

Product Liability



Weber Gallagher has defended national and global product manufacturers for decades. Our institutional knowledge, skill and experience have provided optimal results for manufacturers in state and federal courts. Whether we are retained directly by the manufacturer/designer or in collaboration with their insurance carriers, we understand that complex products liability cases are high-stakes and strike at the heart of a company and its good will.

Product manufacturers, as well as product distributors and retailers, know that even the most vigilant, safety-conscious companies must be prepared to respond to serious product liability claims and effectively assess risk transfer opportunities as well as all appropriate substantive and procedural defenses. These claims include matters connected to defects, warnings/directions, labeling, and toxic torts.

We work closely with management, in-house counsel and insurance representatives to design and implement a litigation strategy that aligns with the client's business objectives. We routinely work with experts in mechanical and electrical engineering, toxic chemicals, pulmonology, neuropsychology, commercial and consumer warnings, and epidemiology. Whenever possible we provide litigation prevention strategies to help our clients avoid lawsuits altogether.

Weber Gallagher serves as counsel to clients in oft-targeted industries. Our attorneys build institutional and brand knowledge, create protocols for fielding claims, minimize overall liability, conserve in-house resources and guide manufacturers through product recalls and withdrawals. While the design, manufacture, sale, and promotion of many products is now a global endeavor, the majority of U.S. product liability laws are determined by individual states and vary widely across jurisdiction.

We take pride in the fact that we have provided these services for start-ups to the Fortune 500 corporations. Our long history includes representing manufacturers of food and drugs, industrial machinery, power equipment, construction materials, electronics, power tools, home appliances, sporting goods, motor vehicles and aircraft parts.

Our toxic tort matters often bring together our product liability and environmental expertise to handle matters involving metals, fibers and particulates, solvents, gases, and other chemicals.

Experience

- Won summary judgment on behalf of a multinational chain of convenience stores dismissing a high exposure premises liability case in Kings County, NY, by establishing that the alleged defect, a decommissioned fuel cap, was de minimus, trivial and therefore, not actionable.
- Successfully obtained summary judgment for commercial clients including engineers as professionals in construction defect cases and personal injury matters and sellers in product liability cases.