

Erik D. Nadolink

Partner

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Erik ("Rick") Nadolink defends companies and individuals in high-stakes product liability, toxic tort, medical malpractice, and commercial litigation. He has successfully defended clients in multibillion-dollar litigation and won high-exposure trials in multiple states.

Rick has first and second-chaired numerous trials, winning defense verdicts in some of the most difficult plaintiffs' jurisdictions in the nation, including Los Angeles, CA; Madison County, IL; Chicago, IL; Boston, MA, and Tampa, FL, among others. He also has broad experience litigating and managing all aspects of complex litigation in addition to trial work, including complex motions practice; extensive fact and expert deposition discovery; preparing and defending corporate witnesses and employees; fact investigation; document discovery and management; use of protective orders to safeguard proprietary and privileged materials; and appellate issues.

Credentials

Education

The George Washington University Law School, J.D., *cum laude*, 1995

Stanford University, B.A., 1992

BAR AND COURT ADMISSIONS

California

Colorado

Virginia

U.S. Court of Appeals, 4th Circuit

U.S. District Court, C.D. California

U.S. District Court, D. Colorado

U.S. District Court, E.D. Virginia

U.S. District Court, N.D. California

U.S. District Court, W.D. Virginia

ARTICLES AND PRESENTATIONS

Presenter, "EPA, Regulatory & Government Developments Under Current Administration, and Countering Same," 2021 DRI Asbestos Seminar.

Presenter, "Attorneys Coming Together to Collaborate and Share Substantive Updates: Industrial Products," 2021 DRI Asbestos Seminar.

Presenter, "Using the EPA Risk Assessment to the Greatest Defense Advantage," 2021 Defense Asbestos Litigation Seminar.

Presenter, "Expert Deposition Case Study: Dr. Richard Lemen and No Safe Level," The 2019 Defense Asbestos Litigation Seminar.

Presenter, "Expert Experts: Strategies & Practice Pointers for Taking Down the Professional Witness," The CDLA CLE.

Presenter, "Challenging Failure to Warn and Plaintiff Mock Deposition," The 2017 Defense Asbestos Litigation Seminar (DALs), Orlando, FL.

"Defending Transmission/Distribution Line Contact Cases," AEGIS National Claims Seminar, Scottsdale, AZ.

"Cross Examination Strategy for Key Plaintiffs' Experts," DRI Defense Asbestos Litigation Conference, Las Vegas, NV.

Presenter, "Taking Down Plaintiff's Expert," The Aegis 2014 Claims Seminar, Miami, FL.

Presenter, "The Top Adversary Lung Cancer & Mesothelioma Experts," The DALS Conference, Las Vegas, NV.

Presenter, "Mock Closing Argument Presentation and Jury Exercise," Perrin Asbestos Litigation Conference: A National Overview & Outlook, San Francisco, CA.

"Shipyard and U.S. Navy Asbestos Cases and the Government Contractor Defense," presented at HarrisMartin Southeast Regional Asbestos Litigation Conference.

Presenter, "Does Every Fiber Really Contribute?," DRI Asbestos Medicine Seminar.

Presenter, "The Post-OSHA Warnings Case," DRI Asbestos Medicine Seminar.

Practices

Catastrophic Injury

Commercial Litigation

Mass Torts

Product Liability

Cases

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.

Serving as national counsel for a major international company in commercial litigation involving indemnity claims for more than 200 cases of alleged PCB contamination/exposure.

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

Represent Michelin North America as national trial counsel and coordinating counsel for toxic tort litigation.

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

Represented oil and gas companies in high-exposure cases arising from well-site and other industry-related accidents resulting in catastrophic injury and death.

Represented a brewery owner after an explosion in Virginia caused by methane by-products in a wastewater tank killed two people.

Represented a gas utility at trial in Texas in a case involving a natural gas explosion that severely burned two individuals. Settled during trial for a fraction of the demand.

Represented an oil and gas company in a catastrophic injury case involving an oil rig employee who was crushed by a piece of loose equipment.

Defended utility companies and equipment manufacturers in catastrophic fire and explosion cases resulting in major burn injuries.

Represented a utility company at trial in Missouri in a case involving a maintenance worker who suffered loss of limb after electrocution while attempting to service a billboard. Settled following mistrial for a fraction of the demand.

Won for Foster Wheeler in an asbestos failure to warn case involving the government contractor defense. The Fourth Circuit reversed and remanded to the district court following our arguments that evidence set forth by Foster Wheeler was sufficient to demonstrate a colorable defense establishing federal jurisdiction.

Obtained summary judgment for General Electric Company in an asbestos liability case in the U.S.D.C. for the District of Wyoming.

Won a jury verdict in Cook County, Illinois, for General Electric in an asbestos duty to warn case involving power plant land turbines.

Won a defense jury verdict for Leslie Controls, the sole remaining defendant at trial after other defendants settled. A jury deliberated for just 20 minutes before deciding our client was not liable for the plaintiff's mesothelioma.

Won a defense verdict for Pizza Hut/Yum! Brands in a liability case stemming from an automobile accident involving a delivery driver.

Won a defense jury verdict for Foster Wheeler in the first asbestos wrongful death case tried to a verdict in Iowa in over 10 years.

Won a defense verdict after five weeks of trial in Massachusetts in a living mesothelioma case, the first asbestos case tried to verdict in Boston in 10 years.

First and second-chaired additional high exposure trials to favorable mid-trial resolutions in California, Illinois, Louisiana, Minnesota, New York, Pennsylvania, South Dakota, and South Carolina among others.

Won summary judgment motions in many jurisdictions, including briefing and arguing in an MDL in the Eastern District of Pennsylvania on a complex issue concerning the government contractor defense as it applies to equipment manufacturers in asbestos litigation, potentially impacting hundreds or even thousands of similar cases currently pending before the panel.

Managed discovery and trial preparation in hundreds of cases set for trial for several national asbestos litigation clients, as well as numerous hospitals, doctors, and other healthcare providers in medical malpractice cases.

Taken and defended hundreds of critical fact, corporate, and expert depositions in dozens of high exposure products liability and medical malpractice cases.

Successfully briefed and argued two writs to the Supreme Court of Virginia.

Mediated favorable resolutions in numerous high exposure products liability and medical malpractice cases in various federal and state jurisdictions throughout the country.
