

## CATASTROPHIC ACCIDENTS

### OVERVIEW

We have over 50 years experience in defending industrial, automotive and aviation clients in major, bet-the-company litigation regarding catastrophic accidents. Because these claims are fact-intensive and involve a complex web of details that often lead to multiple causation factors, we specialize in conducting an early fact and technical investigation.

We rely on a network of experienced experts to engage in an evidence-based evaluation of the facts to determine the factors leading to the catastrophic accident. Our early focus allows us to position our clients for a successful defense, while also serving to inform our clients if there is a need for any process improvements or structural change. We are mindful of the political and media implications and prepare our strategy with the larger goal of understanding our client.

Our team has an active role defending manufacturing and leading industrial companies. We have represented automotive and trucking companies in a wide array of product liability and catastrophic accidents, including the world's largest rental fleet companies. Our aviation practice has defended aircraft manufacturers, component part makers, fixed-base operators/ground handlers, and airports domestically and around the world. Finally, we have represented large trucking and railcar companies in catastrophic accidents, train derailment, and chemical or content spills.

### MEET THE TEAM



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# EXPERIENCE

## Industrial Industry

- Defend significant product liability cases throughout the country for a Fortune 500 manufacturing company involving personal injury or wrongful death. Claims involve a variety of consumer electrical and industrial products alleging injury in catastrophic events including fires, explosions or workplace accidents. Involved in pre-suit investigations, dispositive motions as well as trials.
- Defense of a leading piston engine manufacturer, in numerous cases throughout the United States involving claims of wrongful death and personal injury.
- Successful representation of the designer / manufacturer of high-tech, high-pressure hydraulic hoses and fittings in a week-long arbitration hearing before a three-judge AAA tribunal achieving a multimillion dollar award for breach of contract against a global competitor.
- Successful representation of an HVAC valve manufacturer in a catastrophic explosion case that destroyed a nine-home neighborhood.
- Successful representation of a manufacturer of high-pressure PVC piping products in a plant accident revealed to have been caused by maintenance-damaged components before failure.

## Automotive, Trucking & Watercraft

- National counsel defending rental car companies in product liability, negligent entrustment and negligence cases in jurisdictions across the United States, from Hawaii to Louisiana and New York to Florida. Cases involve significant injuries and multimillion dollar exposure, SIR and insurers often filed in state courts where legal challenges face obstacles.
- Obtained defense verdict in catastrophic post-collision fire case seeking \$2 billion in damages from an American multinational automobile manufacturer.
- Served as co-counsel and obtained defense verdict in billion-dollar class action litigation involving the Crown Victoria Police Interceptor.
- Developed national counsel program to coordinate and defend product liability and negligent maintenance, negligent entrustment and related claims connected to the rental of cars and trucks in litigation across the United States for U-Haul International. Created protocols for intake and early evaluation of claims, centralized discovery process and responses, and defended individual and class action lawsuits related to the company's consumer business at trial and on appeals.

- Served as national counsel for product liability and consumer class actions filed across the country. Defended more than 75 class actions.
- Served as regional counsel for tire company defending major catastrophic damages cases on product liability and negligence theories, including successful jury trials. Worked with experts and company witnesses to develop strong defenses.
- Obtained defense verdict for world's leading manufacturer of auto-transport trailers in high-profile product liability case.
- We are a preferred panel law firm for Avis Budget Group and were named Law Firm of the Year for the company in 2017. Our litigation matters for Avis include defending the agency operator model and we have had several notable wins in defending Avis licensing arrangements from agency and joint employer claims. Class certification was defeated in a primary case, and other cases in Florida, Texas and California were either defeated or settled for modest amounts. We also serve Avis as the designated firm for franchise and licensing agreements in North America.
- Regional counsel roles for manufacturers of tires and automobiles, including multiple trial victories.
- National counsel role for companies that rent cars and trucks, including multiple summary judgment and trial victories.
- Successfully defended the designer / manufacturer of a personal watercraft in a two-week product liability jury trial involving wrongful death claims arising from a boating accident.
- Defense of a manufacturer of personal watercraft, in product liability case alleging product design defects contributed to a wrongful death.

## **Aviation**

- Represented various fixed base operators and ground handling companies in numerous investigations, claims and lawsuits.
- Represented a component manufacturer in two sets of actions arising out of two mid-air incidents involving Dassault Falcon aircraft.
- Represented a commercial production company in wrongful death actions arising out of a helicopter crash in which a high-profile commercial director and three others were killed.
- Retained at the post-trial stage to handle the appeals (and any retrials) on behalf of a helicopter engine manufacturer after a \$420 million verdict.

- Represented various defendants in litigation arising out of several general aviation accidents in which allegedly defective aviation fuel was at issue.
- Successfully defended an aircraft manufacturer following a 19-month jury trial; the verdict was upheld on appeal by the Sixth Circuit Court of Appeals.
- Represented manufacturer in claims arising out of failed launch of Delta II rocket at Cape Canaveral, Florida.
- Successfully defended the designer / manufacturer of an aircraft engine in a four-week product liability jury trial in San Jose, California, involving the crash of a single-engine plane resulting in brain injury to the survivor.
- Represented a manufacturer in claims arising out of failed deployment of two satellites.

### **Train accidents and derailments**

- Defense verdict in largest chemical train derailment case in United States history.
- Defense verdict in personal injury lawsuit relating to a rail car company in state court.
- Defended wrongful death lawsuit involving asphyxiation in confined space incident.
- Obtained highly favorable settlement in railroad-related anhydrous ammonia exposure case.
- Represented agriculture retailer in high-speed grade crossing accident involving freight train and farm equipment.