

## Products Liability

**Products liability is a complicated area of law that governs who, when, and how someone who has been harmed by a product can receive compensation. KRCL understands that you are only as successful as your relationship with consumers.**

KRCL strategically works to protect the integrity of our clients' products and reputations through aggressive defense against product liability claims.

Our products liability attorneys represent manufacturers throughout the world in products liability disputes and other litigation and legal matters, often representing manufacturers directly through large, self-insured retentions.

Our lawyers have extensive experience in not only the technical issues involved with products liability claims, but also the most effective and efficient manner to present those complex technical matters to a jury made up of ordinary people.

Having represented manufacturers in hundreds of products liability cases, KRCL is uniquely qualified to successfully handle the most complex, challenging, and significant matters. We also use our expertise to identify opportunities in the early stages of litigation and we strive to offer alternatives consistent with our clients' interests.

KRCL's product liability lawyers also work closely with other sections of the firm to provide legal resources and support for our other legal matters. We join forces with KRCL's IP lawyers to provide advice on trade secrets and patent issues and to prosecute and defend IP and trade secrets claims for our manufacturing clients in recouping damages caused by other companies. KRCL's Real Estate section provides advice on real estate and leasing transactions.

Our China Practice group assists with the increasing demands and challenges faced by our Chinese clients entering the U.S. market and our American clients doing business in or with China. KRCL's Product Liability Practice Group has a long-standing reputation for aggressively and efficiently defending cases in Texas and throughout the nation.

KRCL's products liability attorneys offer full-service support, including regulatory, compliance, commercial claims, and defense, on a wide variety of products including, but certainly not limited to:

- Adhesives, epoxies and mortar products
- Agricultural products and equipment
- Aircraft products and equipment
- Building components/products
- Bulldozers and ditch-digging products
- Commercial cooking and food service equipment
- Construction equipment and building materials
- Crane and rigging
- Door systems, locking systems and other entrance solutions

- Downhole well logging tools and equipment
- Drilling rigs and various component products for both land and offshore manufacturers
- Electronic measurement instruments and tools
- Elevators, escalators and moving sidewalks
- Engines and engine components
- Fire extinguishers
- Foam insulation, bedding and mattresses
- Fuel dispensing pumps and related products
- Heavy trucks and other transportation equipment
- HVAC equipment and appliances
- Industrial machines & and manufactured components
- Ladders and scaffolds
- Mobile homes
- Natural gas flow and odorizer equipment
- Oilfield equipment, pumps, and monitoring equipment
- Paving equipment
- Petroleum-based products
- Plumbing pipe, fittings, and related plumbing products
- Pneumatic compressors, generators, and compressor trains
- Pneumatic construction tools/products
- Pneumatic hand tools
- Portable sanders/grinders (electric and pneumatic)
- Power saws
- Power shovels and mining equipment
- Recreational and spa equipment
- Scissor and power lifts
- Smoke alarm and fire suppression equipment
- Tire changers
- Toxic tort defense
- Transportation vehicles, including tractors, trailers, and related equipment
- Water quality analysis and treatment products
- Window blinds and coverings
- Windows and related components

KRCL's products liability attorneys continue to monitor the changing legislation that affects manufacturers in Texas and the Southwest, and the court decisions and verdicts that are reported in cases involving manufacturers.

Outside of the courtroom our attorneys counsel clients on risk management, changing legislation and product recalls preventing potentially dangerous and costly issues.

### **Recent Representative Matters**

- Defense jury verdict in wrongful death/survival personal injury case involving pipeline accident resulting in the explosion of a pneumatic tool disk with resulting massive head injuries with 6+ days survival claim; damages sought by Plaintiffs in excess of \$10 million. Jury verdict – approximately \$650,000.
- \$40 million claim involving a ruptured gas pipeline in Greenville, Texas resulting in a favorable confidential settlement

- Received a dismissal before trial for a gas operant product manufacturer in an Oklahoma case involving a fatal gas explosion, resulting in the death of one resident
- Successfully defended and settled horrific burn case involving plaintiff who sustained burns over 75% of his body while handcuffed to a gurney when an oxygen bottle exploded between his legs, resulting in products liability claim.
- Successfully resolved a case in west Texas involving an explosion and fire at an oil refinery plant
- Successfully defended and settled high exposure out-of-state insurance bad faith cases against insurers arising out of Ford Explorer roll-over accident and fire loss
- Successfully resolved OSHA investigations and cases for manufacturing clients
- Successfully resolved a trade secrets dispute involving the alleged theft of a trade secret by a former employee of the product manufacturer
- Successfully resolved a trade secrets dispute involving the design of a new product

## Related Attorneys

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Logan R. Burke  
Darrell R. Greer  
Heather Kabele  
Kenneth C. Riney  
Brian M. Stork  
Daniel Ferris  
Preston E. Hino

## Insights

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- Litigation Alert: Are Third-Party E-commerce sites, such as Amazon, “Seller” in Products Liability Cases? Texas Supreme Court to decide!
- Re-examining Personal Jurisdiction in Products Liability Cases in Texas
- LITIGATION ALERT: THE NEW CONSUMER PRODUCT SAFETY COMMISSION PUBLIC DATABASE: PRODUCT SAFETY OR LAWYER BONANZA?
- LITIGATION ALERT: PRODUCTS LIABILITY: Protection for the "Innocent" Seller in Texas