

Products Liability & Specialty Torts

Products liability and specialty tort litigation can wreak havoc on a business, even when lawyers do everything possible to ensure superior quality standards and avoid risk. From individual products liability and chemical exposure actions to multidistrict litigation, mass tort consolidation, and class actions, we defend companies in lawsuits in federal and state courts. We provide strategic advice regarding the full procedural spectrum—from anticipation or filing of litigation through fact and expert discovery, pretrial Daubert hearings, trial, and appeal.

Our lawyers have handled cases involving commercial and consumer goods, including alcohol, automobiles, building materials, chemicals, industrial machinery, medical devices, pharmaceuticals, and tobacco. We also defend companies against claims of environmental contamination and widespread chemical exposure. Our representation extends to cases involving special circumstances such as catastrophic events and specialized areas such as dram shop litigation.

Clients turn to our team for preventive counsel regarding product warnings, document retention, and crisis management. Our lawyers' substantial backgrounds in medical, scientific, and technical issues translate into effective development of defenses to a broad range of claims. We also have extensive experience selecting and preparing expert consultants and witnesses.

Our practice recognizes the implications of a lawsuit challenging the safety, efficacy, or handling of a company's products or processing materials—it can drastically impede sales, tarnish the company's reputation, and interrupt operations. Once retained for a products liability case, we make it our job to work hand in hand with the client, learning and wholly understanding the details of their business. When necessary, we provide advice on insurance coverage or environmental matters, developing a comprehensive, customized strategy to manage legal, business, and public relations concerns and secure the most favorable post-litigation outcome.

EXPERIENCE

- > Led the defense of Bristol-Myers Squibb against several hundred toxic tort lawsuits designated as a "mass tort" by the New Jersey Supreme Court, with parallel cases pending in the District of New Jersey.
- > Represented LifeCell Corporation as trial counsel for approximately 800 products liability cases involving cutting-edge medical technology.
- > Won a significant victory on behalf of Aramark Corporation in a civil case brought in federal court in Rochester, New York. The plaintiff in the case claimed to be totally disabled due to internal head injuries resulting from an accident which occurred on property managed by Aramark. The claim was bifurcated into two phases: liability and damages. The jury determined that Aramark was not liable and therefore prevented the second phase.
- > Successfully represented Aramark Corporation on appeal of a \$135 million judgment, which was vacated. Currently serving as national dram shop trial counsel for Aramark Corporation and its subsidiaries.
- > Served as trial and appellate counsel for a variety of product liability and tort cases filed against AIG/Chartis insureds involving seven- to eight-figure damages exposure.
- > Served as trial counsel for approximately 700 personal injury, property damage, and medical monitoring cases against CIBA-GEIGY Corporation. All 700 cases were disposed of either by trial, mediation, or motion practice.
- > Currently representing a company in defense of a class action toxic tort litigation in Dayton, Ohio. A class action determination is pending.
- > Represents industrial clients in class action toxic tort suits alleging property damage and injury from groundwater plumes and vapor intrusion in state and federal courts.