



Product Liability

Parker Poe's Product Liability & Mass Tort Team is comprised of experienced, aggressive trial lawyers who have been recognized among the premier lawyers of this class in the country. We have been recognized by our peers in *The Best Lawyers in America* as one of the best law firms for product liability litigation. We have defended companies in cases involving industrial and manufacturing equipment, pharmaceutical products, children's toys, durable medical equipment, appliances, sporting goods, farm equipment, automobiles, and electrical contact injuries. Our firm has been intentional in making sure that we have true trial lawyers, not just litigators. These lawyers are in court examining witnesses and arguing to judges and juries across the Carolinas on a regular basis. Not all cases go to trial, but having counsel that the opposition understands will go the distance if necessary leads to better outcomes - good trial lawyers get good results at trial or through settlement.

Product liability cases frequently depend on expert witnesses. We have extensive experience retaining and managing expert witnesses and accident reconstructionists. We are well-networked, with lawyers who have membership in the National Fire Protection Association (NFPA) and the Defense Research Institute (DRI). Our product lawyers counsel clients in every phase of product liability risk management, from product design to field experience and assessment. We counsel clients on the composition and use of product safety committees during the design process. We advise on the use, content, and placement of product warnings and operator manuals. We work with our clients' in-house engineers and design teams toward formulating a comprehensive defense against product liability claims. Nobody can prevent claims from being brought. However, we strive to ensure that our clients are well-positioned to meet those claims, whether based on alleged failure to warn, breach of warranty, or design or manufacturing defects.

We represent clients before regulatory agencies and industry groups and have provided guidance in responding to inquiries and audits by federal regulatory agencies. We have traveled the country on behalf of clients, dealing with particularly worrisome products or efforts to resolve claims prior to formal litigation.

Our group includes two of the most well-known product liability litigators. Jonathan Hall, who was deemed one of the top 11 product liability lawyers in the country in 2013 in a national survey of corporate counsel, and Kevin Chignell, with significant experience in defending clients in mass tort claims. We are frequently retained on an emergency basis to manage accident reconstruction and conduct privileged investigations in the hours and days after a catastrophic incident occurs. We have a deep bench of additional lawyers who defend and try complex product claims grounded in wrongful death or catastrophic injuries.

REPRESENTATIVE EXPERIENCE

- Obtained a defense verdict on behalf of a manufacturer of durable medical equipment after a five-week jury trial. Plaintiff's deceased burned to death in a fire allegedly caused by a short circuit on an electric wheelchair. Company had a remote history of short circuits like those alleged by the plaintiff



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and had a history of paying significant settlements on prior cases. In a case that involved extensive expert testing and analysis, plaintiff sought compensatory and punitive damages. The plaintiff asked the jury for \$28 million in compensatory damages. Jury returned a defense verdict: no liability.

- Defended manufacturer of industrial machinery in mass tort litigation arising from an explosion at the West Pharmaceutical plant in Kinston, North Carolina, which completely destroyed the plant and caused six deaths and many serious burn injuries.
- Represented manufacturers of prescription drugs, defending personal injury claims in state and federal courts in North Carolina and South Carolina and in multi-district litigation.
- Defended manufacturers of medical devices and products such as hip prostheses, surgical staplers, sutures, and latex gloves in state and federal courts in North Carolina and South Carolina and in multi-district litigation.
- Represented the manufacturer of large ductile iron water pipes in a catastrophic bodily injury case.
- Represented the manufacturer of a pressure vessel that leaked, resulting in contamination of a pharmaceutical product.
- Defended the manufacturer of polyurethane foam used in seat cushions in the San Juan (Puerto Rico) Du Pont Hotel, which allegedly exacerbated the fire that resulted in mass tort claims.