

Product Liability Litigation

Product liability has developed into a complex area of law that poses significant challenges and risks for manufacturers, retailers, and service providers alike. Cognizant of these perils, Willenken attorneys approach every product liability case with the goal of achieving optimal results as early as possible. We creatively employ all of the tools in our bag—whether it is conducting an initial in-depth factual investigation, pursuing aggressive discovery, or filing a strategic pleading motion—to secure a winning result.

For example, in a design defect case involving hardware products, the firm obtained a highly favorable outcome by pressing a *forum non conveniens* motion which transferred the matter to a jurisdiction where favorable comparative fault rules governed, and obtained a key, early pretrial determination on the narrow issue of duty of care. In another case, involving an industry-leading personal care product, Willenken was able to head off a design defect class action in the pre-litigation stage by conducting a strategic early deposition of the potential class representative. During the deposition, we procured key concessions that not only undercut the adequacy of the putative class representative, but also nullified the proffered liability theories on the merits. Our attorneys act with focused purpose to defeat liability and/or contain damages, rather than litigate for its own sake. If the case goes to trial, we are seasoned trial lawyers who know how to win in court, even in the most difficult jurisdictions.

We defend a diverse array of product liability matters in state and federal court. The cases we litigate involve catastrophic injuries, routine product defects, breach of warranty, false advertising, and unfair business practices. We handle both individual claims as well as class action and multi-district litigation matters. In addition, we have handled adversary proceedings before administrative and licensing agencies concerning home improvement and contractor services. Our scope of experience is substantial, covering both consumer and industrial sectors, including:

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- Retail products
- Household goods
- Hardware and tools
- Cosmetics and hygiene
- Energy and utility
- Manufacturing, packaging, and transportation

Our strategic and winning approach has earned the trust of some of the largest and most notable brands and companies in the country, such as:

- The Procter & Gamble Company
- Motorola Solutions
- Spectrum Brands
- Harbor Freight Tools
- Southern California Gas Company
- San Diego Gas & Electric Company
- Pacific Gas & Electric Company

We regularly serve as lead trial counsel in product liability cases. However, given our depth of knowledge and experience with California judges and juries, we are also the California local counsel of choice for numerous national counsel and consumer products companies.



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