansas as well as the Eighth and Tenth Circuit Courts of Appeal. He is listed as a Missouri & Kansas Super Lawyer and has an AV Preeminent rating by Martindale-Hubbell.

Product Experience

- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Food Products
- Industrial Machinery
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Roofing Systems
- Trucks and Commercial Transportation

Education

- 1994, J.D., University of Kansas
- 1990, B.S., Missouri State University, cum laude
Biography and Experience
Melissa Norman Bork, a partner at Bingham Greenebaum Doll LLP and is chair of the firm’s Products Liability Team. She focuses her practice on complex commercial and tort litigation, including product liability, asbestos and mass product liability and toxic tort litigation, as well as contract and business/commercial disputes. She also advises clients in matters involving the First and Fourteenth Amendment, state employment, civil rights and college and university law. She began her practice in 1994 and is experienced in all aspects of civil litigation and appellate work. In addition to litigation services, Melissa also advises clients in the area of product liability exposure, risk management and litigation avoidance. She is a member of the Defense Research Institute and the National Association of College and University Attorneys. She was selected for inclusion in The Best Lawyers in America® in the fields of Commercial Litigation, 2013-2014 and Education Law, Mass Tort Litigation – Defendants, 2011-2014, and was selected for inclusion in the Kentucky Super Lawyers® in the field of Business Litigation, 2014.

Representative Trials
- **Cyrus v. Ingersoll-Rand, et al.**, Greenup (Co., Kentucky) Circuit Court. Summary judgment granted in asbestos products liability action based on failure to prove exposure to defendant’s product was a substantial contributing factor in causing Plaintiff’s decedent’s illness and subsequent death.
- **Watkins v. 3M, et al.**, U.S.D.C for the Western District of Kentucky at Lexington. Dismissal of products liability action alleging toxic brain injury caused by exposure to allegedly unsafe levels of benzene in adhesive products.
- **Hancock v. Seats, Inc., et al.**, U.S.D.C. for the Western District of Kentucky at Louisville. Successfully negotiated resolution of products liability claim alleging defective manufacture and design of industrial lawn mower.

Product Experience
- Agricultural Equipment
- Alcohol and Distilled Spirits
- Asbestos
- Automobiles
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- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Locomotives and Locomotive Equipment
- Medical Devices and Supplies
- Mining Equipment
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Roofing Systems
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Trucks and Commercial Transportation

Education
- 1994, J.D., University of Louisville School of Law
- 1990, B.A., Journalism, University of Southern Indiana, cum laude
Keith W. McDaniel is the managing member of McCranie, Sistrunk, Anzelmo, Hardy, McDaniel & Welch, LLC. Since his admission to practice, Mr. McDaniel has devoted his practice to representing manufacturers and distributors in products liability lawsuits and in handling catastrophic tort litigation. He has defended manufacturers of products from the automotive, home product, industrial/construction machinery and medical device industries. In addition to acting as lead counsel throughout Louisiana and other states in the gulf south, he has served on regional and national trial teams coordinating litigation for clients. He has also defended clients in asbestos, toxic tort, environmental, transportation and agricultural matters.

**Biography and Experience**

**Representative Trials**

- **Bordelon v. Ford Motor Company**, Civil District Court for the Parish of Orleans, Louisiana. Defense verdict obtained in matter involving plaintiff with brain injury allegedly as the result of design defects in automobile.
- **Monroe Welding Supply, Inc. v. Iwatsu America, Inc.**, 4th Judicial District Court for the Parish of Ouachita, Louisiana. Defense verdict in matter involving loss of warehousing complex as a result of fire allegedly caused by defective telephone system.

**Representative Seminars**

- “Thinking Outside the 4G Box: Ways to Reduce Liability Exposure During Battery Transport,” DRI Product Liability Conference, San Diego, CA, February 2018
- “Representing the Foreign Manufacturer to Kiss, Bow or Shake Hands,” USLAW NETWORK Client Conference, Phoenix, AZ, March 2011
- “Emerging Issues in Motor Vehicle Product Liability Litigation,” ABA, Phoenix, AZ, April 2010

**Product Experience**

- Agricultural Equipment
- Alcohol and Distilled Spirits
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Breast Implants
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Locomotives and Locomotive Equipment
- Medical Devices and Supplies
- Mining Equipment
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Tobacco Products
- Trucks and Commercial Transportation
- Windows

**Education**

- 1985, J.D., University of Mississippi, Member, Order of the Barristers (1984-1985)
- 1983, B.A., Chemistry, University of Mississippi
Biography and Experience
Lance Williams is an “AV” rated trial lawyer, whose areas of practice include defending product liability, mass tort, professional malpractice, and toxic tort litigation. His product liability experience has involved representation of manufacturers in the automotive, heavy machinery, industrial equipment, home product and medical device industries. Mr. Williams also represents defendants in catastrophic toxic tort litigation, including claims against manufacturers for asbestos and benzene exposure. Mr. Williams has practiced in Louisiana and in Illinois. He has spoken nationally on topics related to product liability, class action and asbestos litigation. He is Chair-Elect of the Product Liability Committee of ABA-TIPS.

Representative Trials
- *Lawson v. Mitsubishi Motor Sales of America*, Calcasieu Parish, Louisiana. Defense verdict after two week trial against the manufacturer of a motor vehicle. Plaintiff injured both hands and underwent surgery when the airbag in her vehicle unexpectedly deployed as she honked her horn. Plaintiff alleged manufacturing defects and insufficient warnings.
- *Duet v. Ford Motor Company*, Lafourche Parish, Louisiana. Defense verdict after a one week trial against the manufacturer of a motor vehicle. Plaintiff was injured and underwent a discectomy and cervical fusion because of an accident. She alleged the vehicle was defective because her airbag did not deploy in the accident.
- *Shicksnider v. Ford Motor Company*, Lafourche Parish, Louisiana. Defense verdict after a one week trial against the manufacturer of a motor vehicle. Plaintiff was injured and underwent a cervical fusion because of the accident. She alleged the vehicle was defective because her airbag did not deploy.

Representative Seminars
- “Warning! A Review Of ANSI Requirements For Warnings,” USLAW NETWORK Client Conference, Miami, Florida, March 2010

Product Experience
- Agricultural Equipment
- Alcohol and Distilled Spirits
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Breast Implants
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Hand Tools
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- Industrial Machinery
- Ladders
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- Lifting Equipment
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- Medical Devices and Supplies
- Mining Equipment
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- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Tobacco Products
- Trucks and Commercial Transportation
- Windows

Education
- 1994, J.D., Louisiana State University
- 1991, B.A., Tulane University
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Biography and Experience
Over the past 30+ years, on average, roughly 20% of John Whitman's practice has been product liability defense. The breadth of that practice is suggested by the list of product experience listed below. John's practice has not focused on any one type of product, but he has had multiple cases involving automobiles; consumer products and appliances; industrial machinery; ladders; lawnmowers; motorcycles and recreational vehicles; and power tools.

Representative Trials
- Maine Superior Court. Printing company employee was killed when her head was crushed in an industrial printing press manufactured in Japan. Settled the case for a token amount.
- U.S. District Court, Rhode Island. Serious injury resulting from ladder accident. Defended an extension ladder manufactured in Mexico. Persuaded plaintiff's counsel to dismiss the case at close of discovery.
- Massachusetts Superior Court and Massachusetts Appeals Court. Failure of enormous stormwater pumping plant during heavy rainstorm resulted in flooding of Boston's South End, resulting in millions of dollars' worth of residential and commercial property damage claims, and eight consolidated multi-party lawsuits. Defended solenoid valve alleged to be the cause of the failure of the pumps. After ten years of litigation, won summary judgment in superior court, upheld by Appeals Court.

Product Experience
- Aircraft (Private and Commercial)
- Automobiles
- Boats and Ships (Commercial and Pleasure)
- Consumer Products, Appliances, Equipment and Goods
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Motorcycles and Recreational Vehicles
- Power Tools
- Recreational Equipment
- Scaffolding

Education
- 1972, J.D., Harvard Law School
- 1967, B.A., Harvard College
Ben Dunlap focuses his practice on civil litigation. He represents construction and design firms, insurance companies, and other businesses in a wide variety of matters, including complex tort matters, commercial disputes, professional liability claims, and insurance coverage matters. Mr. Dunlap is an experienced litigator who represents clients in court, administrative proceedings and appeals, arbitration, and mediation. He regularly appears in the state and federal courts in Massachusetts, and has been admitted pro hac vice in a number of other courts around the country.

Representative Trials
- Obtained defense verdict for general contractor in matter arising from construction site explosion.
- Obtained defense verdict for architect in matter concerning alleged errors and omissions in design of renovations to historic building.
- Obtained defense verdict for property owner in matter concerning environmental remediation.

Product Experience
- Automobiles
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Roofing Systems

Education
- 2004, J.D., Boston College Law School, cum laude
- 1998, M.A., Russian Studies, Harvard University
- 1994, B.A., Russian Studies, Bates College, magna cum laude, Phi Beta Kappa
Michael Giunta specializes in complex civil litigation and has for over thirty years represented retailers, manufacturers, nursing homes and assisted living facilities, corporations, individuals and insurers in product liability, premises liability, professional malpractice, commercial and contract disputes, trucking and motor vehicle tort, insurance coverage and unfair insurance claims and settlement practices, real estate litigation, and trust and estate disputes. He also serves as monitoring counsel for physical therapy and assisted living facility claims for specialty insurance programs underwritten in the London insurance market. He has tried cases in the U.S. District Court and Massachusetts Superior, District, Land, Housing and Probate Courts, and appeared before the Massachusetts Appeals Court and Supreme Judicial Court.

Representative Trials

- He represented a U.S. manufacturer of cable puller in a double arm amputation case, which plaintiff settled on the first day of trial when it was expected their liability expert would not be permitted to testify as to alleged defects in the design of the equipment.
- He successfully settled at mediation an alleged defective mountain bicycle fork for a specialty fork manufacturer. The fork fractured and catastrophically failed while the plaintiff was riding it, resulting in significant facial, shoulder and knee injuries and scarring. The defense centered on the forensic metallurgy showing there were no defects in the metal or manufacturing process, and the fracture was caused by the plaintiff’s extreme abuse of the bike.
- He represented the manufacturer of a cryogenic freezer being used by a research hospital which failed and caused the destruction of millions of dollars of research samples developed over many years. The case settled for a relatively minimal amount following extensive depositions of the researchers, which provided evidence it was their failure to properly maintain the equipment and the liquid nitrogen supply system which caused the failure.

Product Experience

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Asbestos
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Furniture
- Hand Tools
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Tanks and Containers
- Trucks and Commercial Transportation

Education

- 1984, J.D., Suffolk University Law School
- 1981, B.A., Economics and Political Science, Boston College
Kevin G. Kenneally has been practicing for more than 20 years with an emphasis in products liability and complex tort law. He was selected by his peers as Best Lawyers in America’s 2017 “Class Action/Mass Torts Lawyer of the Year” for his jurisdiction. Kevin focuses his practice on the defense of corporations, manufacturers and individuals in products liability, class actions and mass tort litigation involving industrial equipment and consumer products, healthcare and medical instruments and equipment, as well as pharmaceuticals and nutritional supplements. Kevin Kenneally serves as national coordinating counsel for products liability and exposure claims for a major European production equipment manufacturer and a U.S.-based Fortune 500 corporation. He separately manages and monitors claims for risks insured in the London market. Mr. Kenneally represents businesses in federal and state courts in Massachusetts and has been admitted pro hac vice in jurisdictions throughout the United States. Additionally, he handled commercial arbitrations under AAA, ICDR, and NASD rules.

**Representative Trials**

- Defense verdict in January 2017 concerning alleged “co-inventorship” patent rights by former employee involving medical instrument design against inventor and patent holder, a well-known groundbreaking surgeon.
- 2015 Defense verdict in class action trial on lead plaintiff’s claims to determine issues for proposed class certification.

**Representative Articles**

- *Traps for the Unwary*, Editor-in-Chief, Massachusetts Bar’s risk management publication, currently in its fifth edition

**Product Experience**

- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Boats and Ships (Commercial and Pleasure)
- Breast Implants
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Hand Tools
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Trucks and Commercial Transportation

**Education**

- 1987, J.D., Suffolk University Law School, *cum laude*
- 1984, B.A., Political Science, The College of the Holy Cross
Biography and Experience
For the past 20 years, Kevin has represented Morbark as their national counsel defending product liability cases throughout the United States involving wood chippers, tub grinders, loaders, sawmills and other forestry equipment. Kevin has tried cases for Morbark in Florida, South Carolina, California, Virginia, Ohio, Indiana, Massachusetts and Colorado, including three wrongful death cases resulting in defense verdicts. Approximately 30 percent of his practice is product liability defense.

Representative Trials
- **Gonzales v Morbark.** Trial in Simi Valley, California, involving a fatal accident while the decedent was using a hand fed brush chipper. Defense verdict at trial upheld on appeal.
- **Dobbs v. Morbark.** Trial in federal court in Denver, Colorado, involving an accident in which the plaintiff’s dominant hand was crushed and permanently disabled while using a hand fed brush chipper. Defense verdict at trial was not appealed.
- **Phillips v Morbark.** Trial in Charleston, South Carolina, involving an accident in which the Plaintiff’s fingers were partially amputated in a wood hog conveyor. Plaintiff was the owner of a recycling business and was claiming approximately $1 million in lost profits to his business in addition to personal injury. Defense verdict at trial was not appealed.

Representative Seminars
- “Use of Scale Models as Demonstrative Exhibits,” DRI Products Liability Conference
- “Demonstration of Mock Jury Trial,” American Inns of Court

Product Experience
- Agricultural Equipment
- Automobiles
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools

Education
- 1990, J.D., Indiana University, magna cum laude
- 1987, B.A., Franklin College, magna cum laude
Biography and Experience

Chris’s product expertise spans nearly 20 years and includes product regulation, risk management and product liability defense. He counsels and defends consumer product, food, drug and device manufacturers and distributors in regulatory and liability matters, including:

- Consumer product safety reporting obligations and compliance (including CPSIA)
- Recalls and corrective actions for products regulated by the CPSC, FDA and USDA/FSIS
- Food safety issues (including matters under new FSMA requirements)
- Product warnings
- Product warranties
- Product liability defense and avoidance

Chris regularly represents clients before the U.S. Consumer Product Safety Commission, Food & Drug Administration, and Department of Agriculture. In the event a dispute arises that requires a more aggressive approach, Chris has successfully defended and prosecuted numerous cases at trial, arbitration and mediation.

Representative Trials

- Lead trial counsel for global furniture manufacturer in multimillion-dollar product liability claim in federal court. After limited discovery, manufacturer prevailed on an early motion to dismiss all but one of plaintiffs’ claims. Plaintiffs voluntarily dismissed remaining claim without additional monetary demand
- Successful defense and resolution of product exposure liability claim against multinational pharmaceutical/chemical company
- Successful defense of action against national nutritional supplement manufacturer alleging claims under California Consumer Remedies Act regarding product marketing and label claims, substantiation and efficacy of product
- Obtained dismissal for welding manufacturer in product liability action where plaintiff alleged injuries resulting from inhalation of welding fumes

Representative Seminars

- Numerous in-house client training seminars and press interviews regarding product liability avoidance, recalls, product safety and regulatory compliance.

