

Heather S. Esau Zerger

She/Her

PARTNER

heather.zerger@stinson.com

Direct: 316.268.7978

Office: Wichita



With vast experience spearheading complex litigation, Heather skillfully and pragmatically navigates all stages of dispute resolution for her clients.

Whether she is defending manufacturers against products liability claims, aircraft manufacturers against supplier claims, or businesses and financial institutions in contract disputes, Heather listens carefully to her clients' needs and finds the most practical solutions to their problems. She advocates zealously for their interests without the gratuitous aggressiveness that is common in litigation. Clients appreciate her composed and practical approach, ensuring the best possible results in the most cost-effective manner.

While Heather's experience allows her to effectively represent clients in a variety of disputes, she has a particular focus defending clients against products liability claims. She has coordinated national defense of a client in products liability matters, and has extensive experience selecting and managing consulting and testifying experts. Her products liability defense experience extends to a host of products, including but not limited to aircraft, Class II medical devices, personal care products, and on- and off-road vehicles.

Heather serves as the firm's Kansas representative to TerraLex, an international network of vetted law firms, providing her clients access to quality lawyers throughout the world. When she

PRACTICES & INDUSTRIES

Product Liability
Aviation & Aerospace
Business Litigation
Real Estate Litigation

ADMISSIONS

Missouri
Kansas
U.S. District Court for the Western District of Missouri
U.S. District Court for the District of Kansas
U.S. Courts of Appeals for the Eighth, Tenth and Eleventh Circuits

EDUCATION

University of Minnesota Law School, J.D., *cum laude*, 1999
Bethel College, B.A., *summa cum laude*, 1996

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Heather S. Esau Zerger

is not defending clients, Heather spends her time at her second “full-time job”—her teenage kids’ sports activities.

EXPERIENCE

Product Liability Litigation

Defended off-road vehicle manufacturer in multiple product liability actions involving claims for catastrophic injuries and wrongful death in multiple jurisdictions across the country.

Defended hair care product manufacturer in products liability and deceptive trade practice claims.

Defended aviation client against claims arising from corrosion discovered in fleet of pre-owned aircraft.

Served as national litigation counsel for a power wheelchair manufacturer for product liability claims.

Business Litigation

Successfully defended manufacturer against breach of contract claims brought by supplier in state court, including obtaining partial summary judgment.

Successfully pursued claims on behalf of international client in arbitration against US-based company arising from breach of licensing agreement and false advertising, among other claims.

Represented client in a breach of contract and negligence case arising from failed repair of gas turbine, reaching a settlement in excess of \$10 million.

Real Estate Litigation

Represented property owners in an inverse condemnation case through trial and appeal, reaching a \$3 million jury verdict in favor of the client.

Obtained damage verdict in excess of \$10 million in favor of client in nuisance case.

RECOGNITIONS

Recognized in *The Best Lawyers in America*® list, 2024, 2025

Missouri *Super Lawyers*, 2014-2021

Missouri *Super Lawyers* Rising Star, 2008, 2011-2013

STINSON

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Heather S. Esau Zerger

Missouri Lawyers Weekly's Up and Coming Lawyer, 2009

KC Magazine's Top Young Attorney in Missouri and Kansas, 2008

PROFESSIONAL & CIVIC ACTIVITIES

Harvey County Habitat for Humanity Board of Directors, January 2024 to present

Defense Research Institute (DRI) Member, including Products Liability subgroup

U.S. District Court, D. Kan., Magistrate Judge Merit Selection Panel, 2023

Newton Athletic Booster Club, Board Member, 2022-2025

Bethel College Board of Directors, 2011-2021

- Chair, 2015 - 2016
- Vice Chair, 2013 - 2014

NEWS

175 Stinson Attorneys Selected to the 2024 *Best Lawyers in America* List
08.17.2023