

LITIGATION:

Commercial
 Constitutional: Media
 Law / First Amendment
 Drug & Medical Device
 Employee Benefits
 Employment Law
 Federal Court
 Insurance
 Intellectual Property
 Maritime
 Product Liability
 Professional Liability

Product Liability

Product defect cases raise special concerns. One bad result can threaten a product line. Often companies confront "professional" witnesses paid to second guess their engineers and designers.

The legal, scientific and technical issues are often complex.

This all points toward early and aggressive defense. Exploring possible pretrial defenses and dispositive motions is critical and, as the cases below illustrate, can often successfully avert the costs and risks of trial.

In gathering facts, managing the case, and developing litigation strategy, we work closely with the company. They know their business and products, manufacturing and marketing. We have access to proven consulting and testifying experts.

A successful defense requires grasping complex, technical, medical and scientific issues quickly, and presenting them clearly and simply to a jury. We have developed ways to use a variety of audio-visual technologies and jury research strategies designed to break complex principles down into comprehensible concepts that can lead to a successful defense.

We have an established record of success defending a wide range of products, from industrial equipment, vehicles, and machinery, to pharmaceuticals and medical devices.

- Summary judgment for a truck manufacturer in the case of the driver of a fuel tanker who was badly burned in a gasoline explosion which he blamed on defective roll-over protection design.
- Dismissal based on a lack of product identification in the case of a lead paint manufacturer sued for cognitive and developmental difficulties in a young child.
- Favorable arbitration and settlement for a maker of ballast valves used in LNG supertankers that were alleged to have corroded and failed.
- Dismissal on statute of limitations grounds when a plaintiff claimed an estrogen replacement had caused his wife's death.
- Nuisance settlements based on a lack of defect and a "sophisticated user defense," when an explosion in an aerosol can factory killed and injured several employees.



"Still Life [Cups '82]"
by David Frazier



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