Representative Articles

- “FDA Bans Trans Fats,” June 16, 2015
- “Lawsuits Adding Up as FDA Nears Ruling on Trans Fats: Manufacturers Should Check Their Potential Liability,” May 7, 2015
- “Vermont GMO Labeling Law FAQ,” May 28, 2014
- “New Law Seeks to Fix Consumer Product Safety Improvement Act,” August 18, 2011
- “Now Online: Unproven Reports About Your Products,” March 10, 2011
- “President Signs Major Food Safety Bill,” January 5, 2011
- “Avoid CPSC Fines: Implement a Product Safety Program,” March 18, 2010

Product Experience

- Agricultural Equipment
- Automobiles
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Flooring Systems
- Food Products
- Furniture
- Herbicides and Pesticides
- Industrial Machinery
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Roofing Systems
- Toys and Children’s Products
- Windows

Education

- 1996, J.D., Wayne State University, Editor-in-Chief, Wayne Law Review
- 1990, B.S., Michigan State University, with honors
Biography and Experience

Lance Zoerhof has extensive experience representing companies against liabilities related to supply chain, products, and transportation disputes. His transportation experience includes semi-trailer and rail; while his supply chain and products work includes premise liability and the products noted below.

Representative Trials

- Successfully defended Tier 1 auto supplier against a $20 million arbitration for an allegedly defective engine filter
- Obtained judgment for maker of outdoor wood-burning furnaces in $10 million dispute with its Michigan distributor
- Obtained no liability decision in defense of general contractor

Representative Seminars

- “Game of Drones,” Real Property Law Conference, Traverse City, Michigan, July 2017
- “Preparing for Increased Warranty and Recall Risks,” OESA West Michigan Regional Supplier Meeting, December 2016
- “Top Five Warranty and Indemnity Concerns in Buyer and Seller Terms and Conditions,” Seminar, April 2014

Representative Articles

- “Preparing for Increased Warranty and Recall Risks,” January 2017
- “Time to Update Old Terms and Conditions?,” January 2013
- “Who is Responsible for the Liabilities of an Acquired Company?,” May 2012
- “Should You Ship Parts When Your Buyer is Past Due?,” May 2012

Product Experience

- Agricultural Equipment
- Automobiles
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Industrial Machinery
- Power Tools
- Roofing Systems
- Toys and Children’s Products
- Trucks and Commercial Transportation

Education

- 2001, J.D., University of Oregon
- 1997, B.A., Calvin College
### Biography and Experience

Mark Solheim has extensive trial experience representing corporations, insurance companies and policyholders in Federal, State and Administrative Courts. Mark's trial work focuses on litigation of product, professional, utility and transportation liability matters. In addition, he serves as National Coordinating Counsel for clients throughout the country. Mark is a partner at Larson • King.

Mark has served in leadership positions for state and national defense organizations for many years. Mark serves as a Board Member (2003-2007), and as an Officer (Secretary 2008, Treasurer 2009, Vice-President 2010, and President 2011) of the Minnesota Defense Lawyers Association; as Chair of the DRI Trial Tactics Committee (2006-2008); as Co-Chair of the MDLA Nursing Home & Assisted Living Committee (2006) and as Chair of the USLAW NETWORK (2008); Member, DRI Law Institute Committee (2008 - present).

### Representative Trials

- **Christians vs. Xcel.** Electrical contact. Defense Verdict.
- **Simonson vs. Comfort Gardens.** Ventilator Dependent Plaintiff. Defense Verdict.
- **Vang v. Cooper Tire.** Quadriplegic Defense Verdict.

### Representative Articles

- Co-Author "Understanding Toxicology: Defense of Alcohol Related Negligence Claims," *For The Defense*, 1996

### Product Experience

- Agricultural Equipment
- Alcohol and Distilled Spirits
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Breast Implants
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
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- Locomotives and Locomotive Equipment
- Medical Devices and Supplies
- Mining Equipment
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children's Products
- Tobacco Products
- Trucks and Commercial Transportation
- Windows

### Education

- 1990, J.D., Hamline University School of Law, *cum laude*, Silver Gavel National Honor Society
- 1988, B.A., Hamline University, *cum laude*, Pi Gamma Mu National Honor Society
Biography and Experience
Dan Adams, a partner with Larson • King, concentrates his civil and commercial practice on representing clients in complex product liability, toxic tort and mass liability litigation and policyholders in insurance coverage disputes. He has acted as national coordinating counsel and trial counsel for manufacturers and has appeared in federal and state courts throughout the country.

Representative Trials
- Dan has defended national corporate manufacturers in multiple federal and state jurisdictions in product liability, mass tort and pattern litigations. He has successfully resolved matters involving thousands of plaintiffs and claims for tens of millions of dollars.
- Activities in representative cases included appearance at trials; argument of substantive motions; preparation/presentation of key corporate and expert witnesses in areas of medicine, science, engineering principles, statistics, crashworthiness, human factors, industrial hygiene, chemical properties and damages, and development of tactical and strategic plans leading to successful disposition of thousands of claims through dismissal or negotiated resolution.
- Issues involved included defense of design/manufacturing claims related to defects; negligence; failure to warn; post-sale duty to warn; development and implementation of quality control plans; compliance with federal and state regulations; spoliation of evidence; fraud on individuals and government entities; specific and general causation; and medical outcomes. Has also defended and prosecuted contractual claims related to product performance.

Product Experience
- Asbestos
- Automobiles
- Boats and Ships (Commercial and Pleasure)
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Lifting Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Respiratory Protective Equipment and Safety Devices
- Trucks and Commercial Transportation

Education
- 1984, J.D., Seton Hall University
- 1982, Exeter University, England
- 1978, B.A., Colgate University
Tony’s products practice involves the defense of product design and manufacturing claims in regionally and nationally. For nearly a decade, Tony has acted as both national counsel and trial counsel for manufacturers and has appeared in federal and state courts throughout the country. Tony is also active with several defense bar organizations, including DRIs products liability committee, where he serves on the steering committee, and with the Minnesota Defense Lawyer’s products committee, where he serves as vice chair.

Prior to practicing law, Tony worked as a corporate auditor with a major public accounting firm where he served several widely held, publicly traded clients. Tony puts his accounting background to use in handling financial disputes and other complex commercial matters. Tony graduated cum laude from the University of Minnesota Law School.

Representative Trials

- **Vang v. Cooper Tire**: Design Defect case; Quadriplegic. Defense Verdict
- **Jacobson v. Affinia**: Design Defect; evidentiary hearing; Defense Verdict

Representative Seminars

- “New Developments in Minnesota Comparative Fault Law,” Panel Speaker, MDLA Products Liability Committee, July 2013
- “Evaluation of Economic Loss Claims,” presenter, MDLA Trial Techniques Seminar, Duluth, 2011
- “Taking Control of the Wheel: Navigating Litigation Your Way on a Road of Difficult Witnesses and Opposing Counsel,” MDLA Mid-Winter Conference, February 2009

Representative Articles

- “The Collateral Source Rule: A Compendium of State Law,” Author (MN) and Regional Editor, 2012
- “Navigating Seller’s Exception Statutes,” *For the Defense*, February 2009

Product Experience

- Agricultural Equipment
- Asbestos
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Food Products
- Hand Tools
- Industrial Machinery
- Recreational Equipment

Education

- 2005, J.D., University of Minnesota Law School, *cum laude*
- 2001, B.A., Accounting, University of St. Thomas, *magna cum laude*
**Biography and Experience**

Douglas Bagwell's practice has focused primarily at the trial level in the defense of civil litigation for insurers, insureds, and self-insured corporations in a variety of litigation, including but not limited to issues involving bad faith, construction, fraud/misrepresentation, premises liability, products liability, professional liability, automobile accidents, trucking litigation accidents, state workers' compensation and longshore litigation. Currently, he is panel counsel in Mississippi for a number of major insurance companies. Douglas also does statewide defense work, including workers' compensation, for a major trucking company and dialysis health company. Douglas is also a Fellow in the ABA College of Workers' Compensation Lawyers. He has an AV rating with Martindale-Hubbell.

Although Douglas handles virtually all types of litigation, approximately 10-15% of his practice is related to product liability. He is the primary contact for the Gulfport, Mississippi, office of Carr Allison. He is admitted to practice in all state courts in Mississippi; United States District Courts for Northern and Southern Districts of Mississippi; and United States Court of Appeals for the Fifth Circuit.

**Representative Trials**

- None to verdict within the last 10 years.

**Product Experience**

- Agricultural Equipment
- Automobiles
- Beverage Containers
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Flooring Systems
- Furniture
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Scaffolding

**Education**

- 1986, J.D., University of Mississippi School of Law
- 1977, B.A., History and Anthropology, University of Southern Mississippi, *highest honors*
Ryan Perkins has practiced for over 15 years in insurance defense, with consistent emphasis on product liability defense (15%). Practice has at times consisted of defense of manufacturers, installers, repair facilities, general contractors, subcontractors and tradesmen in claims alleging defects to products have caused damages or injuries. Other practice areas include premises liability and premises security liability (as well as others, like workers’ compensation) which from time to time involve product liability (for instance one current premises matter concerns an allegedly defective bi-fold door system at a retail establishment).


### Representative Trials

- **Marisol Tovar, et al v. Weissenfels USA, et al**, Limestone County, TX Dist. Ct.– Represented a defendant in a 2011 lawsuit stemming from an on-the-job accident where an employee of an oil tank manufacturer was crushed to death by a tank lid while attaching the lid to the tank. Defended Pewag Austria GmbH, one of the world's leading hook and chain manufacturers, and directed the litigation strategy, along with local Texas counsel. Resulted in a Special Appearance to Contest the Jurisdiction, where upon arguments of counsel, the Court granted Pewag’s motion and dismissed the cause for want of jurisdiction.

- **Jason Cockrell v. Peerless Chain, et al**, Southern District of MS Dist. Ct. – Defended Pewag Austria GmbH in 2008 lawsuit involving allegations that one of its clevis sling hooks failed, dropping the load it was carrying upon plaintiff, causing disabling injuries. Several defenses came into play, including the employee improperly allowing the line holding the load to “slack,” dangerously shifting the weight of the load from the hook of the throat to its clevis latch (not designed to carry the weight of a load). However, the principal defense strategy centered upon absolute identification of the hook manufacturer, since there were questions as to whether or not it was produced by another manufacturer. The case turned upon expert testimony on the client’s behalf that a miniscule “Hallmark” identifier pointed to a manufacturer other than Pewag. Faced with this indisputable expert testimony, plaintiff dismissed his claim against Pewag with prejudice.


- **Tina Ingram v. Classic Motors, Inc.**, in the Circuit Court of Simpson County, MS, Cause No. 2003-328 – Defective shift lever box case- summary judgment.

- Additionally, Mr. Perkins represented several Mississippi retail pharmacy establishments in the early-mid 2000’s in over seventy-five (75) product liability cases concerning their having dispensed such drugs as Rezulin, Propulsid, Phen-Fen, etc.

### Representative Seminars

- “Civil Litigation in Mississippi,” Presentation to Allied Waste, Phoenix, AZ, August 2010


- “Errors to Avoid When Handling a Construction Contract Negotiation or Dispute,” Barristers CLE Construction Law in Mississippi, 2008

### Representative Articles

- “Protect and Preserve Surveillance Footage at all Costs,” Tips from the Mississippi Defense Bar, 2012

- “Only One Bite at This Apple: The Exclusive (Maybe) Remedy of Workers’ Compensation,” Construction Law Toolbox, 2011

### Product Experience

- **Automobiles**

- **Building and Construction Equipment**

- **Construction Products, Vehicles and Equipment**

- **Electrical Equipment and Devices**

- **Industrial Machinery**

- **Lifting Equipment**

- **Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications**

- **Tanks and Containers**

### Education

- 2002, J.D., University of Mississippi School of Law

Stephen L. Beimdiek has over 33 years of trial experience. He engages in all aspects of civil litigation and has over 50 cases successfully tried to verdict before state and federal courts in a number of different jurisdictions. Mr. Beimdiek’s trial background includes claims involving product liability, business/commercial, contract, personal injury, construction, medical malpractice, industrial accident, premises liability and consumer warranty. Specifically, with respect to product liability matters, Mr. Beimdiek has handled claims involving automobile components, lighting fixtures, building products, resin spray guns, cranes, water tower tanks, grain bins, printing presses, windows, traffic control devices, geo synthetic containment systems, and flooring products. He earned his J.D. from Saint Louis University School of Law.

Steve is AV rated with Martindale Hubbell, is a Past Chair of the USLAW NETWORK, Inc. Business and Commercial Litigation Practice Group, and served on the USLAW NETWORK Board of Directors from 2002-2010. He has been listed by The Best Lawyers in America®, Personal Injury Litigation – Defendants, and by Missouri & Kansas Super Lawyers.

Representative Trials

- Santangelo v. General Motors Corp., 769 S.W.2d 202 (Mo. App.)
- Estate of Bischof, 770 S.W.2d 474 (Mo. App.)
- Johnson Group, Inc. v. Beecham, Inc., 952 F.2d 1005 (8th Cir.)
- Nichols v. The Prudential Ins. Co., 851 S.W.2d 657 (Mo. App.)
- Rauscher v. General Motors Corp., 905 S.W.2d 158 (Mo. App. E.D.)
- Barnes v. The Prudential Ins. Co., 76 F.3d 889 (8th Cir.)
- Schwartz v. Custom Printing Co., 926 S.W.2d 490 (Mo. App. E.D.)
- In re Estate of Hayes, 941 S.W.2d 630 (Mo. App. E.D.)
- Dean v. St. Anthony's Medical Center, 978 S.W.2d 423 (Mo. App. E.D.)
- Ming v. General Motors Corporation, 81 ESupp. 2d 956 (E.D. Mo.)
- Ming v. General Motors Corporation, 195 F.3d 342 (8th Cir.)

Product Experience

- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Industrial Machinery
- Lifting Equipment
- Medical Devices and Supplies
- Roofing Systems
- Tanks and Containers
- Windows

Education

- 1985, J.D., Saint Louis University
- 1981, B.A., Political Science, Tulane University
Max Davis has 30-plus years of experience handling a wide variety of products claims involving pharmaceutical, medical device, consumer, commercial and agricultural implement products. Representative clients include Johnson & Johnson, Bridgestone Americas Tire Operations, MacDon Industries and Sunbeam. Thirty percent of his practice is devoted to products cases.

**Education**

- 1976, J.D., University of Montana School of Law, *with high honors*
- 1972, A.B., University of California – Berkeley

**Product Experience**

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Hericides and Pesticides
- Industrial Machinery
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Recreational Equipment
- Tires
Biography and Experience
Jill Ackerman has general litigation experience including advising and defending clients with regard to forklifts, acetone nail polish remover, penta-wood treatment, children’s toy, windows, and sliding doors. She also has significant experience using Daubert to strike or limit expert testimony.

Representative Trials
- Zastera v. Raymond Corporation, US Dist. Ct. NE – Defense Jury Verdict – (Forklift was misused)
- Farber v. Lok Logs Inc., Nebraska State Court – Summary Judgment – Statute of Repose (Penta)
- Confidential settlement of two children burned from misuse of acetone nail polish remover.

