

Product Liability

We defend clients in individual, class action and mass tort claims involving death, catastrophic injury, toxic exposure and economic loss. We represent manufacturers and suppliers of propane and natural gas, consumer products, transportation equipment, industrial machinery, children's products, gas valves, sports equipment, alarm components, security systems, aircraft, pharmaceuticals, medical devices and chemicals. Our lawyers actively defend cases in federal and state courts throughout the country, including multidistrict litigation, and understand the dynamic of creating a manageable, no-surprises defense in large and difficult cases.

We build strong partnerships with our clients, gaining a deep understanding of their products and working with them at their manufacturing plant or an accident site, giving us greater insight into how to defend their products and the company at trial. We also forge partnerships with other law firms and experts in the industries we serve.

We serve clients as trial, national coordinating, regional and local counsel in litigation as well as in arbitrations.

CAPABILITIES

We assist clients behind the scenes by consulting on:

- Product safety and loss prevention issues, including the Consumer Product Safety Act reporting and other regulatory compliance
- Contract disclaimers and warranties
- Insurance coverage
- Coordination of mass tort claims
- Advertising and product literature
- Product warnings and instructions
- California Prop 65
- Employee training

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- Recall scope, literature and communications

EXPERIENCE

We offer a depth of experience in the following industries:

- **Propane and Natural Gas.** We defend pipeline companies, retailers and wholesalers in the transportation, distribution and sale of propane and natural gas. Our attorneys frequently defend complex and high exposure cases involving multiple defendants, multiple deaths, and disabling and disfiguring injuries.
- **Children's Products.** We offer extensive experience in juvenile products industry. We represent manufacturers and retailers of juvenile products, including nursery furniture and related items, expansion gates and expandable enclosures, and other durable infant and toddler products.
- **Residential and Industrial Heating and Process Controls.** In matters ranging from residential fires to industrial explosions, we respond to the sites of catastrophic losses with tailored teams of experts, including in-house and outside engineers and fire investigators. We routinely challenge speculative and unreliable expert opinion testimony under Daubert and Frye, and have successfully barred the proffered testimony resulting in case dismissal.
- **Regulated Industries and Hazardous Materials.** We defended and resolved multiple wrongful death and personal injury claims arising out of a 2009 catastrophic anhydrous ammonia release that occurred at a client's distribution facility. In a landmark ruling with potential industry-wide implications, we obtained summary judgment on the grounds that plaintiffs' state law claims were preempted by the federal Hazardous Materials Transportation Act.
- **Alarm Components, Security Equipment and Monitoring.** We defend clients in the alarm and security industry against claims of product malfunction. We also help companies draft appropriate disclaimers and warranties to minimize risk. We work with the foremost experts in the industry, utilizing cutting-edge techniques and technologies to properly identify equipment and evaluate its performance.
- **Aviation.** We defend manufacturers of aircraft, airframe and aviation components at trial and during FAA regulatory actions arising from product failures, poor maintenance, STC and PMA compliance, FAA-approved repair stations and aircrew negligence.
- **Pharmaceutical and Medical Devices.** We defend an array of products, including over-the-counter and prescription drugs, and cardiac, radiological, and orthopedic devices. Clients rely on us to serve as national, regional or statewide counsel in simple and coordinated proceedings alike.
- **Transportation and Industrial Equipment.** We defend manufacturers of farm and construction equipment, turbine component parts, over-the-road trucks, concrete cutting equipment and welding rods and wires. These are highly sophisticated products that require us to work directly with your engineers and designers in defending these products during litigation.

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- **Consumer Goods.** We have defended matters in multiple states involving home appliances, sporting goods, garments, camping equipment, water heaters, telecommunications equipment and automobile tires.

We also help create safety programs that implement critical protocols into product manufacturing. From initial design through retail sale, we prepare warnings, instructions, packaging, testing protocols, document retention plans, claims procedures and risk management guidelines to create safer products on the market and highly defensible products at trial.

As trial attorneys, we routinely analyze and succinctly summarize for courts and juries the multiple layers of complex and sometimes contradictory federal, state and local regulations and industry standards that govern our clients' facilities, products, practices and procedures. We work with experts to understand and explain the regulatory environment in which our clients do business and use that knowledge to minimize our clients' potential liability.

Our attorneys are active in the industry and bar associations that serve our clients' interests, including:

- DRI—The Voice of the Defense Bar
 - Product Liability Committee
 - Drug and Medical Device Committee
 - Trial Techniques Committee
 - Women in the Law Committee
 - Juvenile and Children's Products Committee
- American Bar Association
 - Mass Torts Litigation Committee
 - Product Liability Committee
- Propane Gas Defense Association
- Food and Drug Section of the Minnesota State Bar Association
- American Society for Testing and Materials (ASTM)
 - Consumer Products Committee
 - Juvenile Products Committees
 - Sports Equipment Committee
- Juvenile Products Manufacturers Association (JPMA)
- International Consumer Product Health and Safety Organization (ICPHSO)

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RELATED CAPABILITIES

Aviation & Aerospace

Business Litigation

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Product Liability

Children's Products

Pharmaceutical & Medical Device Litigation

Propane & Natural Gas

NEWS

Law360's Legal Lions of the Week Features Stinson Attorneys, Highlights Client Success Involving PFAS Litigation

02.19.2024

Six Attorneys Elected to Partnership at Stinson in 2024

01.09.2024

Crisafulli Selected to *Ingram's* Twenty in Their 20s

11.02.2023

Rose Authors Article About Master Service Agreements, Supply Chain Issues for *Law360*

09.29.2023

Rose Details Need for Master Supply Agreements in *Law Week Colorado*

09.29.2023

Stinson's Arnone, Edwards Selected to 40 & Under List

08.03.2023

William Hanna Selected to *Ingram's* 2023 Class of 50 Kansans You Should Know

04.06.2023

Successful Defense of Client Earns Stinson Attorneys Top V&S Recognition by Missouri Lawyers Media

01.10.2023

Butane Propane News Publishes Article on Product Recalls in the Amazon Era

11.04.2022

Basgall Recognized by *Wichita Business Journal* as a Young Professional in Legal

07.22.2022

Stinson's Products Liability Team Achieved Successful Verdict for Maker of Bullet-Resistant Vest

04.26.2022

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Bryan Rose Authors an Article on Master Service Agreements for the Colorado ACC
04.08.2022

Ten Stinson Attorneys Named 2022 Lawyers of the Year by *Best Lawyers in America*
08.19.2021

Thomas H. Davis Wins Missouri Pro Bono Publico Award for Landmark Case
09.16.2020

112 Stinson Attorneys Selected to the 2021 *Best Lawyers in America* List
08.20.2020

Stinson Attorneys Named to *Benchmark Litigation's* 2020 40 & Under Hot List
07.21.2020

PUBLICATIONS

Update: HF100, the Legalization of Adult-Use Cannabis in Minnesota
07.11.2023

Consumer Product Recalls on the Rise: Important Compliance Reminders for Consumer Products
Manufacturers and Sellers
02.08.2023

EPA Issues Guidance Pushing States to use NDPES Permits to Reduce PFAS Discharges
12.13.2022

In Wake of COVID-19 Pandemic, U.S. Department of Justice Coronavirus-Related Prosecutions Heat Up
04.03.2020

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