

Products Liability & Mass Tort Defense

Having represented U.S. and global corporations in products liability and mass tort actions for decades, our lawyers have a wealth of experience defending major pharmaceutical, medical device, consumer products and manufacturing companies in sophisticated products liability cases and mass tort actions tried in state and federal court, as well as in alternative dispute resolution forums. We have served as lead counsel for large mass tort matters, including state coordinated proceedings and multidistrict litigation on behalf of schools, behavioral health facilities, juvenile detention centers and other related institutions facing claims of physical and sexual abuse, harassment and misconduct.

Strategic Trial Advocacy

Our trial team stands ready and able to handle every aspect of a products liability or mass tort action, up to and including trial and appeals. Leveraging our team members' unique industry-based backgrounds — including current pharmacists — we provide invaluable insights in defense efforts across products including pharmaceutical, chemical and medical. Our lawyers include members of the prestigious American College of Trial Lawyers.

Notably, we have handled a combined thousand cases stemming out of a nationwide putative class action facing a number of the largest behavioral healthcare organizations in the United States and mass tort suits facing a now-defunct residential facility for adjudicated youth, which was the nation's oldest all-boys reformatory school. We also served as trial co-counsel and obtained a defense verdict for a large pharmaceutical company in the first phenylpropanolamine (PPA) case tried in Pennsylvania and the fourth case tried to verdict nationwide. Our involvement in industry firsts such as this demonstrate our ability to work seamlessly with co-counsel and our clients to meet and exceed clients' goals and objectives.

Crisis Management and Litigation

On behalf of nonprofit, religious, behavioral health and healthcare, and educational entities, our team of litigators has evaluated, litigated and ultimately settled scores of misconduct claims across the United States. We advise on risk reduction and strategy before matters become crises. Where appropriate, we have participated in mass mediation processes, and we are skilled in using that process to obtain settlements on favorable terms. As part of our advocacy, we regularly assist clients in a periodic review and update of policies and procedures, consult with them on checking the backgrounds of applicants and volunteers, and provide training and consultation to educate children and their parents about ways to detect abuse and prevent it from occurring. When an incident occurs, we work closely with our clients to implement reasonable measures to prevent a recurrence.

Our Services

Our products liability and mass tort defense lawyers have represented clients in virtually every industry and have served in every capacity as needed, including as national counsel, trial counsel, science counsel and local counsel.

Products

From rarely used medical devices and industrial machinery to toxic torts and pharmaceutical products, our team has effectively advocated and counseled clients in the area of consumer fraud, products liability and personal injury claims involving numerous types of consumer and commercial products. These include industrial equipment and machinery, household products, medical devices, surgical equipment and instruments, food supplements and pharmaceuticals.

Mass Torts

With a substantial record of success handling mass torts in state and federal courts across the United States, including MDLs, our lawyers are well-versed in defending against litigation exposure and coordinating with counsel across multiple jurisdictions. We have served as lead counsel or liaison in nationwide mass tort lawsuits facing rehabilitative institutions, behavioral healthcare organizations and residential facilities defending claims of physical and sexual abuse/harassment and institutional misconduct. Our lawyers have also defended major pharmaceutical and healthcare companies in state coordinated proceedings and MDLs.

E-Discovery Services

Our e-discovery team is not only proficient at document management and discovery. From helping clients establish or enhance information governance policies through assisting with pre-litigation planning to developing and employing discovery strategies, we advise on all aspects of data retention, use and security.

Representative Matters

- Represented Glen Mills Schools, a private residential rehabilitative institution for youth adjudicated delinquent by jurisdictions across the United States, in a class action lawsuit seeking to recover damages for injuries allegedly sustained while attending Glen Mills and compensatory educational damages for the allegedly deficient education they received. Secured the denial of class certification in the U.S. District Court for the Eastern District of Pennsylvania and denial of petition for leave to appeal in the U.S. Court of Appeals for the Third Circuit.
- Represents one of the largest behavioral healthcare organizations in the United States as lead counsel in a putative nationwide class action alleging physical and sexual abuse/harassment and institutional misconduct.
- Served as trial co-counsel in obtaining a defense verdict on behalf of a global pharmaceutical and biotechnology company in a mass tort involving the first phenylpropanolamine (PPA) case tried in Pennsylvania.
- Served as co-national counsel to a global pharmaceutical company in defense of mass tort complaints alleging personal injuries from hormone therapy products.
- Managed a multi-year document review project for a major pharmaceutical company with multidistrict product litigation, including review and production of millions of client documents nationwide.
- Represented a manufacturer of spinal implants subject to strict liability, negligence and breach of implied warranties claims. In a case of first impression, the Philadelphia Court of Common Pleas sustained our preliminary objections and applied the doctrine of “unavoidably unsafe” products under comment k to Section 402A of the Restatement (Second) of Torts to a medical device for the first time in Pennsylvania state court.
- Obtained dismissal of an unfair trade practices class action case on behalf of an international pharmaceutical company.
- Obtained a defense verdict for the largest manufacturer of spiral staircases in the United States.
- Obtained defense verdicts in multiple mass tort products liability cases in both the damages and liability phases of reverse-bifurcated trials.
- Obtained summary judgment in favor of a paper press manufacturer in a lawsuit alleging personal injuries, including loss of limbs, due to the failure of a press safety device.