Representative Articles

Product Experience
- Agricultural Equipment
- Chemicals, Solvents and Plastics
- Cosmetics
- Lifting Equipment
- Toys and Children’s Products
- Windows

Education
- 1984, J.D., Creighton University School of Law, summa cum laude
- 1976, B.S., Northern Arizona University, magna cum laude
Biography and Experience

Ms. Tricker has been involved with product liability litigation since 2004. In that time, she has represented clients which manufacture a range of products, including medical devices, plumbing fixtures, doors, windows, building siding, and over-the-road tractors and trailers. Ms. Tricker devotes approximately 50% of her time to the defense of product liability claims.

Representative Trials

- Ms. Tricker recently successfully argued to have her medical device client dismissed very early on in a products liability lawsuit after it was determined that there was no possible way plaintiff could prove that the client manufactured the specific medical device at issue in the litigation.

Product Experience

- Automobiles
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Medical Devices and Supplies
- Trucks and Commercial Transportation
- Windows

Education

- 2004, J.D., University of Nebraska College of Law, with distinction, Order of the Coif
- 1998, B.A., Gustavus Adolphus College
Mr. Burcham's litigation practice has included numerous jury trials in personal injury and commercial cases. Although Mr. Burcham's litigation practice has been primarily defense oriented, he has also successfully handled several complex plaintiffs matters, including those involving contract and real estate disputes and personal injuries. Additionally, Mr. Burcham has successfully handled numerous appellate cases involving insurance disputes, products liability cases, claims for punitive damages, to name a few.

Representative Trials

Representative Articles
- Side Bar: Quarterly newsletter concerning alternative dispute resolution

Product Experience
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Furniture
- Tanks and Containers

Education
- 1985, J.D., University of Washington School of Law
- 1981, B.A., California State University Sacramento
Biography and Experience

Mr. Hetey has been practicing in the area of civil litigation in both Northern and Southern Nevada since 1995. Although he practices in a variety of fields, Mr. Hetey has significant experience handling matters designated as complex multi-party litigation. Mr. Hetey's practice includes defending product manufacturers, suppliers, and distributors against injury claims along with environmental matters involving release of toxic substances, toxic bodily injury, mold claims, and chemical explosions.

Product Experience

- Automobiles
- Beverage Containers
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Food Products
- Furniture
- Tanks and Containers
- Windows

Education

- 1995, J.D., Albany Law School of Union University
- 1992, B.S., University of Buffalo
Biography and Experience
Since joining the firm in 1987, Brian Terry has been defending product claims in Nevada. Mr. Terry’s practice has included a $70,000,000 claim concerning alleged product failures on the Hoover Dam Bypass project to catastrophic novelty cigarette lighters and everything in between.

Representative Trials
- The most recent case involves a cableway system used for the construction of a bridge. Mr. Terry represented the cableway manufacturer. It was alleged the system was defective by poor design and was unable to handle the lifting capacities as required by contrast. The system failed in high winds, resulting in significant delays to the bridge construction, under federal contract. Claims were in excess of 70 million dollars. Matter was tried for over two months, with a determination that the manufacturer prevailed on its contract claims, while the general contractor did not prevail.
- The next case involved a scooter used by the disabled. Allegations were made that the product was deficient in warnings and design. When being used, the scooter allegedly did not stop while approaching an elevator, resulting in plaintiff pushing through the elevator doors and falling into the elevator shaft. No trial, as the matter was defended on motion, with the case dismissed.
- In the next case Brian represented a product manufacturer of premium hose connectors. The allegations were the product failed, starting a fire which consumed and burned down a restaurant. The matter was litigated up to the point of expert disclosures, where upon plaintiff was finally convinced the theory of liability was in error, and the matter was dismissed pursuant to stipulation.

Representative Seminars
- I have spoken on several occasions regarding product liability trends in Nevada to claim adjusters and their respective clients.

Product Experience
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Beverage Containers
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Furniture
- Industrial Machinery
- Lifting Equipment
- Medical Devices and Supplies
- Mining Equipment
- Tires

Education
- 1987, J.D., Northwestern School of Law, Lewis and Clark College
- 1980, B.A., Brigham Young University
Jennifer has litigated product liability cases since 1999, and has been involved in litigation involving many different kinds of products, including: over the counter and prescription drugs, medical devices, surgical instruments, construction materials, and vehicles/vehicle components. Jennifer provides counsel and litigation support for clients including pharmaceutical companies, medical suppliers, medical service providers, manufacturers, retailers, and healthcare providers. In addition, she served as trial counsel in pro bono cases, including an intellectual property case for a large, non-profit medical services provider and small family related issues. Jennifer was appointed to the New Mexico Medical Board by Governor Susana Martinez in 2013.

Jennifer has been recognized for her work by several rankings organizations. She has been named one of the Top 250 Women in Litigation in the U.S. by Benchmark Litigation for the last six years, and is also listed as a State Litigation Star (since 2015) in their competitive guide. She has been awarded an AV® rating by the peer-review ranking Martindale-Hubbell (the highest ranking possible), is listed in Best Lawyers in America® in the areas of Commercial Litigation and Litigation – Healthcare, has been listed in Southwest Super Lawyers® since 2013, was named one of the Top 25 New Mexico Super Lawyers in 2017, and was included in New Mexico Business Weekly’s Best of the Bar Litigation (2011) and 40 Under Forty (2009).

Representative Trials

- Represented a multi-state provider of medical malpractice insurance as coverage counsel, overseeing several medical malpractice cases. Additionally, served as trial counsel for the carrier in two significant coverage disputes and in a regulatory dispute with the State of New Mexico.
- Served as trial counsel for pharmaceutical companies and manufacturers of dietary supplements and medical devices in product liability litigation.
- Represented manufacturers of mobile homes and recreational vehicles in product liability and consumer protection litigation.
- Although Jennifer has been involved in numerous evidentiary hearings in these matters, many of them have never progressed to trial.

Product Experience

- Asbestos
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Tires
- Tobacco Products

Education

- 1997, J.D., University of Michigan Law School, cum laude
- 1992, B.S., Political Science, Santa Clara University, magna cum laude, Phi Beta Kappa, Pi Sigma Alpha
Biography and Experience

Timothy Holm has more than twenty-five years of experience in civil litigation. His practice is focused on class action and mass torts, product liability litigation (including medical devices, pharmaceutical products, dietary supplements, heating and ventilation products, and other products). He is experienced in trials, evidentiary hearings and administrative proceedings. In addition, he is skilled in pre-trial practice and in obtaining 12 (b) (6) dismissals and summary judgements.

Timothy was named Lawyer of the Year in Mass Tort Litigation & Class Actions by Best Lawyers in America® (2013, 2018), and has been named to the list of Best Lawyers in America® in the areas of Commercial Litigation, Mass Tort Litigation, product Liability Litigation, and Railroad Law since 2009. Additionally, Timothy has been awarded an AV® rating by the peer-review ranking Martindale-Hubbell (the highest ranking possible) and has been named a State Litigation Star by Benchmark Litigation since 2013. He has also been included in Southwest Super Lawyers® since 2013, and was named one of the Top 25 New Mexico Lawyers by Super Lawyers® in 2013.

Timothy actively participates in Trial Attorneys of America (TAA), Defense Research Institute (DRI), International Association of Defense Counsel (IADC), New Mexico Defense Lawyers Association (NMDLA), and USLAW NETWORK, Inc. In addition, he is a member of the Local Civil Rules Committee of the U.S. District Court for the District of New Mexico.

Representative Trials

- Dismissal with prejudice of products liability action against manufacturer of space heaters alleging carbon monoxide poisoning.
- Summary judgment in favor of pharmaceutical company in wrongful death case, upheld on appeal, confirming that the discovery rule does not apply to wrongful death actions under New Mexico wrongful death statute.
- 12 (b) (6) dismissal of certain claims against national pharmaceutical company brought by Attorney General.

Representative Articles

- Legal Malpractice State of New Mexico, 50 State Survey of Legal Malpractice Law published by American Bar Association, New Mexico chapter co-authored with Charles Armgardt and Kenneth L. Harrigan, 2012
- New Mexico Section, Legal Malpractice Law, 2012 edition
- New Mexico Section, ABA Practitioner’s Guide to Class Actions, 2010
- "Employer Liability for Employee Actions: Derivative Negligence Claims in New Mexico," USLAW Transportation Law Compendium, March 2009
- “New Mexico Court of Appeals Rejects Discovery Rule in Wrongful Death Act Claims,” Website article, 2004

Product Experience

- Alcohol and Distilled Spirits
- Automobiles
- Breast Implants
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications

Education

- 1987, J.D., University of North Carolina School of Law, Order of the Coif
- 1984, B.A., History and Political Science, University of North Carolina, Phi Beta Kappa, Phi Eta Sigma
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Biography and Experience
Alex Walker has an active civil litigation practice representing business clients in all types of complex cases in both state and federal courts. He has substantial experience in defending personal injury and products liability cases, and regularly defends companies in litigation over medical device failures, prescription drug injuries, and other products-related litigation, as well as various other types of bodily injury and death claims. In addition, Alex frequently represents businesses in commercial disputes and other litigation matters, including class actions, insurance coverage disputes, and employment discrimination claims. His experience includes a wide variety of jury and non-jury trials, arbitrations, mediations and appeals.


Alex has received an AV® rating by the peer-review ranking Martindale-Hubbell (the highest ranking possible), was included in the list of Best Lawyers in America® in the area of Product Liability Litigation-Defendants (2018), has been named a Future Litigation Star by Benchmark Litigation since 2012, and has been included in Southwest Super Lawyers® since 2014. Alex was also named to Benchmark Litigation's Under 40 Hotlist in 2016, to New Mexico Business Weekly's 40 Under Forty in 2011, and was named a Southwest Rising Star by Southwest Super Lawyers® in 2012.

Alex actively participates in the New Mexico Defense Lawyers Association (NMDLA) and has been an Editorial Board Member since 2004. He also participates in the Defense Research Institute (DRI) and has been a Board Member at Law Access New Mexico since 2010.

Representative Trials
• Verdict for defendant following wrongful death jury trial in case of multi-drug toxicity, brought on behalf of decedent who died – allegedly as a result of her use of prescription medications.
• Judgment on behalf of major drug manufacturer in a wrongful death action brought by relatives of user who committed suicide, allegedly as a result of her use of the manufacturer's prescription medication. Case involved Buckman and Conte issues, as the decedent used – at different times – both branded and generic versions of the medication.
• Judgment for retail pharmacy in personal injury lawsuit regarding significant liver disease, culminating in transplant, allegedly resulting from use of ephedra containing weight-loss supplement. Judgment for client was premised on the plaintiffs' inability to establish general/specific causation.
• Judgment in workplace toxic tort, chemical exposure case, where plaintiff alleged that he developed rhinitis as a result of exposure to ammonium hydroxide fumes. Judgment for client obtained when plaintiff's medical causation opinions were excluded, leaving plaintiff unable to establish causation.

Representative Articles
• Alex is a contributing editor for the Wolters Kluwer Product Liability Desk Reference: A Fifty-State Compendium and has been responsible for drafting/editing the New Mexico chapter of that publication since 2012.

Product Experience
• Asbestos
• Chemicals, Solvents and Plastics
• Consumer Products, Appliances, Equipment and Goods
• Medical Devices and Supplies
• Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
• Tires

Education
• 2002, J.D., University of Texas
• 1997, B.A., Trinity University
Biography and Experience

Kenneth Alweis is a partner at Goldberg Segalla and a highly experienced trial attorney with more than 30 years of experience in state and federal court. He represents some of the country’s leading manufacturers of a variety of products, including industrial and consumer goods, in both commercial and personal injury actions. Ken has defended a significant number of actions involving fires that allegedly resulted from defective products. Ken holds the Martindale-Hubbell Peer Review Rating of AV Preeminent and has been recognized by Super Lawyers, Corporate Counsel Edition and Upstate New York Super Lawyers.

Representative Trials

- Successfully defended retailer of off road vehicle (UTV) where the focus of the allegations was improper warnings on the vehicle and improper instructions provided by salesperson.
- Successful defended manufacturer of forklift in which plaintiff suffered significant lower leg injuries resulting in amputation.
- Successfully defended manufacturer of roofing insulation where the claim was that “off-gassing” from the insulation led to widespread roof leaks on a large municipal housing project.
- Successfully defended manufacturer of large notebook making machine in a personal injury action where the plaintiff was seriously injured where a large roll of paper fell off the machine and struck the plaintiff. The claim was that the device designed to hold the paper lacked sufficient guarding and warnings and was otherwise defective.

Representative Seminars


Product Experience

- Agricultural Equipment
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Hand Tools
- Industrial Machinery
- Ladders
- Lifting Equipment
- Power Tools
- Roofing Systems
- Scaffolding

Education

- 1985, J.D., State University of New York at Buffalo Law School
- 1982, B.A., Economics, Binghamton University
Biography and Experience

Neil Goldberg has defended product liability, pharmaceutical, medical device, toxic tort, transportation, and other complex catastrophic personal injury cases across the United States for clients that include a number of New York Stock Exchange companies. He has handled product liability litigation – including leading Goldberg Segalla’s role as national science counsel in a massive multi-district litigation – throughout his entire career and currently devotes 30 percent of his practice to such cases.

Neil’s most recent trial arose from the February 2009 crash of Colgan Flight 3407 that resulted in the deaths of 50 people. This was one of the very few trials involving a commercial aviation disaster to be conducted in the United States in the last 30 years. The final litigated matter, brought by the survivors of a decedent killed in a home struck by the plane, proceeded to trial in September 2014. Following nine weeks of trial, a confidential, favorable resolution of the case was reached.

He is the editor of and contributing author of seven books on the defense of complex personal injury cases. This work includes serving as the Co-Editor-in-Chief of Preparing For and Trying the Civil Lawsuit and Products Liability in New York: Strategy and Practice, published by the New York State Bar Association.

Representative Trials

- Defense of a passenger airline in class action litigation involving catastrophic personal injury and death.
- Coordinating the representation of a New York Stock Exchange manufacturer in the major zinc toxicity dental adhesive cream multi-district litigation.
- Regularly defending manufacturers at hearings before the CPSC over the past 20-plus years.
- Defended our client in a product liability case involving severe crush injuries that occurred when a dumpster fell off a transport truck and fell on the plaintiff. Medical expenses were in excess of $220,000. The case was defended based on plaintiff’s culpable conduct and the absence of the design defect alleged by plaintiff. A full reconstruction was performed for the jury using video and Elmo technology.
- Trial of one of the longest televised trials in New York jurisprudence to a successful defense verdict.
- Obtained a defense verdict in a jury trial on a failure to warn claim, in a case involving a plaintiff who was seriously injured while lying in a pop-up tent camper in a hurricane-force storm.
- Trial of a double death alleged smoke detector defect case to verdict where there were more than 1,500 alleged prior claims. Damage limited to 25 percent of plaintiff’s prior demand.
- Trial of alleged muffler defect case resulting in third degree burns to 80 percent of plaintiff’s body. Case resulted in favorable settlement during trial.

