

Catastrophic Injury



Won Defense
Verdict in \$97M
Vermont Ski Case

We are trial lawyers who try hard cases. Clients trust us to defend them in their highest exposure matters in the country's most challenging jurisdictions. We know what it takes to present emotional cases against sympathetic plaintiffs and have won hundreds of cases involving catastrophic injuries or death. And clients or their insurers often bring us in to assess or take over high exposure cases when they are concerned about the direction a case is taking.

In the current environment, with high risk of "nuclear" verdicts, our experience and trial expertise have never been more important or valuable. Benchmark Litigation ranks us among the nation's top 20 trial firms. Our lawyers have collectively taken well over 1,000 trials to verdict. And numerous partners are members of the American College of Trial Lawyers, the International Academy of Trial Lawyers, and American Board of Trial Advocates. Our trial expertise enables us to quickly identify compelling narratives and expose weaknesses in opponents' cases early—which, combined with our well-known trial record, often secures favorable resolutions before trial.

We have extremely diverse experience, having handled cases involving vehicles, tires, medical devices, pharmaceuticals, ski areas, recreational accidents, oil field accidents, industrial machinery, toxic materials, and much more.

Cases

Won case-ending summary judgment for one of the world's largest companies in a catastrophic injury case in which the plaintiff sought over \$130 million in damages.

Won a complete defense jury verdict for Caesarstone USA in a toxic torts trial with industry wide implications. It was the third case tried to verdict in the U.S. and the first in Colorado where workers sued companies in the stone countertop fabrication industry over silica exposure.

Won summary judgment for General Electric in a seven-figure mesothelioma case in a plaintiff-friendly Minnesota state court.

Won a defense verdict in a wrongful death mesothelioma trial in federal court in North Carolina.

Won a defense verdict in Texas in a \$20 million personal injury case in which we were hired a month before trial.

Won defense verdicts for Michelin in catastrophic injury cases in Florida, South Carolina, and Arizona.

Won the first medical malpractice defense verdict in a plaintiff-friendly New Mexico state court in over 35 years for a hospital in a \$40 million wrongful death case.

Won summary judgment for a leading ski resort operator in a ski lift injury case.

Won dismissal of a wrongful death case for a social media company. The judge sided with our arguments on Section 230 of the Communications Decency Act, the First Amendment, and personal jurisdiction.

Won dismissal for Skyjack in federal court in a product liability matter involving alleged injury on a scissor lift. The case was dismissed on the basis of lack of personal jurisdiction.

Won a Colorado Court of Appeals decision for electric scooter company Lime in a “duty of care” case. The court upheld a lower court’s dismissal of negligence claims.

Won a defense jury verdict for Toyota in a \$33 million case.

Won a defense jury verdict for a ski resort in a closely watched, \$97 million catastrophic injury case in Vermont.

Won a jury defense verdict for Foster Wheeler in a three-week asbestos trial in federal court in Massachusetts. The plaintiff—a sympathetic Navy widow represented by a high-profile asbestos plaintiff firm—asked for \$20 million in compensatory damages and \$43 million in punitive damages.

Contacts

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