

PRACTICE CONTACTS

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Zelle has a long history in products liability. For nearly twenty years, our firm has been engaged in a broad range of medical products and pharmaceutical claims on both a national and international basis. Our role has varied from getting involved with claims concerning certain products early on, thereby significantly reducing or eliminating exposure for manufacturers, to serving as national counsel, coordinating litigation and resolution strategy, developing and training defense teams for litigation spanning various jurisdictions where a strong local presence would be advantageous, overseeing jury studies, and retaining and working in a coordinated way with regulatory counsel. Our experience also includes assembling panels of top medical specialists, coordinating the response to Congressional inquiries and front page headlines, working with high level executives to help them respond to media and shareholder inquiries and working with attorneys in foreign jurisdictions to prepare both themselves and experts for trial. In addition to representing manufacturers, we have also represented claimants, giving us a helpful perspective in understanding how to favorably handle and resolve claims for a defendant.

Given our ability to resolve many claims without litigation or publicity, we are unable to disclose with specificity many of the products with which we have had involvement. Some we can disclose generally include breast implants, hip implants, antiarrhythmic drugs, spinal implants, defibrillators, and inhalers. We also have experience in dealing with issues surrounding clinical trials and their termination before completion.

The firm is equally experienced outside the realm of medical and pharmaceutical products. Our attorneys have handled a broad spectrum of product liability coverage actions, such as defective PVC plumbing pipe, cement railroad ties, and oil pipeline claims. The firm has managed bodily injury and asbestos-in-building coverage disputes under primary and excess property and liability policies as well as reinsurance contracts. Zelle attorneys have tried and arbitrated numerous cases, conducted ADR under the Wellington Agreement, and have negotiated various settlements from interim agreements to buyouts. Issues have included trigger, scope, allocation, the number and application of deductibles, appropriate exhaustion, "other insurance" issues, specific product exclusions, late notice, failure to cooperate,

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misrepresentation, expected or intended, defense obligations, obligations of a captive, effect of self-insured retentions, quota share arrangements, and many others.