Representative Seminars

- Presenter, “Developing a Centrist Jury and Defending the Punitive Damages Case,” USLAW Fall 2015 Client Conference, Boston, MA, September 2015
- “The Use of Social Media to Defend the Catastrophic Case,” USLAW Regional Meeting, Dallas, TX, January 2011
- “Using the New Science of Jury Psychology to Win the Battle of the Experts in High Stakes Litigation,” 22nd Annual Medical Device Defense Seminar, Bend, Oregon, June 2009
- “Products Liability from Emerging Markets,” Canadian Defence Lawyers Annual Meeting, Toronto, ON, June 2008

Representative Articles

- “Proactive, Long-Term Corporate Crisis Management: The Hunter, The Ostrich and The Spin Master,” USLAW Magazine, Spring/Summer 2011
- “Are you Prepared? The CPSIA’s Searchable Consumer Product Incident Database,” USLAW Magazine, Fall/Winter, 2009
- “Through Regulations and in Court: The 2008 CPSIA Starts to Take Shape,” DRI For The Defense, April 2009

Product Experience

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Locomotives and Locomotive Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Power Tools
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Tobacco Products
- Trucks and Commercial Transportation
- Windows

Education

- 1973, J.D., State University of New York at Buffalo School of Law, cum laude; Member, Buffalo Law Review
- 1969, B.A., State University of New York at Stony Brook, cum laude
Emilio Grillo is a nationally recognized trial attorney with two decades of litigation experience in personal injury claims, professional and products liability claims, commercial disputes, criminal law, labor law, and transportation law. His clients have included local and national construction and real estate holding companies; product manufacturers; major transportation companies; restaurants, hotels, and entertainment companies; as well as national and international retailers.

Emilio commenced his career as an Assistant District Attorney in the Kings (Brooklyn) County District Attorney’s office, where he rose to the level of Senior Trial Attorney in the Homicide Bureau, gaining valuable insight and expertise in trial advocacy. He was able to transfer his criminal trial advocacy skills into the civil sector, and has conducted over 100 civil trials. Clients routinely call upon Emilio to serve as lead trial counsel in significant catastrophic injury, product liability, and commercial cases.

Emilio is a member of the New York State Bar Association Torts and Insurance Compensation Executive Committee. His other achievements include being nominated and certified as a member of the Council for Litigation Management in 2007, and serving as chairman of the board of directors of the Columbian Lawyers Association from 2005–2007.

In June of 2013, Emilio was elected to serve as a Trustee for the Village of Rockville Centre. He served the village as the Deputy Village Attorney/Prosecutor from 2004–2013. Emilio has also been voted a NY Metro Area Super Lawyer from 2014-2017.

**Representative Trials**

- Successfully represented manufacturer of metal stud processing machine in catastrophic personal injury claim to worker, involving de-gloving of arm due to claim of improper guarding.
- Successfully represented storage facility in claims of defective furniture racking system, in catastrophic brain injury case by shifting all liability to plaintiff’s employer.
- Successfully represented construction company regarding claims of defective rebar equipment/improper guarding resulting in catastrophic impaling accident.
- Successfully represented health club in claims of defective treadmill.

**Representative Seminars**

- Speaker, “A Bridge the Gap for Litigators,” NY County Lawyer’s Association, 39th Annual Civil Trial Practice Institute’s CLE Program, March 2016
- Chair/Speaker, “What You Need to Know,” NY State Bar Association, Premises Liability, New York City, March 2015
- Speaker, “Law School for Claims Professionals,” NY State Bar Association, September 2014
- Speaker, “Law School for Claims Professionals,” NY State Bar Association, September 2010
- Speaker, “Honing Your Deposition Skills,” NY State Bar Association, March 2015
- Speaker, “Ethics for Litigators and Trial Lawyers,” NY State Bar Association, September 2005

**Product Experience**

- Beverage Containers
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Furniture
- Hand Tools
- Industrial Machinery
- Ladders
- Lifting Equipment
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreation Equipment
- Roofing Systems
- Scaffolding
- Swimming Pools
- Toys and Children’s Products
- Trucks and Commercial Transportation
- Windows

**Education**

- 1990, J.D., St. John’s University School of Law
- 1987, B.A., University of Connecticut, *cum laude*
Jacqueline (Mecchella) Bushwack has been practicing law for 10 years. A Partner in the Complex Torts & Product Liability, General Liability and Medical Malpractice Defense Practice Groups, Jacqueline defends pharmaceutical companies, manufacturers, universities, hospitals, physicians, adult care facilities and others in a variety of suits involving product liability, toxic exposures, medical and dental malpractice and nursing home negligence. Jacqueline's clients also include universities, landowners, landlords, and construction management companies in cases involving premises liability, construction accidents, lead paint poisoning, asbestos exposure and alleged violations of New York's Labor Law §§ 200, 240(1) and 241(6).

Proficient in managing all phases of discovery and trial preparation in both state and federal courts, Jacqueline has helped her clients obtain important discovery rulings, dismissals before trial, and favorable jury verdicts. She also has successfully resolved many cases through mediation and effective settlement negotiations. Of note, Jacqueline obtained a favorable settlement on behalf of a sling manufacturer sued in over 60 cases in litigation arising out of a deadly crane collapse in New York City. Jacqueline has obtained favorable results for her clients in several recent, well-publicized cases, including In re Aredia and Zometa Products Liability Litigation and In re East 51st Street Crane Collapse Litigation. Jacqueline was named a 2017 New York Metro Area Super Lawyer Rising Star.

Representative Trials

• In re Aredia and Zometa Products Liability Litigation, Hogan v. Novartis Pharmaceuticals Corp., 1:06-cv-00260 (E.D.N.Y.). Obtained a defense verdict on behalf of Novartis Pharmaceuticals Corporation, acting as local counsel in an action involving claims of pharmaceutical product liability related to Novartis’ manufacture and sale of bisphosphonates for the management of bone metastasis in cancer patients. In connection with this litigation, Jacqueline actively assisted in the defense of Novartis Pharmaceuticals Corporation as local counsel in hundreds of cases throughout all stages of discovery and trial preparation.

Representative Seminars

• “Avoiding Sandy’s Next Wave: How Contractors & Suppliers Can Minimize Risk in the Post Storm Rebuild”

Product Experience

- Asbestos
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Scaffolding

Education

• 2007, J.D., Albany Law School of Union University
• 2004, B.A., Political Philosophy, Communications and Rhetorical Studies, Syracuse University, magna cum laude, with honors
**Biography and Experience**

David E. Richman has been practicing law for 34 years. He is the head of the firm's Complex Torts & Product Liability and Medical Malpractice Defense Practice Groups, concentrating his practice in the areas of medical malpractice defense, construction-site accidents, New York Labor Law litigation, pharmaceutical product liability, product liability defense and toxic torts. David has tried hundreds of complex cases in both state and federal courts, many carrying million-dollar exposures for the clients he has represented.

For more than 30 years, David has successfully represented corporations, hospitals, universities, and insurance companies in medical and dental malpractice, asbestos litigation, construction job site and New York Labor Law litigation, toxic torts, lead paint, general liability, pharmaceutical product liability, product liability, commercial litigation, bad faith litigation, general negligence, mass tort litigation, nursing home litigation, medical and nursing licensing, false advertising class actions, and regulatory matters. David leads a team of attorneys defending clients sued in the New York City Asbestos Litigation, as well as other asbestos actions throughout New York. He is also the lead attorney representing the owner, construction manager, and subcontractors involved with the Columbia University Manhattanville Construction Project.

**Representative Trials**

- Oversaw the management of hundreds of cases as local counsel on behalf of Novartis, each involving claims of pharmaceutical product liability related to Novartis’ manufacture and sale of bisphosphonates for the management of bone metastasis in cancer patients.
- Represented the manufacturer of various household products including kitchen equipment (e.g. teapots) and space heaters sued on claims of negligent design and labeling. Each matter was either settled significantly below value or dismissed outright.
- Have overseen firm’s asbestos litigation practice for more than 15 years representing the interests of suppliers and product manufacturers before the courts in NYSAL and throughout New York State. During that time we have tried multiple cases, one, on behalf of ACF Industries, the manufacturer of subway cars, lasted three months and resulted in a settlement very favorable to the interests of our clients.

**Representative Seminars**


**Product Experience**

- Asbestos
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Medical Devices and Supplies
- Pharmaceuticals, Prescription
- Drugs and Over-the-Counter Medications
- Power Tools

**Education**

- 1976, B.A., State University of New York
Stephen Straus is a founding partner of Traub Lieberman Straus & Shrewsberry LLP. A significant part of Steve’s practice is counseling and representing product manufacturers, distributors and retailers in matters involving product liability exposures. This includes providing risk management analysis and best practices advice. It also includes litigation of product liability suits in state and federal courts throughout the country. Steve has tried to successful verdict numerous cases involving catastrophic injury (e.g., closed head injury, paralysis, death), as well as those involving significant property loss based on alleged product defects. Steve was admitted to the New York State Bar in 1987. He is also admitted in the U.S. District Court for the Southern and Eastern Districts of New York and the Eastern District of Wisconsin, and in the U.S. Court of Appeals for the Second, Sixth and Seventh Circuits.

Representative Trials

- Among Steve’s trial successes was the defense of a hockey helmet manufacturer accused of negligently designing, testing and manufacturing a helmet that purportedly failed to protect the wearer, an NCAA Division I ice hockey player, from serious head injury during play. Plaintiff claimed permanent cognitive deficits and loss of earning capacity. The case was tried to a jury over the course of three weeks in federal district court and resulted in a defense verdict.
- Another trial victory involved the defense of a hockey helmet manufacturer in a case involving a club hockey player who was rendered quadriplegic after contacting the boards with his head during a game. After a two week trial in federal district court, the manufacturer was awarded a defense verdict.
- A third example of Steve’s trial successes was the defense of a motorcycle helmet manufacturer in state court. Plaintiff was rendered partially blind when glass entered his eyes in an accident. Plaintiff claimed the face mask on his helmet failed to protect him from injury. After a five day trial, a defense verdict was rendered for the manufacturer.

Representative Seminars

- Steve regularly provides CLE for his clients in-house lawyers and risk managers related to trends and developments in product liability law. He counsels clients on best practices for documenting product development issues and dealing with customer claims and inquiries regarding alleged product failures.

Product Experience

- Alcohol and Distilled Spirits
- Aircraft (Private and Commercial)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Hand Tools
- Industrial Machinery
- Lifting Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Recreational Equipment
- Scaffolding
- Swimming Pools
- Toys and Children’s Products

Education

- 1986, J.D., St. John’s Univ. School of Law
- 1982, B.S.B.A., Boston University
Biography and Experience
Gerard Benvenuto is a partner at Traub Lieberman Straus & Shrewsberry LLP. A significant portion of Gerard's practice includes representing a wide variety of product manufacturers, distributors and retailers in complex products liability actions in state and federal courts throughout the country. Such cases include the defense of suits by individuals alleging personal injury and/or property damage, as well as aggregated litigation including mass tort and class actions. Gerard's practice also includes managing and coordinating the defense of products liability actions in numerous jurisdictions on behalf a major consumer product manufacturer and monitoring products actions on behalf of insurers. Gerard also consults with product manufacturers and distributors regarding risk management and best practices. Gerard is admitted to the New York State Bar and the U.S. District Court for the Southern and Eastern Districts of New York.

Representative Trials
- Gerard successfully defended a hockey helmet manufacturer accused of negligently designing, testing and manufacturing a helmet that purportedly failed to protect the wearer, an NCAA Division I ice hockey player, from serious head injury during play. Plaintiff claimed traumatic brain injury resulting in permanent cognitive deficits and loss of earning capacity. Issues at trial included brain injury biomechanics, kinematics and industrial product standards. The case was tried to a jury over the course of three weeks in federal district court and resulted in a defense verdict.
- Gerard also successfully defended the manufacturer of an industrial solution used to clean the exterior of buildings. Plaintiff allegedly sustained personal injuries including permanent respiratory impairment as a result of exposure to the product. A directed verdict was obtained based on plaintiff's failure to prove specific causation.
- Another trial success involved the defense of a hammer manufacturer. Plaintiff, a minor, alleged she was partially blinded when a fragment from the hammer pierced one of her eyes. Issues in the case included product misuse, assumption of risk and the parents’ negligent entrustment of the product to the minor. The trial resulted in a defense verdict.

Representative Seminars
- Panelist/Presentation – “Class Action Certification Defenses,” USLAW Fall Conference, Vancouver
- Various CLE and CE Presentations to Corporate and Insurance Clients

Product Experience
- Asbestos
- Automobiles
- Beverage Containers
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Food Products
- Furniture
- Hand Tools
- Industrial Machinery
- Lifting Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Recreational Equipment
- Scaffolding
- Tires
- Toys and Children’s Products

Education
- 1994, J.D., University of Pennsylvania
- 1989, B.A., Lehigh University
Biography and Experience
Chang Sik Kim has 20 years of broad based experience in global product liability litigation and risk management. He manages, oversees and coordinates the defense of international and United States corporations in product liability cases including class actions. Chang provides risk management advice related to product liability litigation and product safety issues including recall. He has also has served as a lecturer for many years for LG Electronics CFO College in Pungtuk, Korea, on issues including global legal risk management, legal service systems, contracts and overseas disputes.

Representative Trials
Chang has managed, overseen and coordinated the defense of products liability matters litigated internationally and in jurisdictions throughout the United States. Such cases successfully tried to verdict include:
• A subrogation action involving substantial property loss arising from a fire allegedly caused by a defective microwave oven. The trial encompassed complex engineering issues, fire cause and origin theories and product standards. The trial resulted in a defense verdict.
• A property damage case arising from a fire allegedly caused by a household appliance. Trial issues included product design and manufacture, as well as quality control procedures. The trial resulted in a defense verdict.

Representative Seminars
• Lecture – “LG Global Legal Risk Management,” LG Electronics CFO College, Korea
• Lecture – “Business Contract Review and Management,” LG Electronics CFO College, Korea

Product Experience
• Asbestos
• Consumer Products, Appliances, Equipment and Goods
• Electrical Equipment and Devices
• Electrical Wire and Cable

Education
• 2000, Master of Law, Northwestern University School of Law
• 1994, Bachelor of Law, Kyungpook National University College of Law
Biography and Experience

Randy has tried cases to verdict in ten North Carolina counties, as well as the Federal District Courts for the Middle and Eastern Districts of North Carolina. He has defended product liability claims for 20 years including cases involving medical devices, prescription medications, food, industrial equipment, lawnmowers and elevators. Randy currently devotes approximately 20% of his practice to product liability cases.

Product Experience

- Agricultural Equipment
- Automobiles
- Building and Construction Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Food Products
- Herbicides and Pesticides
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications

Education

- 1984, J.D., Wayne State University
- 1981, B.A., Miami University
Biography and Experience

Since 1996, Steven B. Epstein has focused his practice on the defense of product manufacturers and sellers, with an emphasis on automotive and aviation products, heavy machinery, and building products, including in mass accident, personal injury, wrongful death, breach of warranty, property damage, and fire and explosion cases. He is national coordinating counsel for a leading manufacturer of luxury motor coaches and inner-city transit buses and has represented clients in state and federal courts in product liability cases from New York to California. Recognized since 2006 as a North Carolina “Super Lawyer” in Litigation Defense, Mr. Epstein has served as Chair of the Product Liability Practice Group of the North Carolina Association of Defense Attorneys and as Chair of the Litigation Section of the North Carolina Bar Association.

