



## STEPHEN E. OERTLE

### Partner

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**Stephen Oertle defends sophisticated clients in high-stakes medical malpractice and product liability lawsuits nationwide. His practice includes the defense of mass torts and multidistrict litigation.**

### EDUCATION

University of Michigan Law School,  
J.D., 2007, *cum laude*

Northwestern University, B.A.,  
1999, Majors in Political Science  
and Geography

### GOVERNMENT SERVICE

U.S. Marine Corps Captain (served  
in the war in Iraq)

Law Clerk to The Honorable William  
F. Downes, United States District  
Court for the District of Wyoming

### ADMISSIONS

Arizona  
Colorado  
New Mexico

### HIGHLIGHTS

- Won a motion to dismiss for a nurse and staffing agency sued under New Mexico's Wrongful Death Act amid emerging abortion law in the U.S. The court dismissed the plaintiff's claim with prejudice, agreeing with WTO's arguments and finding no cause of action existed under New Mexico law.
- Defended multiple Rule 1-030(B)(6) depositions and obtained favorable settlement for a New Mexico hospital client after taking over a case just two months before trial.
- Obtained withdrawal of plaintiff's counsel, after the plaintiff's deposition, in a New Mexico medical malpractice case by uncovering the plaintiff's prior felony convictions for crimes of dishonesty.
- Won dismissal on summary judgment for an agricultural equipment manufacturer in a product liability case claiming that an allegedly defective combine header amputated the plaintiff's fingers during a routine inspection. WTO argued the briefing remotely.
- Won favorable settlement for a foster care placement facility in a case involving allegations that improper placement resulted in the homicide of a foster parent.
- Won favorable settlement for an international fast food company in a premises liability case involving allegations that poor training and supervision of employees and poor security resulted in the aggravated battery of a term pregnant woman, resulting in neurological injuries to her fetus.
- Won favorable settlement for a ceiling fan manufacturer in a case involving a catastrophic residential fire that caused permanent, severe injuries to two occupants. WTO was retained just six-weeks ahead of trial and obtained admissions that one of the plaintiffs was likely intoxicated and smoking.

### INDUSTRIES

- Medical Devices & Pharmaceuticals
- Healthcare
- Professional Services
- Trucking
- Automotive

### PRACTICE AREAS

- Commercial Litigation
- Mass Torts
- Catastrophic Injury Defense
- Product Liability
- Professional Liability
- Healthcare Professional Liability

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- Environmental Litigation

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## BIOGRAPHY

Stephen Oertle defends sophisticated clients in high-stakes professional liability and product liability actions nationwide. His practice includes the defense of mass torts and multidistrict litigation.

Stephen represents physicians, healthcare providers, and institutions in catastrophic medical malpractice lawsuits, especially in Arizona and New Mexico. He has represented Pfizer in antidepressant and hormone therapy litigation, and he also defends manufacturers such as Michelin, Toyota, and Volvo in product liability litigation alleging personal injury and wrongful death. In these and other cases, Stephen has gained extensive experience obtaining summary judgment, winning through dispositive motions, and negotiating favorable settlements.

Prior to joining Wheeler Trigg O'Donnell in 2009, Stephen served as a law clerk to the Honorable William F. Downes, United States District Court for the District of Wyoming. Stephen is a former captain in the United States Marine Corps and a veteran of the war in Iraq.

## CASES

- Won a motion to dismiss for a nurse and staffing agency sued under New Mexico's Wrongful Death Act amid emerging abortion law in the U.S. The court dismissed the plaintiff's claim with prejudice, agreeing with WTO's arguments and finding no cause of action existed under New Mexico law.
- Defended multiple Rule 1-030(B)(6) depositions and obtained favorable settlement for a New Mexico hospital client after taking over a case just two months before trial.
- Obtained withdrawal of plaintiff's counsel, after the plaintiff's deposition, in a New Mexico medical malpractice case by uncovering the plaintiff's prior felony convictions for crimes of dishonesty.
- Won dismissal on summary judgment for an agricultural equipment manufacturer in a product liability case claiming that an allegedly defective combine header amputated the plaintiff's fingers during a routine inspection. WTO argued the briefing remotely.
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- Won favorable settlement for an international fast food company in a premises liability case involving allegations that poor training and supervision of employees and poor security resulted in the aggravated battery of a term pregnant woman, resulting in neurological injuries to her fetus.

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- Won favorable settlement for a ceiling fan manufacturer in a case involving a catastrophic residential fire that caused permanent, severe injuries to two occupants. WTO was retained just six-weeks ahead of trial and obtained admissions that one of the plaintiffs was likely intoxicated and smoking.
- Represent the corporate parent of over 50 hospitals, as well as individual hospitals, in cases involving medical negligence, wrongful termination, and unfair trade practices actions, often where extended life care plans or the possibility of punitive damages lead to high-exposure cases.
- Represent multiple automobile manufacturers and suppliers in product liability actions involving catastrophic injury and wrongful death claims.
- Defended a major motorcoach manufacturer in a multiple-fatality rollover crash litigation involving extensive document production.
- Represented a major pharmaceutical company in multiple nationwide product liability cases, including cases involving allegations that various medications caused suicidality, breast cancer, and birth defects.
- Won summary judgment on all claims in a federal civil rights case involving allegations against a rural hospital that a deaf patient had been forcibly restrained and denied a sign language interpreter. After remand to state court, WTO achieved a nuisance value settlement.
- Defended an international fast food company in a premises liability case involving allegations that poor training and supervision of employees and poor security resulted in the aggravated battery of a term pregnant woman, resulting in neurological injuries to her fetus. Despite a demand of \$7.5 million a month before trial, WTO settled the case extremely favorably on the morning of jury selection.

## REPRESENTATIVE CLIENTS

- LifePoint Health, Inc. - National Trial Counsel
- Michelin North America - National Trial Counsel
- Motor Coach Industries
- Pfizer
- Toyota Motor Sales, USA
- Volvo Cars of North America

## BAR & COURT ADMISSIONS

- Arizona
- Colorado
- New Mexico

# STEPHEN E. OERTLE

## LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

- The Best Lawyers in America
  - Product Liability Litigation, 2018-2026
- Colorado Rising Stars
  - Personal Injury Defense, 2013-2019

## PERSONAL INTERESTS

- Avid backpacker
- Adventure motorcycle touring enthusiast
- World traveler