

## Propane & Natural Gas

We represent propane and natural gas companies and their insurance carriers facing wrongful death, personal injury, property damage and business interruption claims arising from gas fires and explosions. We also have decades of experience defending gas-burning appliances and their components. We have significant experience handling cases nationwide in state and federal courts from California to New York and from Montana to Texas.

We are frequently engaged directly by propane or natural gas suppliers or equipment manufacturers who retain significant risk and control the defense. The remainder of our practice is under conventional insurance programs where we are engaged by the carrier.

We also advise major propane and natural gas retailers and wholesalers, gas appliance and component manufacturers and pipeline companies on warnings issues, proper labeling and recall programs. We are experienced in understanding, avoiding and resolving insurance coverage issues.

When accidents occur, we advise clients on how to deal with the immediate demands of investigative agencies, the press and potential claimants. We appreciate the value of coordinating the defense effort with the needs of the company's insurer. Prompt reporting of incidents, claims and lawsuits to carriers, coupled with realistic evaluation of possible risk, helps prevent disputes regarding late notice and other coverage issues.

We understand the necessity for a swift and thorough investigation. We can place experienced fire cause and origin experts, engineers, and other needed specialists on an accident scene within 24 hours to investigate, preserve evidence and avert governmental investigative agencies from reaching unwarranted conclusions that could implicate your company.

### **EXPERIENCE**

We have handled hundreds of cases as national counsel for some of the country's largest multi-state propane marketers, regional natural gas suppliers and their insurance carriers involving:

Negligence in the transportation, delivery, storage and use of propane and natural gas

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- Claims involving the installation, repair, inspection and maintenance of gas appliances
- Product defects in gas burning appliances and their components
- Claims arising from the sale and supply of gas in bulk or in cylinders
- Failure to warn of the dangers of odorized gas, the need to use alternate/supplemental warning systems and alleged defects in propane and natural gas odorization
- Carbon monoxide poisonings

Our typical cases involve multiple parties, plaintiffs who have suffered disabling and disfiguring injuries and property damages and business interruption claims that often reach seven figures or more. We litigate vigorously but avoid a "scorched earth" strategy that antagonizes judges and juries, mitigating unnecessary litigation costs.

We are comfortable litigating complex technical issues. We have access to the country's best and most experienced technical experts, including engineers, fire origin and cause investigators, economists, industry experts, metallurgists, chemists and others who vigorously challenge the claims advanced by the plaintiffs' "hired gun" witnesses.

As seasoned trial lawyers, we confront plaintiffs' attorneys toe to toe in the courtroom. Our approach thorough investigation, careful documentation and witness preparation, detailed knowledge of the substantive and evidentiary law and strong trial skills gives us an edge in the courtroom which many of our competitors lack. Plaintiffs' attorneys know that we are eager to put them to the test in the courtroom when they pursue weak cases or make unreasonable demands.

Many of our cases involve multiple industry defendants. Our relationships with many of the industry defense counsel enable us to speak frankly regarding the merits of the case which assists in defense coordination efforts and minimizes "finger pointing" among the defendants.

We strive for cost-effective litigation. With most cases settling before trial, we work with risk managers to identify claims that can be settled for a reasonable amount before incurring substantial defense costs. Once litigation is pending, we stay alert to the possibility of a favorable settlement, either through direct negotiations between the parties or through alternate dispute resolution techniques, such as mediation.

Our attorneys also proactively lower risk by partnering with the design of customer warnings programs and reviewing company operations to help prevent accidents.

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### TEAM

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