Representative Trials

- *Lincoln Gen. Ins. Co. v. Detroit Diesel Corp.*, 293 S.W.3d 487 (Tenn. 2009) (persuaded Tennessee Supreme Court that economic loss rule precludes liability in tort even where damage to product occurs in sudden, calamitous manner, such as in a fire or explosion).
- *Bruno v. Thermo King Corp.*, Index No. 18348/05 (N.Y. Supreme Court, Queens, Jan. 30, 2008) (won summary judgment for bus manufacturer against mechanic, who claimed fingers were severed while working on allegedly defective air conditioning system, on ground that plaintiff’s expert affidavit was insufficient to state a prima facie product liability claim), aff’d, 2009 N.Y. App. Div. LEXIS 7291 (Oct. 13, 2009).

Representative Seminars


Representative Articles


Product Experience

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Automobiles
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Roofing Systems
- Trucks and Commercial Transportation
- Windows

Education

- 1990, J.D., University of North Carolina, with highest honors, Order of the Coif
- 1987, B.A., University of North Carolina at Chapel Hill, with highest honors, Phi Beta Kappa
**Biography and Experience**

Paul F. Ebeltoft has been a trial lawyer in North Dakota for more than 30 years. Paul’s first jury trial experience in 1977 was in a products liability tire-bead failure case. Since then, a substantial portion of his practice has dealt with products and the defense of those who design, manufacture or use them. He has represented the energy industry in defense of the design and fabrication of sophisticated downhole tools, product measurement devices and transport equipment. He has represented medical device manufacturers on account of alleged failure of their products during and after surgical procedures. Paul has represented livestock feed formulators whose products were the alleged cause of numerous animal deaths or alleged failure to thrive. He has defended food processing equipment manufacturers against claims for serious personal injuries. Paul also has been local counsel for drug companies during mass-tort litigation.

**Representative Trials**

- Being in the heart of oil country, products liability litigation is on the rise in North Dakota. Paul’s stature in contested litigation is well known and he is included in *The Best Lawyers in America®* in the category of product liability litigation.

**Product Experience**

- Agricultural Equipment
- Automobiles
- Breast Implants
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Food Products
- Industrial Machinery
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Scaffolding
- Swimming Pools
- Tires

**Education**

- 2002, Certificate: General Mediation Skills, Hamline University Law and Graduate Schools, St. Paul, Minnesota
- 1971, B.A., Political Science, Gonzaga University, Spokane, Washington
Biography and Experience

Courtney Presthus is a trial lawyer in North Dakota with bench and jury trial experience. In addition to her practical hands-on courtroom experience, Courtney was trained at the International Association of Defense Counsel (IADC) Trial Academy, an intensive program that blends faculty instruction and demonstration with student participation and mock-trial presentations. It is designed to give tomorrow’s best and brightest attorneys an edge in the courtroom. Currently, Courtney serves as the North Dakota State Representative for the Defense Research Institute (DRI) and is a member of the invitation-only Association of Defense Trial Attorneys (ADTA). Courtney devotes a substantial portion of her practice to products and the defense of those who design, manufacture or use them. She has represented the construction industry in the defense of the design of roadway construction equipment, as well as the energy industry in defense of the design of well service products and drilling equipment.

Product Experience

- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Industrial Machinery
- Lifting Equipment
- Mining Equipment

Education

- 2010, J.D., University of North Dakota School of Law
- 2007, B.S., Psychology, Dickinson State University, summa cum laude
Ronald Lee is a Partner and Practice Group Manager, Products Liability & Toxic Tort at Roetzel & Andress. Mr. Lee has served as national counsel in butter flavoring litigation, latex glove litigation and mold litigation. The products that Mr. Lee represents include industrial products such as cranes; building products such as windows; consumer products including appliances and light bulbs; and toxic exposure cases including butter, mold, silica and benzene. The butter flavoring cases have resulted in additional food litigation matters, including a case involving a salmonella outbreak in the Chicago area. In the medical device area, Mr. Lee has served as the lead trial attorney in latex glove matters. Additionally, he handles coverage issues, trucking cases, and professional liability cases. Ron devotes 60% of his time to the defense of product liability cases. He is a Board Certified Litigation Civil Trial attorney, an Ohio Super Lawyer (2004-2016), and has been selected as one of the Best Lawyers in America for Mass Tort and Product Liability Litigation since 2007.

Representative Trials
- Served as lead trial attorney for a latex glove manufacturer in a suit that was tried for several weeks in New Hampshire state court. The suit involved two medical personnel who were claiming debilitating injuries from the use of latex gloves. The result was a defense verdict for all parties.
- Represented a defendant in a two-week trial involving the injury to a young cheerleader, resulting in her becoming a paraplegic. The case involved product claims concerning the equipment that was being used as well as other claims involving the cheerleading program. A defense verdict in the Court of Claims of Ohio was obtained.
- Represented a defendant in the Court of Common Pleas of Muskingum County, Ohio. A defense verdict was obtained after a two-week trial involving a trucking accident that rendered a woman a quadriplegic. The case involved allegations of a defective braking system in a tractor-trailer unit. The product defect was found not to be proximate cause of the accident.

Representative Seminars
- "What’s New in Toxic Tort," ACE Group, Jersey City, NJ, 2015
- "Legionella and Legionnaires Disease in a Healthcare Setting," Great Lakes Healthcare Symposium, Cleveland, Ohio, 2013
- "Food-Borne Illness Litigation," American Conference Institute, Chicago, Illinois, 2010
- "Safety and Risks in the Food Chain," Cleveland, Ohio, 2010
- "Emerging Issues in Food-Related Litigation," GMA Food Claims & Litigation Conference, Austin, Texas, 2010
- "Pre-emptive Strike: Protecting Your Company From Products claims Before You Are Sued," Roetzel Corporate Counsel Forum, 2009
- "Advanced Forum on Diacetyl and Food Flavoring," American Conference Institute, San Francisco, California, 2008
- "Construction Projects – Coverage Quandaries," Boston, Massachusetts, 2008

Representative Articles
- "Legislative Efforts in Handling Industry-Wide Litigation," Roetzel & Andress Corporate Counsel Forum, 2005

Product Experience
- Agricultural Equipment
- Asbestos
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Furniture
- Herbicides and Pesticides
- Industrial Machinery
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Roofing Systems
- Swimming Pools
- Tires
- Trucks and Commercial Transportation
- Windows

Education
- 1978, J.D., The University of Akron, School of Law, Akron Law Review, Editor (1977-78)
- 1974, B.S., The University of Akron, magna cum laude
Biography and Experience

Ms. Pietrowski is a Partner and member of the Product Liability & Toxic Tort Group. She focuses her litigation practice on product liability, toxic tort, fire litigation, and general negligence. She has defended many product liability matters on behalf of manufacturers, suppliers and retailers involving various household appliances and machinery. She also handles toxic tort cases involving exposure to asbestos, chemicals, butter flavoring and mold. Ms. Pietrowski also handles a variety of food poisoning cases. She has represented her clients in trial, mediation and arbitration proceedings. Her clients have included major insurance companies, major manufacturers, an electric and appliance company and a flavoring company. She also serves as national counsel in many product liability and toxic tort cases.

Representative Trials

- Represented an oil and gas well operator in federal court against allegations of negligent drilling and fracking.
- Serves as national counsel for a major flavoring company
- Extensive briefing experience which has resulted in many favorable rulings for clients in product liability, general negligence and appellate matters.
- Served as second chair in two-week trial involving numerous claims, including equipment related product claims. The case involved a catastrophic injury to a college cheerleader; a defense verdict in the Court of Claims of Ohio was obtained.

Representative Seminars

- “Lifting the Fog – Defending Punitive Damage Claims,” Moderator, USLAW NETWORK Conference, September, 2014
- “Ethical Issues Arising From Governmental Investigations and Potential Criminal Charges Under The Park Doctrine,” Moderator, ABA Section of Litigation, Food & Supplements Fourth Annual Workshop, June 2014
- “Special Considerations in Cases Involving Punitive Damages,” USLAW NETWORK Conference, Product Liability Exchange, 2014

Product Experience

- Asbestos
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Herbicides and Pesticides
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Swimming Pools
- Windows

Education

- 1994, B.A., Political Science, Northwestern University
Biography and Experience

Mr. Green practices in all state and federal courts in Oklahoma and has a focus on general liability defense litigation, insurance litigation and product liability litigation. Mr. Green is a past President of the Oklahoma Association of Defense Lawyers and has been recognized as an Oklahoma Super Lawyer in each year since 2005. Since joining the Pierce Couch Law Firm in 1977 Mr. Green has devoted a substantial part of his practice to the representation of manufacturers, from aircraft manufacturers to chemical manufacturers and industrial and oil field equipment. Mr. Green has tried a number of product liability cases to verdict, including automobile, aircraft and aircraft loading equipment, and asbestos related product claims.

Representative Trials

- Mr. Green’s most recent product liability defense verdict involved the defense of the manufacturer of a radial crane (Rhodes v. PSI) in the United States District Court for the Western District of Oklahoma. The product in question was a large industrial crane which was used to transport loads of timber into a large chipper mechanism for creation of wood pulp to be loaded onto barges for shipment on the Arkansas River Navigation System to New Orleans. The crane collapsed and the owners, through the Bankruptcy Trustee, sought compensation for property damage and the economic loss for the business in excess of $15,000,000.00. The case was successfully defended to a jury and no appeal was taken by the Bankruptcy Trustee. Allegations included both design and installation issues.

Product Experience

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Mining Equipment
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Roofing Systems
- Swimming Pools
- Tanks and Containers
- Tires
- Trucks and Commercial Transportation
- Windows

Education

- 1976, J.D., University of Oklahoma College of Law, Norman, Oklahoma
- U.S. Air Force Academy
- 1973, B.A., University of Oklahoma
Daniel J. Hoehner is licensed to practice in all state and federal courts in the state of Oklahoma. He has practiced more than 25 years in insurance defense which has included the opportunity to handle cases involving all types of products such as electronics, tractors, recreational vehicles, automobiles, trucks, seat belts, food, and numerous component parts incorporated into products. Approximately 20-30 percent of his practice is devoted to cases involving product liability.

Representative Trials

- **Potts v. Remington Park, Inc.**, District Court of Oklahoma County. Defense verdict in case alleging product liability for allegedly serving adulterated food resulting in food poisoning.
- **Oklahoma Society of Certified Public Accountants v. Broan Manufacturing Co., Inc., et al.**, District Court of Oklahoma County. Defense verdict in case alleging fire and resulting property damage caused by allegedly defective design of overhead vent.
- **Hodges v. En-Tout-Cas, et al.**, District Court of Oklahoma County. Settled prior to trial. Jockey sustained fall and injury as a result of alleged defect in design, installation and maintenance of elements of synthetic racing surface.

Product Experience

- Asbestos
- Beverage Containers
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Food Products
- Furniture
- Ladders
- Motorcycles and Recreational Vehicles
- Power Tools
- Trucks and Commercial Transportation

Education

- 1984, J.D., University of Oklahoma College of Law
- 1981, B.S., Oklahoma State University
Dana Kopij
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dkopij@williamskastner.com

Biography and Experience
Dana Kopij is a member of Williams Kastner Greene & Markley. She handles matters in both Oregon and Washington, concentrating her practice on products liability and mass torts and serves as defense counsel for several national product manufacturers. She is also experienced in personal injury, product liability and insurance defense matters. Ms. Kopij has been named a Rising Star by Super Lawyers magazine each year since 2008.

Representative Trials
- Cashman/Dowman Products (resolved first day of trial)
- Butler/Dowman Products (resolved after MIL)
- Stefanson/Duro Dyne (resolved during second week of trial)

Product Experience
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Flooring Systems
- Hand Tools
- Industrial Machinery
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Trucks and Commercial Transportation
- Windows

Education
- 2001, J.D., Willamette University College of Law
- 1998, B.A. Sociology, University of Washington
Rod Umberger is a member in the Seattle office, where he chairs the Business Litigation Practice Group and has served on the Board of Directors. He is a trial lawyer with more than 25 years of experience in the courtroom.

Mr. Umberger's product liability experience includes defending pharmaceutical companies and medical device manufacturers in state and federal courts and in multidistrict national litigation. He has served as both National Coordinating Counsel and MDL Counsel in national product liability litigation and has developed significant knowledge and experience in addressing issues that arise in multidistrict litigation. He has defended manufacturers of construction products, firearms, PVC pipes, heavy agricultural machinery and industrial equipment and machinery in wrongful death and catastrophic injury cases. His product liability practice also encompasses consumer products and toxic torts, and he serves on two national trial counsel teams in asbestos litigation.

Mr. Umberger has been named to Super Lawyers by Super Lawyers magazine for several years and recently was one of only sixteen attorneys in the state of Washington recognized as a top civil litigation defense attorney by the Corporate Counsel Edition of Super Lawyers magazine. He has been “AV Preeminent” peer review rated by Martindale-Hubbell since 1998.

Mr. Umberger is a member of the American Bar Association – Product Liability Committee, Defense Research Institute – Product Liability Committee, Washington Defense Trial Lawyers and the International Association of Defense Counsel.

**Representative Trials**

- **Turner v. ON Marine** – Asbestos, settled after arguing motions in limine and successfully excluding testimony from plaintiff’s key expert, USDC – WA.
- **Clauson v. Ashland, Inc.** – Asbestos, three-week jury trial in WA Superior Court. Settled on first day of jury deliberations for amount offered at mediation before trial.
- **Holloway v. LinkBelt** – Crane, two-week jury trial, USDC. Verdict in favor of plaintiff for $125,000.
- **Saucier v. DePuy** – Medical device, three-week jury trial in WA Superior Court. Hung jury – plaintiff dismissed case.

**Representative Seminars**

- "Should We Be Taking More Cases to Trial?,” Fall 2015 USLAW NETWORK Client Conference, Boston, Massachusetts, September 2015
- "Practical Considerations For Preparing Corporate Witnesses For CR 30(b)(6) Depositions (Defending Against The Reptile Approach),” Fall 2015 USLAW NETWORK Client Conference, Boston, Massachusetts, September 2015
- ”2015 TIPS/ABOTA National Trial Academy,” American Bar Association Tort Trial & Insurance Practice Section and The American Board of Trial Advocates, Revo, Nevada, March 28-April 1, 2015.
- "21st Century Trial Presentation Techniques,” USLAW NETWORK Corporate Counsel and Product Liability Exchange Conference, Dallas, Texas, February 2014
- "Defense Perspective on Corporate Designee Depositions under FRCP 30(b)(6),” USLAW NETWORK Fall Conference, Vancouver, British Columbia, October 4, 2013
- "Cutting-Edge Settlement and Defense Strategies for Complex Litigation,” USLAW NETWORK Spring Client Conference, Laguna Beach, CA, April 10-14, 2012

**Product Experience**

- Agricultural Equipment
- Asbestos
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Firearms
- Food Products
- Industrial Machinery
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Tanks and Containers
- Trucks and Commercial Transportation

**Education**

- 1987, J.D., University of Tennessee College of Law
- 1984, B.A., Furman University
Biography and Experience

Robert Owen's practice focuses on defending corporations in complex commercial litigation, including product liability, insurance coverage, and commercial contract disputes. Approximately 40% of Robert's practice is devoted to product liability defense, where he has more than 14 years of experience litigating asbestos and other types of product-liability matters in Pennsylvania and nationally.

Representative Trials

Robert's experience includes representation of multiple clients in asbestos litigation, including experience as national coordinating counsel for a railroad brake shoe distributor sued in thousands of asbestos-related personal injury lawsuits throughout the United States. Robert successfully resolved a significant number of these cases on summary judgment through a federal preemption defense he has briefed and argued in multiple state and federal jurisdictions throughout the United States. Robert also has experience defending matters involving consumer products and medical devices.

Representative Articles

- "In the Wake of Tincher, Can a Strict Product Liability Defendant Rely on Compliance With Government Regulations or Industry Standards? Pennsylvania Law Remains Unsettled," PSMN Blog, June 2017
- "Pennsylvania Superior Court Decision Highlights Importance of Rebuttal Evidence on Causation in Defending a Strict-Liability, Failure-to-Warn Claim," PSMN Blog, May 2017
- "PA Superior Court Rejects ‘Heeding Presumption’ in Strict-Liability, Failure-to-Warn Action," PSMN Blog, April 2017

Product Experience

- Asbestos
- Consumer Products, Appliances, Equipment and Goods
- Lifting Equipment
- Medical Devices and Supplies
- Recreational Equipment

Education

- 2003, J.D., University of North Carolina, Chapel Hill
- 1996, M.F.A., Brooklyn College
- 1993, B.A., University of North Carolina at Charlotte
Henry M. Sneath is a shareholder and director at Houston Harbaugh in Pittsburgh, PA. He is co-chair of the litigation department and serves on the firm’s executive committee. He has extensive federal and state court trial experience in cases involving product liability matters. He has tried over 55 cases to jury and non-jury verdict in Federal and State Court jurisdictions. He has defended and tried cases for manufacturers and sellers in claims and suits relating to a wide variety of medical, pharmaceutical, recreational, industrial, vehicular and children’s products. He has been designated by his peers as a Pennsylvania Super Lawyer in the fields of Business and Intellectual Property Litigation and is listed in Best Lawyers in America® in five litigation categories: Personal Injury Defense, Business, Intellectual Property, Patent, and Legal Malpractice Defense. He is Peer Review Rated AV Preeminent by Martindale Hubbell. He served as the 2011-2012 President of DRI – The Voice of the Defense Bar.

Representative Trials
- Galloway v. Beckwith Machinery and Caterpillar, Inc. – Allegheny County (Pittsburgh, Pa.) Successfully defended Beckwith Machinery against products liability claims brought by plaintiff. Plaintiff claimed serious brain injury resulting from an alleged design and manufacturing defect in a forklift truck, which had been modified and sold by defendant Beckwith. Plaintiff demanded $7,000,000 for settlement. Jury returned a defense verdict.
- Gallo v. General Motors Corp. – Allegheny County (Pittsburgh, Pa.) Plaintiff claimed unwanted, sudden acceleration of the subject vehicle causing personal injury and property damage. Obtained defense verdict from jury at trial.
- Reha v. K.S. Wholesalers of America, Inc., Toyotomi USA, Inc. and Kero-sun, Inc. – Greene County (Waynesburg, Pa.) Defended Japanese manufacturer and American supplier of kerosene heaters. Plaintiffs brought bodily injury and property damage claims arising out of a fire which burned and injured various members of two families living in a duplex house. Plaintiffs alleged product defect in design and manufacture and negligence in failure to warn. Obtained defense verdict on behalf of all defendants following jury trial.

Representative Seminars
- “Products Liability: Tough Witnesses, Cross Examinations, Deposition and Trial Tactics,” DRI Products Liability Seminar 2018

Product Experience
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Food Products
- Furniture
- Hand Tools
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Mining Equipment
- Pharmaceauticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Tires
- Toys and Children’s Products
- Trucks and Commercial Transportation

Education
- 1983, J.D., Duquesne University School of Law
- 1980, B.A., Hamilton College
Kelly Williams has more than 20 years experience litigating cases, including product liability cases and personal injury defense work. Her product liability experience has involved factory machinery, equipment in the oil and gas industry, prefabricated metal building, construction materials, exercise equipment, and consumer food products. Product liability matters make up 30 – 40 percent of Kelly’s practice.

**Representative Trials**
- Assisted lead trial counsel in obtaining a jury verdict for plaintiff injured by a defective plastic injection molding machine during the course of his employment, in federal district court in Pittsburgh.
- Defended an exercise equipment manufacturer in various matters in state court. The cases settled shortly before trial.
- Represented a manufacturer of a prefabricated metal building as lead trial counsel in an arbitration involving indemnification claims between the manufacturer and a co-defendant, after the underlying plaintiff’s product liability claim settled.
- Acted as local trial counsel and assisted lead trial counsel in obtaining summary judgement on behalf of a national building materials manufacture, in federal district court in Pittsburgh.

**Product Experience**
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Industrial Machinery
- Roofing Systems

**Education**
- 1994, J.D., Temple University School of Law
- 1991, B.A., The Ohio State University
Biography and Experience
Timothy Smith has handled product liability matters since 1991. He has represented manufacturers, distributors and market retailers. His experience spans from commercial to household products.

Representative Trials
- Timothy Smith has successfully defended the manufacturers of forklifts, automotive tires, scissor lifts and flooring products in the State and Federal Courts of Pennsylvania.

Representative Seminars
- “Recent Developments,” Transportation Lawyers Association Annual Conference, 2011
- “Sleep Deprivation and Catastrophic Events,” Pennsylvania Continuing Legal Education Seminar, 2009

Product Experience
- Agricultural Equipment
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Roofing Systems
- Scaffolding
- Tires
- Trucks and Commercial Transportation
- Windows

Education
- 1991, J.D., University of Toledo College of Law
Biography and Experience

J. Michael Kunsch is an AV Preeminent-rated attorney who practices in all state and federal courts in Pennsylvania and New Jersey. He concentrates his practice in the areas of product liability, commercial litigation, transportation and general litigation. Mr. Kunsch was recognized in 2006 as a Pennsylvania Super Lawyer – Rising Star® and has been recognized from 2011 – 2018 as a Pennsylvania Super Lawyer® – Product Liability Defense. For more than 25 years, Mr. Kunsch has devoted a substantial part of his practice to the representation of manufacturers and retailers in industrial, commercial, and consumer industries, with a particular emphasis in matters involving ladders and climbing equipment, power tools, household appliances, gas-fired appliances, fire sprinkler systems and recreational products. He has extensive experience defending fire and explosion litigation and catastrophic burn cases. In addition, Mr. Kunsch coordinates the evaluation of new claims for clients, coordinating preservation of evidence, expert retention and conducting field investigations. He also counsels clients on issues related to e-discovery and document retention policies.

Representative Trials

- Essroc Cement Corporation v. Loesche America, Inc., U.S.D.C for the Eastern District of Pennsylvania. Successfully moved to have plaintiff’s $12.5 million breach of warranty and product liability litigation stayed and pursued in Arbitration at JAMS pursuant to Dispute Resolution Procedures (“DRP”) which were integral to 2 commercial supply agreements between the parties. Before JAMS, successfully moved to dismiss plaintiff’s claims, with prejudice, due to its failure to comply with the DRP.
- Melquist v. Emerson Electric Co., et al, U.S.D.C. for the Western District of Pennsylvania. Defense verdict in a product liability matter involving allegations that a radial arm saw was defectively designed. The case was made more complicated by evidence of a post-sale design change which had achieved improved guarding of the saw.
- Beck v. InterMetro Industries Corporation, et al, Court of Common Pleas of Philadelphia County, Pennsylvania. Non-suit nine days into a trial wherein plaintiff alleged that a mobile warming cabinet used in food service operations was defective.

Representative Seminars

- “Effective Use of Exemplar Tools at Deposition and Trial,” DRI Product Liability Conference, San Diego, California, February 2018
- “Lifting the Fog: Defending Against Punitive Damage Claims,” USLAW NETWORK Client Conference, San Francisco, California, September 2014
- “Supply Chain Risks and the Foreign Supplier,” USLAW NETWORK Client Conference, Dana Point, California, April 2012

Representative Articles

- “Accident Investigation: Avoiding the Creation of Plaintiff’s Exhibit ‘A’,” USLAW Magazine, Fall/Winter 2016
- “Pre-Emption Double Standard? Manufacturers of Identical Products are Not Equal,” USLAW Magazine, Spring/Summer 2012
- “Personal Jurisdiction: A Casualty of Global Commerce?” USLAW Magazine, Fall/Winter 2011

Product Experience

- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Hand Tools
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Power Tools
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Scaffolding
- Tanks and Containers
- Toys and Children’s Products
- Trucks and Commercial Transportation

Education

- 1991, J.D., Villanova University School of Law
- 1988, B.A., Psychology, University of Arizona, cum laude, Phi Beta Kappa
Biography and Experience

Warren E. Voter is an AV Preeminent-rated attorney who for three decades has practiced exclusively in defense oriented property and casualty litigation with a concentration in product liability, catastrophic loss, medical hardware, toxic and mass tort. In addition, he frequently serves as monitoring and coverage counsel for excess carriers and regional trial counsel and national coordinating counsel for a number of product manufacturers and their insurers. He has extensive experience trying cases involving fire loss, power woodworking equipment, hand tools, industrial machinery and consumer and recreational products. Mr. Voter is a member of the Product Liability Advisory Council (PLAC), the Federation of Defense and Corporate Counsel (FDCC), the Defense Research Institute (DRI) and the Pennsylvania Defense Institute (PDI). Mr. Voter is the Past Chair of the USLAW Product Liability Practice Group and served as a Director on USLAW’s Board. Mr. Voter has served as an instructor for the National Institute for Trial Advocacy and has been recognized as a Pennsylvania Super Lawyer each of the last ten years. Mr. Voter’s bar admissions include Pennsylvania, U.S. Court of Appeals for the Third Circuit and the Eastern, Middle and Western Districts of U.S. District Court of Pennsylvania.

Representative Trials

- Defense Verdict in fire loss tried in United States District Court for the Western District of Pennsylvania. Successfully defended manufacturer of control panel of electric range alleged to have malfunctioned causing fire.
- Defense verdict in United States District Court for the District of Delaware – successfully defended manufacturer product of allegedly defective table saw on which plaintiff cut off all the fingers of his dominant hand.
- Directed verdict in Court of Common Pleas of Philadelphia County – Successfully defended against allegation that the door of a commercial refrigerator came off its hinges and struck the Plaintiff as a result of a design defect.

Representative Seminars

- Moderator/Panelist, “Distributor/Manufacturer Liability: Who Bears the Risk?” USLAW Client Conference, Dana Point, CA, April 2012
- Co-Presenter, “Avoiding the Burn: Living with Post-Sale Product Modification,” USLAW Product Liability Conference, Miami, FL, January 2005

Product Experience

- Agricultural Equipment
- Alcohol and Distilled Spirits
- Asbestos
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Hand Tools
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Lifting Equipment
- Medical Devices and Supplies
- Mining Equipment
- Motorcycles and Recreational Vehicles
- Power Tools
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Scaffolding
- Swimming Pools
- Tanks and Containers
- Tires
- Toys and Children's Products
- Trucks and Commercial Transportation
- Windows

Education

- 1983, J.D., Villanova University School of Law
- 1980, B.S., Business Management, Pennsylvania State University
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**Biography and Experience**

Mr. Barrow has handled numerous product liability cases involving design and manufacture of tractors, ladders, high-speed equipment used in manufacturing processes, overhead door, power equipment and others.

**Representative Trials**

- Successfully defended tractor manufacturer in a tractor rollover wrongful death case. Allegations involved defective design and manufacture of ROPS system.
- Successfully defended a chemical manufacturer in a chemical explosion case. Allegations included failure to warn, negligence, and failure to inspect the receiving facility.

**Product Experience**

- Agricultural Equipment
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Herbicides and Pesticides
- Industrial Machinery
- Ladders
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools
- Tanks and Containers
- Tires
- Tobacco Products
- Trucks and Commercial Transportation

**Education**

- 1986, J.D., University of South Carolina School of Law
- 1980, B.A., Political Science, University of South Carolina
Biography and Experience

Bob Riter joined the firm in 1973. His legal efforts are focused principally upon litigation and trial work in all courts in this state, with a concentration in the defense practice. He also spends significant time appearing before state administrative bodies, and engaging in lobbying and legislative work. Robert Riter has 30 years experience in a wide variety of products. Approximately 10% of his practice is devoted to products liability matters.

Professional memberships include: State Board of South Dakota (Commission and Past Chair of Ethics Committee, Administrative Law Committee and Continuing Legal Education Committee); Defense Research Institute (DRI) (State Representative, 1994-1999 Member, Board of Directors, 1999-2003); South Dakota Defense Lawyers Association (Past President 1994-1995); Fellow, American Bar Foundation; American Board of Trial Advocates; American College of Trial Lawyers.

Bob has lectured and given presentations before Insurance law classes at the University of South Dakota, School of Law, Continuing Education programs of the South Dakota State Bar, and Defense Research Institute (DRI) gatherings. He has also authored law review articles on the patient/physician privilege and civil justice reform.

Representative Articles


Product Experience

- Agricultural Equipment
- Automobiles
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Flooring Systems
- Food Products
- Herbicides and Pesticides
- Industrial Machinery
- Power Tools
- Recreational Equipment
- Scaffolding
- Tires

Education

- 1973, J.D., University of South Dakota
- 1970, B.S., University of South Dakota
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BioGraphy and Experience
Mr. Piovarcy has been involved with the defense of products for the last 25 years. Product liability cases comprise approximately 25% of his practice. The areas involve defense of heavy machinery, pharmaceuticals, chemicals, power tools and clothing.

Representative Trials
• Mr. Piovarcy successfully defended a manufacturer of heavy industrial equipment. The manufacturer was self-insured. The latest case involved a metal crusher which was alleged to be defective.
• Mr. Piovarcy has successfully defended a major retailer who sells power tools. The case involved a circular saw with respect to a claim brought by a consumer who injured his hand while using the circular saw. It was found that the consumer had failed to obey the warnings with respect to the power tool.
• Mr. Piovarcy has successfully defended pharmaceutical companies with respect to three death claims caused by a pharmaceutical which is a potent pain killer.

Representative Seminars
• Mr. Piovarcy has prepared a paper with respect to the component part doctrine in Tennessee and presented the paper at a USLAW client conference in 2007.

Product Experience
• Breast Implants
• Chemicals, Solvents and Plastics
• Consumer Products, Appliances, Equipment and Goods
• Electrical Wire and Cable
• Food Products
• Hand Tools
• Industrial Machinery
• Medical Devices and Supplies
• Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
• Power Tools
• Trucks and Commercial Transportation

Education
• 1966, J.D., Vanderbilt School of Law
• 1963, B.A., English, University of Notre Dame
Biography and Experience
Shea Sisk Wellford is licensed to practice in Tennessee and Arkansas and is admitted to the United States District Courts for the Western District of Tennessee, Middle District of Tennessee, Eastern District of Arkansas, Eastern District of Michigan, the United States Court of Appeals for the Sixth Circuit and the United States Supreme Court. Ms. Wellford devotes the majority of her practice to commercial litigation matters, including the defense of manufacturers, distributors and sellers of products in product liability actions.

Representative Trials
- *Self v. Wal-Mart Stores, Inc.*, Circuit Court of Phillips County, Arkansas: Defended seller of allegedly defective riding lawn-mower. Case was settled prior to trial.

Product Experience
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Power Tools

Education
- 1994, J.D., University of Memphis, Cecil C. Humphreys School of Law, *high honors*
- 1991, B.A., English with a minor in Sociology, Vanderbilt University
Biography and Experience
Tom Fee has represented retail sellers and manufacturers of various products in Texas for over two decades. Some of the representative products Mr. Fee has defended in the past are: kitchen and laundry appliances, heating and air conditioning units, fireplaces, watercraft, ATVs, amusement and water park rides, cosmetics, construction/farm equipment, fire protection systems, motor homes and numerous retail sellers of automobiles and motorcycles. Tom Fee is Board Certified in Personal Injury Trial Law and has been since 1998. He is an AV Preeminent Rated attorney by Martindale-Hubbell. Mr. Fee was selected by D Magazine in 2013 and 2014 as one of the Dallas’ Best Products Liability and Tort Lawyers. Tom has also been selected by Texas Monthly Magazine as a Super Lawyer from 2005-2017. Mr. Fee is a member of the American Board of Trial Advocates (ABOTA) and is a Life Fellow of the Texas Bar Foundation.

Representative Trials
• N/A – All product cases have settled.

Representative Seminars
• Litigating the Catastrophic Injury Case
• Panelist – “Mega Verdicts,” Products Liability Tract, USLAW Conference, Spring 2009

Product Experience
• Agricultural Equipment
• Automobiles
• Boats and Ships (Commercial and Pleasure)
• Building and Construction Equipment
• Chemicals, Solvents and Plastics
• Construction Products, Vehicles and Equipment
• Consumer Products, Appliances, Equipment and Goods
• Cosmetics
• Fire Sprinklers and Fire Protection Devices
• Furniture
• Industrial Machinery
• Lifting Equipment
• Motorcycles and Recreational Vehicles

Education
• 1991, J.D., Paul M. Hebert Law Center, Louisiana State University
• 1987, B.S., Louisiana State University

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Biography and Experience

Mike Sharp has been involved with products liability law for over 15 years representing international and national products manufacturing companies in federal and state courts throughout Texas. Mike has tried numerous wrongful death and catastrophic injury cases to verdict in these courts. Mike is a member of the USLAW Products Liability Practice Group. Over 20% of Mike’s practice is dedicated to the representation of product manufacturers and distributors.

Representative Trials

- Jason Richards v. Lasco Manufacturing; U.S. District Court for the Eastern District of TX; Case involving an alleged defective fan that caught on fire in an equestrian barn and killed a valuable stallion. Case settled prior to trial.
- Rodger Hill v. Hewlett-Packard Company; Tarrant County, TX; Case involving an alleged defective battery in Plaintiff’s laptop computer that caught on fire and the fire spread through Plaintiff’s residence. Case settled prior to trial.
- Elizabeth Kohler v. Elizabeth Arden Spas, Inc., et al; Dallas County, TX; Case involving alleged damages as a result of chemical glue adhesive used to adhere hair extensions to Plaintiff’s hair. Plaintiff non-suited all Defendants.

Representative Seminars

- “What’s it Worth?,” Council on Litigation Management Annual Conference, 2011
- “Preparing & Presenting The Corporate Representative,” AIA Litigation Forum for Motor Carrier General Counsel

Product Experience

- Beverage Containers
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Cosmetics
- Herbicides and Pesticides
- Roofing Systems
- Toys and Children’s Products
- Trucks and Commercial Transportation
- Windows

Education

- 1991, J.D., Louisiana State University
- 1988, B.S., Finance, Louisiana State University

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**Biography and Experience**

Paul has nearly 30 years of experience representing clients in product liability cases. He handles matters involving litigated claims, administrative claims, arbitration, mediation or negotiation of legal issues and helps clients resolve claims before litigation through alternative dispute forums when possible. He has successfully defended large product liability cases ranging from construction products to power equipment. In addition to these products, he has defended cases involving motor vehicle/wrecker design and manufacturing equipment.

Paul has extensive experience in all stages of litigation in both state and federal courts, including jury trial and appellate practice. He has experience trying cases before both United States District courts and Utah State Trial Courts. He has argued over 25 cases in appellate courts including before the Utah Supreme Court, Utah Appellate Court, and 10th Circuit Court of Appeals.

**Representative Trials**

- Bishop v. GenTec, 48 P.3d 281 (Utah 2002)

**Product Experience**

- Agricultural Equipment
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Fire Sprinklers and Fire Protection Devices
- Herbicides and Pesticides
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Locomotives and Locomotive Equipment
- Power Tools
- Tanks and Containers

**Education**

- 1978, J.D., Brigham Young University
- 1975, B.S., Psychology, University of Utah, *magna cum laude*, Phi Beta Kappa
Biography and Experience

Michael has first chair jury trial experience where he has successfully defended his clients in a number of trials. Michael's practice includes representing medical device, pharmaceutical and tire manufacturers in product liability litigation. Michael also has experience handling cases involving automobile defects, industrial machinery and lawn mower injuries. Prior to joining Strong & Hanni in 2002, Michael practiced in Spokane, Washington at the law firm of Richter-Wimberely (1999-2002). While in Washington, Michael represented clients in litigation involving medical malpractice, commercial disputes and product liability. Michael has authored several articles and is a regular presenter on topics important to clinical trial professionals and product manufacturers. He holds leadership positions in DRI's Drug and Medical Device Committee.

Representative Seminars

- “Probing Indemnification in Clinical Trials,” Association of Clinical Research Professionals (Salt Lake Chapter), Fall Meeting, October 2008

Representative Articles


Product Experience

- Automobiles
- Consumer Products, Appliances, Equipment and Goods
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Tires

Education

- 1999, J.D., Gonzaga University, cum laude
- 1994, B.A., Political Science, Brigham Young University
Stephen J. Trayner has been practicing law since 1986 and has extensive experience defending product liability, premises liability, transportation, and commercial litigation cases. As the firm’s products liability practice group leader, he has successfully defended product liability matters for an array of manufacturers and clients. He was invited in 2008 to become a Fellow in the American College of Trial Lawyers, an honor restricted to no more than 1% of practicing attorneys in the United States, based upon his professionalism and extensive and highly successful history of jury trials. He has successfully tried to conclusion more than fifty jury trials in Utah state and federal courts and argued appeals before Utah appellate courts and the 10th Circuit Court of Appeals.

**Biography and Experience**

**Representative Trials**
- *Safeway v. Union Pointe Construction*, (U.S. District Ct., Utah; 2005)
- *Traveler v. Peterson*, (3rd District Salt Lake County)

**Product Experience**
- Building and Construction Equipment
- Chemicals
- Construction Products
- Consumer Products, Appliances, Equipment and Goods
- Fire Sprinklers and Fire Protection Devices
- Fireplaces and Stoves
- Food
- HVAC Systems
- Industrial Machinery and Equipment
- Medical Devices
- Propane Devices
- Sporting Goods and Equipment
- Swimming Pool Equipment

**Education**
- 1982, B.A., Political Science, Brigham Young University, *magna cum laude*
**Education**

- 2004, L.L.M., Military Law, United States Army Judge Advocate General’s School, *Commandant’s List*
- 1995, J.D., University of Illinois College of Law, *cum laude*
- 1992, B.A., Russian, Dartmouth College, *cum laude*

**Biography and Experience**

Ms. Jackson focuses her practice on transportation litigation, tort defense, business litigation, construction law and product liability defense. She has extensive experience investigating, preparing, and trying a wide variety of complex disputes to verdict before judge and jury in all forms of civil trial practice.

**Product Experience**

- Automobiles
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Food Products
- Recreational Equipment
- Trucks and Commercial Transportation
**Biography and Experience**

Gerry Ragland has been representing clients in civil litigation for 42 years before judges and juries in various state and federal forums in Pennsylvania, Maryland, Washington, D.C., and Virginia. Presently the focus of Mr. Ragland's practice includes serious personal injury, wrongful death, professional liability, healthcare litigation, medical malpractice and products liability. Over the years Mr. Ragland has tried or negotiated settlements in numerous products liability cases. The cases have addressed defective fabrication of construction crane anchors, defective highway guardrail designs, Asbestos exposure, adverse drug reactions, dump truck body design and tool designs. In addition to trials he has been involved in negotiations, alternative dispute resolution, mediations and arbitrations throughout his professional career. He has also handled numerous appeals in federal and state courts.

**Representative Trials**

- May 2016: Defended a nursing home against a claim for the loss of a leg due to the failure to properly treat an infection. This was a five-day jury trial with a defense verdict in the Circuit Court of Alexandria, Virginia. The products involved were various applications for the treatment of wounds.
- February 2015: Successfully defended a horse enthusiast and occasional riding instructor in a wrongful death trial in the Circuit Court for Fairfax County, Virginia. Liability claims were addressed to the selection of a horse, riding equipment and the circumstances of the alleged instruction. The decedent was an 11-year-old boy. The trial lasted six days before a jury. The products involved in this case were stirrups, saddle and bridle.

**Product Experience**

- Asbestos
- Automobiles
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Recreational Equipment
- Tires

**Education**

- 1999, J.D., University of Richmond School of Law, *cum laude*, Order of the Barristers (for outstanding oral advocacy), Moot Court Board President, National Moot Court Team, National Negotiations Team
- 1997, Cambridge University, Summer Program concentrating on International Law and Law of the European Community
- 1993, B.A., Communications, Virginia Tech
Biography and Experience

Bob Manlowe is a member in Williams Kastner’s Seattle office and has more than 25 years of experience in product liability defense. His practice involves product liability, Complex Litigation Management, ESI/e-Discovery consultation services and crisis management. He serves as National Coordinating Counsel for clients involved in mass tort cases. He serves on the Crisis Management Teams for several companies in the product manufacturing, construction and industrial sectors. Mr. Manlowe is past chair of Williams Kastner’s Product Litigation and Mass Torts Practice Group and chairs the ESI/e-Discovery Consulting Services Team. He served on the Board of Directors for the International Association of Defense Counsel (“IADC”) from 2005-2008. Mr. Manlowe founded the IADC’s ESI/e-Discovery Task Force and designed the IADC’s ESI/e-Discovery strategic initiative. In addition, Mr. Manlowe serves on the Lawyers for Civil Justice (“LCJ”) E-discovery Committee.

Representative Trials

Bob, as National Counsel, oversees and manages National, Regional and Local Trial Counsel all over the country. In the last two years, his trial teams have obtained nine consecutive defense verdicts/judgments.

Representative Seminars


Representative Articles


Product Experience

- Agricultural Equipment
- Aircraft (Private and Commercial)
- Asbestos
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Food Products
- Industrial Machinery
- Ladders
- Lifting Equipment
- Respiratory Protective Equipment and Safety Devices
- Roofing Systems
- Scaffolding
- Tanks and Containers
- Tires
- Toys and Children’s Products
- Trucks and Commercial Transportation
- Windows

Education

- 1984, J.D., Seattle University, cum laude
- 1981, B.S.E., Civil Engineering, Princeton University
Biography and Experience

Rod Umberger is a member in the Seattle office, where he chairs the Business Litigation Practice Group and has served on the Board of Directors. He is a trial lawyer with more than 25 years of experience in the courtroom.

Mr. Umberger's product liability experience includes defending pharmaceutical companies and medical device manufacturers in state and federal courts and in multidistrict national litigation. He has served as both National Coordinating Counsel and MDL Counsel in national product liability litigation and has developed significant knowledge and experience in addressing issues that arise in multidistrict litigation. He has defended manufacturers of construction products, firearms, PVC pipes, heavy agricultural machinery and industrial equipment and machinery in wrongful death and catastrophic injury cases. His product liability practice also encompasses consumer products and toxic torts, and he serves on two national trial counsel teams in asbestos litigation.

Mr. Umberger has been named to Super Lawyers by Super Lawyers magazine for several years and recently was one of only sixteen attorneys in the state of Washington recognized as a top civil litigation defense attorney by the Corporate Counsel Edition of Super Lawyers magazine. He has been “AV Preeminent” peer review rated by Martindale-Hubbell since 1998.

Mr. Umberger is a member of the American Bar Association – Product Liability Committee, Defense Research Institute – Product Liability Committee, Washington Defense Trial Lawyers and the International Association of Defense Counsel.

Representative Trials

- Turner v. ON Marine – Asbestos, settled after arguing motions in limine and successfully excluding testimony from plaintiff’s key expert, USDC – WA.
- Clauson v. Ashland, Inc. – Asbestos, three-week jury trial in WA Superior Court. Settled on first day of jury deliberations for amount offered at mediation before trial.
- Holloway v. LinkBelt – Crane, two-week jury trial, USDC. Verdict in favor of plaintiff for $125,000.

Representative Seminars

- “Should We Be Taking More Cases to Trial?,” Fall 2015 USLAW NETWORK Client Conference, Boston, Massachusetts, September 2015
- “Practical Considerations For Preparing Corporate Witnesses For CR 30(b)(6) Depositions (Defending Against The Reptile Approach),” Fall 2015 USLAW NETWORK Client Conference, Boston, Massachusetts, September 2015
- “2015 TIPS/ABOTA National Trial Academy,” American Bar Association Tort Trial & Insurance Practice Section and The American Board of Trial Advocates, Revo, Nevada, March 28-April 1, 2015.
- “Defense Perspective on Corporate Designee Depositions under FRCP 30(b)(6),” USLAW NETWORK Fall Conference, Vancouver, British Columbia, October 4, 2013
- “Cutting-Edge Settlement and Defense Strategies for Complex Litigation,” USLAW NETWORK Spring Client Conference, Laguna Beach, CA, April 10-14, 2012

Product Experience

- Agricultural Equipment
- Asbestos
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Firearms
- Food Products
- Industrial Machinery
- Medical Devices and Supplies
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Tanks and Containers
- Trucks and Commercial Transportation

Education

- 1987, J.D., University of Tennessee College of Law
- 1984, B.A., Furman University
Biography and Experience

Michael Bonasso, one of Flaherty's founding members, has tried scores of cases to verdict in the Federal and State Courts in West Virginia and has appeared dozens of times before the West Virginia Supreme Court of Appeals and the United States Court of Appeals for the Fourth Circuit. He has 40 years of experience as a product litigation attorney and devotes 80% of his practice to the area. Mr. Bonasso has defended companies who manufacture automobiles, heavy trucks, heavy industrial construction equipment, mining equipment, farm and tractor equipment, industrial power plant equipment, motorcycles, consumer power products, and sporting equipment, among others.

Mr. Bonasso is past president of the Defense Trial Counsel of West Virginia (DTCWV), a member of the Product Liability Advisory Council (PLAC), the Federation of Defense and Corporate Counsel (FDCC), the American Board of Trial Advocates (ABOTA) and the Defense Research Institute (DRI). He has been listed by The Best Lawyers in America® since 2003, West Virginia Super Lawyers since 2007, Chambers USA (General Commercial Litigation since 2008), and Benchmark Litigation as a Litigation Star in 2016. He was selected by the WV State Journal to Who's Who in West Virginia Business in 2014. He has achieved Martindale-Hubbell's highest rating for legal ability and ethical standards, and has earned a reputation for bringing a credible trial threat to the opposition.

In addition, Mr. Bonasso has served as Managing Member since the firm's inception and is Chair of the firm's Product Litigation Group.

Representative Trials

- Mr. Bonasso has tried numerous product liability cases to verdict over his 40 years of practice. He has tried multiple cases involving swimming pool diving boards, farm/tractor equipment, motor vehicles, and implanted medical devices. In recent years, he has tried multiple automotive defect cases to defense verdicts. He has successfully defended Ford Motor Company in cases involving vehicle rollover, airbag deployment and safety belt claims. Most recently, he has tried cases involving medical device implantation.

Representative Seminars

- Mr. Bonasso has written and participated in numerous seminars and presentations to national and state lawyer groups on topics related to corporate risk and litigation, corporate witness depositions, trial tactics/strategies, as well as law firm and law practice management.

Product Experience

- Agricultural Equipment
- Automobiles
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Furniture
- Hand Tools
- Industrial Machinery
- Lawn Mowers and Outdoor Power Equipment
- Medical Devices and Supplies
- Mining Equipment
- Motorcycles and Recreational Vehicles
- Recreational Equipment
- Swimming Pools
- Trucks and Commercial Transportation

Education

- 1978, J.D., West Virginia University College of Law, Order of the Coif
- 1975, B.S., Business Administration – Accounting, West Virginia University College of Business and Economics, magna cum laude, Outstanding Business School Graduate
Biography and Experience

With 20+-plus years of trial experience, Andy Cooke is one of the leaders of Flaherty’s product litigation team. He focuses 60 to 70% of his practice on product litigation in addition to commercial and business litigation.

Mr. Cooke has helped his clients obtain defense verdicts in tough cases, and he always works to find efficient resolutions where possible to avoid protracted and expensive litigation. His trial practice focuses on counseling some of the world’s most renowned companies in product litigation, commercial litigation, mass tort, and class action matters. Whether hired to prevent a dispute, to resolve one by agreement, or to win the dispute at trial, Mr. Cooke strives to take care of his clients’ concerns. In litigation, his approach quickly informs the trial decision and the strategy in the case – producing the best possibility for efficiency and success.

Representative Trials

- *Nease v. Ford Motor Company*, 848 F.3d 219 (4th Cir. 2017) Represented manufacturer in Federal District and Appellate Courts resulting in important law regarding Daubert evidentiary standards, alternative design requirements and failure analysis

Representative Seminars

- Speaker, “Evidence in the West Virginia Courtroom,” National Business Institute, 2001
- Speaker, “Current Developments in Product Liability,” National Business Institute, 2000

Representative Articles

- “Modern Products Liability Law in West Virginia”, 113 West Virginia Law Review 417, 2011
- “Evidence in the West Virginia Courtroom”, National Business Institute, 2001
- “Current Developments in Product Liability”, National Business Institute, 2000
- “A Test for the Admissibility of OSIs in West Virginia Product Litigation”, WVDTC, 2000

Product Experience

- Aircraft (Private and Commercial)
- Automobiles
- Beverage Containers
- Boats and Ships (Commercial and Pleasure)
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Firearms
- Fire Sprinklers and Fire Protection Devices
- Food Products
- Hand Tools
- Industrial Machinery
- Ladders
- Lawn Mowers and Outdoor Power Equipment
- Locomotives and Locomotive Equipment
- Medical Devices and Supplies
- Motorcycles and Recreational Vehicles
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Recreational Equipment
- Respiratory Protective Equipment and Safety Devices
- Tires
- Tobacco Products
- Trucks and Commercial Transportation
- Windows

Education

- 1994, J.D., West Virginia University College of Law
- 1990, B.S., Davidson College
**Biography and Experience**

A highly skilled negotiator, Tyler Dinsmore has been with Flaherty for more than 25 years. He serves as Chair of the firm’s Mass Litigation Group – concentrating his skill on asbestos defense.

Experience, preparedness and the desire to obtain the best results for clients drive his practice and his passion for helping solve large problems with the best-thought-out solution.

Mr. Dinsmore has managed more than 45,000 suits against product manufacturers and contractors in asbestos litigation, including a number of Fortune 500 companies. In addition, he has achieved Martindale-Hubbell’s highest rating for legal ability and ethical standards, and has earned a reputation for providing the best results possible for each client, in each matter, at the best value.

**Product Experience**

- Asbestos

**Education**

- 1990, J.D., Mississippi College School of Law
- 1986, B.A., History, Hampden-Sydney College, Virginia
**Biography and Experience**

Mr. Neville has been defending personal injury cases for the past 12 years, primarily handling injury and wrongful death cases involving vehicles, medical negligence, products liability and catastrophic work-related injuries in the oil and gas industry. He practices in all state and federal courts in Wyoming. He has defended cases on behalf of manufacturers and distributors with roughly 20% of his practice involving products liability cases and injuries. While the overwhelming majority of Mr. Neville's cases involve injury, a number of products liability matters have involved the failure of products while in service resulting in multimillion dollar damages to business pursuits.

**Representative Trials**

- Mr. Neville has handled numerous cases involving electrical switch gears (catastrophic burns, industrial cranes (traumatic brain injury), oil and gas drilling masts (catastrophic vertebral crush and herniation; lost profits/commercial injury), water well pumps (death by electrocution), automated gates (career ending ligament and joint injury), manufactured steel roofing (lost profits/commercial injury), gear boxes (lost profits/commercial injury), and other products causing catastrophic injury to individuals. He has also handled a number of mesothelioma/asbestos matters (wrongful death) as well as over-the-counter products liability cases involving ephedra (sudden cardiac death). Representative trials include the successful defense of numerous physicians, oil and gas drilling companies and individuals.

**Representative Seminars**

- Mr. Neville frequently lectures to the Wyoming State Bar regarding litigating cases in federal courts, civility and the practice of law for the Young Lawyers Division.
- He also provides lectures to insurance companies, adjustors and other lawyers with respect to claim handling strategies.

**Product Experience**

- Agricultural Equipment
- Asbestos
- Automobiles
- Building and Construction Equipment
- Chemicals, Solvents and Plastics
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Fire Sprinklers and Fire Protection Devices
- Pharmaceuticals, Prescription Drugs and Over-the-Counter Medications
- Recreational Equipment
- Roofing Systems

**Education**

- 2000, J.D., University of Wyoming College of Law
- 1997, B.A., English with minor in American Indian Studies, University of Wyoming
Jerri L. Cairns has 25 years experience and 50% of her practice is in the area of product liability.

Jerri was Managing Partner of our firm from 2008 to 2014. Jerri became a Partner in the Edmonton office in 1993. Her practice is focused on civil litigation, particularly in the area of insurance defence litigation. Jerri’s practice includes products liability, personal injury, professional liability and construction law.

Jerri has notable trial experience serving as lead counsel on numerous matters involving large loss claims, coverage issues, products liability, professional liability and personal injury claims. Her experience includes a number of lengthy trials and appearances at all levels of appeal.

Jerri regularly appears at seminars to speak on issues related to the insurance sector. She has also volunteered and taught at the Bar Admission program on advocacy topics.

**Representative Trials**

- None have gone to trial as they were resolved prior to trial.

**Representative Seminars**

- Seminars done have related to coverage issues and use of experts.

**Product Experience**

- Automobiles
- Building and Construction Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Food Products
- Furniture
- Ladders
- Lifting Equipment
- Recreational Equipment
- Swimming Pools
- Tires
- Trucks and Commercial

**Education**

- 1986, LL.B., University of Alberta
- 1983, B.A., University of Alberta, Political Science and Economics
**Biography and Experience**

Greg has successfully litigated a wide variety of civil litigation matters and commercial litigation matters including energy related matters. Greg's trial and appeal experience is extensive and he has appeared before every level of court in Alberta. Greg has also appeared before several administrative tribunals. He has been involved in the resolution of numerous disputes, using mediation, judicial dispute resolution and other ADR forums. Greg became a partner in Parlee McLaws in 1990. He has served on a number of firm committees, including the Executive Committee, and a term as Managing Partner of the firm's Edmonton office.

**Education**

- 1984, LL.B., University of Alberta
- 1981, B.A., University of Alberta
Philippe Chagnon was called to the bar in 2007. He began his practice in another firm, representing major insurers in all aspects of civil litigation. His practice includes debt recovery, commercial and business litigation, civil litigation and insurance law. He has a particular focus on product liability, representing both Plaintiffs and Defendants.

**Product Experience**
- Agricultural Equipment
- Asbestos
- Building and Construction Equipment
- Construction Products, Vehicles and Equipment
- Consumer Products, Appliances, Equipment and Goods
- Electrical Equipment and Devices
- Electrical Wire and Cable
- Fire Sprinklers and Fire Protection Devices
- Flooring Systems
- Food Products
- Furniture
- Industrial Machinery
- Recreational Equipment
- Roofing Systems
- Tanks and Containers
- Trucks and Commercial Transportation
- Windows

**Education**
- 2005, LL.B., Université de Montréal
Biography and Experience
Jean-Luc Couture is a founding shareholder and is a resident of the firm’s Brossard, Quebec office. He represents and advises many companies in the food industry, and has extensive experience representing clients before the Board of agricultural and food markets and in other complex litigation. Jean-Luc Couture has practiced in the field of Product Liability for 27 years of his career and 20% of his practice is dedicated to this area of the law.

Representative Trials
- Ferme avicole Héva inc. c. Coopérative fédérée de Québec (portion assurée), 2008 QCCA 1053
- Represented three farms in a one week appeal hearing relating to a salmonella outbreak which caused damages that were claimed against the supplier of the poultry in a 72-day trial hearing.

Representative Seminars
- Speaker at the Third Annual Canadian Summit on Food Safety on April 25th, 2007. The conference entitled was “Protecting the Customer and your Company.”

Product Experience
- Agricultural Equipment
- Building and Construction Equipment
- Consumer Products, Appliances, Equipment and Goods
- Food Products
- Herbicides and Pesticides
- Industrial Machinery
- Lifting Equipment

Education
- 1987, Quebec Bar
- 1986, LL.B., Université Laval
USLAW SourceBook

EDUCATION

It’s no secret – USLAW can host a great event. We are very proud of the industry-leading educational sessions at our semi-annual client conferences, seminars, and client exchanges. Reaching from national to more localized offerings, USLAW member attorneys and the clients they serve meet throughout the year not only at USLAW-hosted events but also at many legal industry conferences. CLE accreditation is provided for most USLAW educational offerings.

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USLAW is continually seeking to ensure that your legal outcomes are successful and seamless. We hope that these resources can assist you. Please don’t hesitate to send us input on your experience with any of the products or services listed in the SourceBook as well as ideas for the future that would benefit you and your fellow colleagues.
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What is the value in having individual access to 4-8 highly experienced USLAW member attorneys from around the country and around the world (if necessary) roundtable specific issues you may be facing including actual cases or hypotheticals? USLAW is pleased to provide this free consultation which will give you a sense of comfort that you are managing a specific issue/case in an appropriate manner and make you aware of unforeseen roadblocks and variables that may pop up. It never hurts to phone a friend!

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USLAW SourceBook
STATE JUDICIAL PROFILES BY COUNTY

Jurisdictional awareness of the court and juries on a county-by-county basis is a key ingredient to successfully navigating legal challenges throughout the United States. Knowing the local rules, the judge, and the local business and legal environment provides a unique competitive advantage. In order to best serve clients, USLAW NETWORK offers a judicial profile that identifies counties as Conservative, Moderate or Liberal and thus provides you an important Home Field Advantage.

USLAW DIGIKNOW

USLAW DigiKnow is USLAW’s bi-weekly digital e-newsletter featuring insights and perspectives on today’s trending legal issues. Articles and posts are written by USLAW member attorneys who are subject matter leaders from our our nearly 20 substantive USLAW Practice Areas and the USLAW membership in general. Through USLAW DigiKnow, we share legal, legislative and jurisdictional news as well as promote upcoming USLAW events and webinars that might be of interest to you and your colleagues. It is an excellent resource to keep abreast of new case law, important verdicts and other pending legislation.

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In today’s digital world there are many ways to connect, share, communicate, engage, interact and collaborate. Through any one of our various communication channels, sign on, ask a question, offer insight, share comments, seek advice and collaborate with others connected to USLAW. Please check out USLAW on Twitter @uslawnetwork and our LinkedIn group page.

USLAW MAGAZINE

USLAW Magazine is an in-depth publication produced twice annually and designed to address legal and business issues facing commercial and corporate clients. Released in Spring and Fall, recent topics have covered cyber security & data privacy, medical marijuana & employer drug policies, management liability issues in the face of a cyberattack, defending motor carriers performing oversized load & heavy haul operations, employee wellness programs, social media & the law, effects of electronic healthcare records, patent troll taxes, allocating risk by contract and much more.

USLAW EDUNET

A wealth of knowledge offered on demand, USLAW EduNet is a regular series of interactive webinars produced by USLAW practice groups. The one-hour programs are available live on your desktop and are also archived at USLAW.org for viewing at a later date. Topics range from Medicare to Employment & Labor Law to Product Liability Law and beyond.

USLAW MEMBER AND PRACTICE GROUP ATTORNEY DIRECTORIES

Several USLAW NETWORK practice groups have compiled detailed directories of the active attorneys within their group. These directories showcase the attorneys’ specific areas of experience, education, industry memberships, published articles, and in some cases representative clients. These directories are available as downloadable PDFs.
USLAW prides itself on variety. Its 6,000+ attorneys excel in all areas of legal practice and participate in USLAW’s nearly 20 substantive active practice groups and communities including Banking & Financial Services, Commercial Law, Complex Tort and Product Liability, Construction Law, Data Privacy & Security, E-Discovery, Employment & Labor Law, Energy/Environmental, Healthcare Law, Insurance and Risk Management Services, International Business & Trade, IP and Technology, Professional Liability, Retail and Hospitality Law, Transportation and Logistics, White Collar Defense, Women’s Connection, and Workers’ Compensation. Don’t see a specific practice area listed? No worries as USLAW firms cover the gamut of the legal profession and we are sure to find a firm that has significant experience in the area of need.

The USLAW NETWORK Rapid Response App locates USLAW attorneys quickly when timeliness is critical for you and your company. Offered for Transportation, Construction Law and Product Liability, this resource provides clients with attorneys’ cell and home telephone numbers along with assurance that USLAW will be available 24/7 with the right person and the right experience. Available at uslaw.org and the USLAW 24/7 App.

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Matson, Driscoll & Damico is a leading forensic accounting firm that specializes in providing economic damage quantification assessments for our clients. Our professionals regularly deliver expert, consulting and fact witness testimony in courts, arbitrations and mediations around the world.

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Regardless of where our work may take us around the world, our exceptional dedication, singularly qualified experts and demonstrated results will always be the hallmark of our firm. To learn more about MDD and the services we provide, we invite you to visit us at www.mdd.com.

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Structured Financial Associates, Inc. was founded in 1985 and is one of the largest structured settlement companies in the industry. SFA is a member of Integrated Financial Settlements (IFS) and has more than 60 structured settlement consultants with offices in every major metropolitan area of the country. SFA’s full-service operations and support teams is comprised of veterans of the settlement industry dedicated to providing superior service to its customers throughout the United States. Our knowledge and ability to create comprehensive and tailor-made solutions makes SFA invaluable to defense clients, injured plaintiffs and their attorneys.

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