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The Voice

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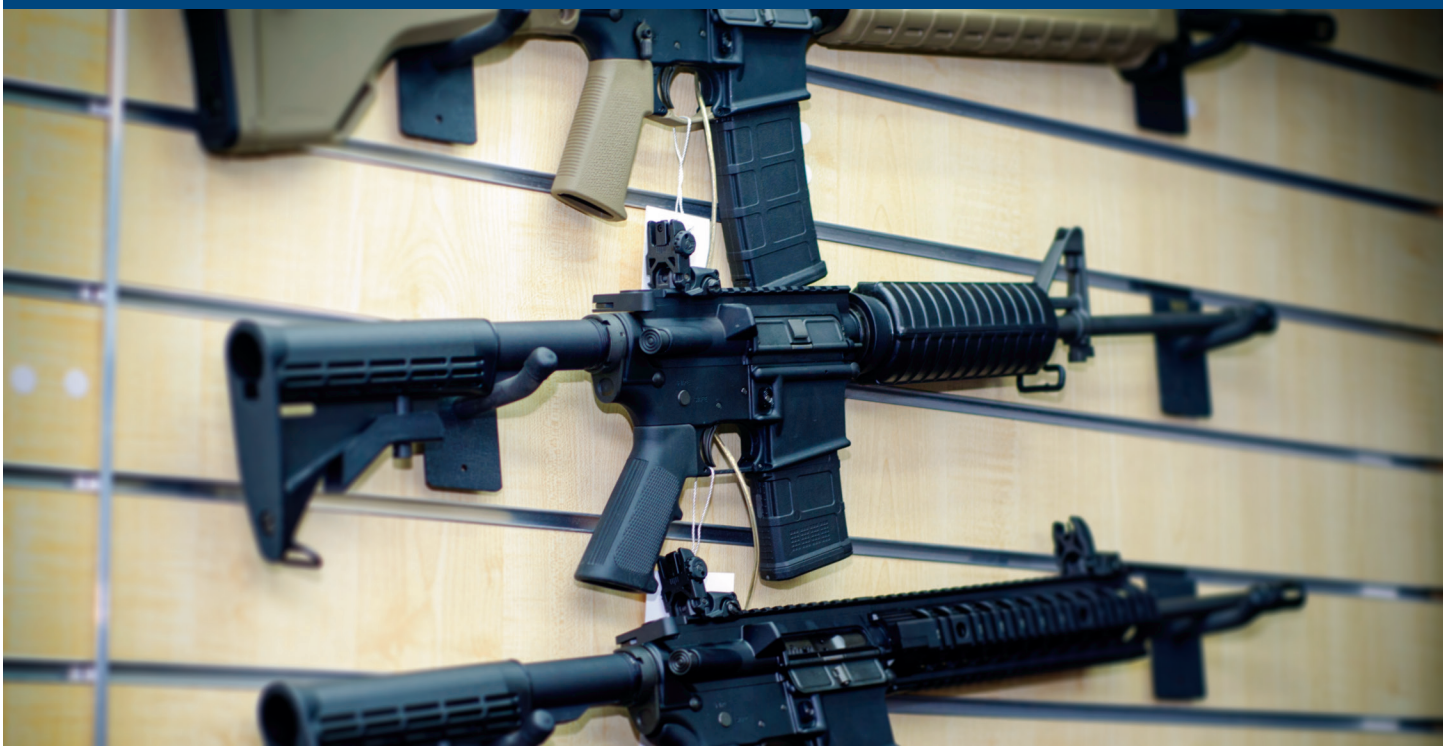
This Week's Feature



Questionable Strategy—Guns and the Uniform Trade Practices Act

By Peter S. French and Tristan C. Fretwell

On December 14, 2012, Adam Lanza entered Sandy Hook Elementary School with a Bushmaster AR-15 rifle, killing 20 children and six adults. This tragedy sparked public outcry regarding availability of assault rifles to the public. Despite this response, assault rifles remain available and manufacturers enjoy broad qualified immunity. That immunity, however, was challenged by the Connecticut Supreme Court allowing victims' families to pursue recovery. Nevertheless, this litigation is unlikely to end in plaintiffs' favor or to result in restricted access to assault rifles.

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Quote of the Week

"Metaphor is poetry's and fiction's great imperative, the engine of radical imagination."

—Cynthia Ozick (b. Apr. 4, 1928).

This Week's Feature

Questionable Strategy—Guns and the Uniform Trade Practices Act

By Peter S. French and Tristan C. Fretwell


On December 14, 2012, Adam Lanza entered Sandy Hook Elementary School with a Bushmaster AR-15 rifle, killing 20 children and six adults. This tragedy sparked public outcry regarding availability of assault rifles to the public. Despite this response, assault rifles remain available and manufacturers enjoy broad qualified immunity. That immunity, however, was challenged by the Connecticut Supreme Court allowing victims' families to pursue recovery. Nevertheless, this litigation is unlikely to end in plaintiffs' favor or to result in restricted access to assault rifles.

The *Soto* Decision

In March 2019, the Connecticut Supreme Court held that families of Sandy Hook victims (1) "did not lack standing" to assert claims against gun manufacturers for injuries and wrongful death under the Connecticut Unfair Trade Practices Act (CUPTA); and (2) CUPTA qualifies as a statute that is applicable to the sale or marketing of firearms (known as a predicate statute), which, if violated, provides an exception to manufacturer immunity under the Protection of Lawful Commerce in Arms Act (PLCAA), 15 U.S.C. §§ 7903(5)(A)(iii) (2012). *See Soto v. Bushmaster Firearms Int'l, LLC*, __ 3.d __, 331 Conn. 53 (Mar. 19, 2019).

The decision in Soto is the first judicial decision recognizing the standing of mass shooting victims' families to proceed based on claims against an assault rifle manufacturer under an unfair trade practices act theory.

After the expiration of the federal assault weapons ban in 2004, the AR-15 became a popular weapon with gun enthusiasts. Less than a year later, Congress enacted the PLCAA, shielding firearms manufacturers from liability when third parties commit crimes with their products. 15 U.S.C. §§ 7902(a), 7903(5)(A). While six exceptions to immunity exist, the relevant exception in *Soto* states the following:

> The term "qualified civil liability action" ...shall not include –
>
> (iii) an action in which a manufacturer or seller of a qualified product knowingly violated a State or Federal statute applicable to the sale or marketing of the product, and the violation was the proximate cause of the harm for which relief is sought....

Id.

Marketing, Advertising, and the Challenges of the Trial

In *Soto*, the plaintiffs can proceed based on the merits of their claims, which allege that the defendants "violated CUPTA by advertising and marketing the XM15-E2S in an unethical, oppressive, immoral, and unscrupulous manner that promoted illegal offensive use of the rifle." 331 Conn. at 86. Specifically, the defendants violated that statute by:

- promoting the use of the XM15-E2S for offensive assaultive purposes;
- extolling the militaristic qualities of the rifle;
- advertising the XM15-E2S "as a weapon that allows a single individual to force his multiple opponents to 'bow down'"; and
- marketing and promoting "the sale of the XM15-E2S with the expectation and intent that it would be transferred to family members and other unscreened, unsafe users after its purchase."

Id. at 86–87.

However, the court recognized the significant burden that the *Soto* plaintiffs face, noting that proving a causal link may be a "Herculean task." *Id.* at 98. Additionally, these plaintiffs will likely face several challenges from defendants.

First, the defendants will likely seek review regarding whether the immunity exception exists. Some jurisdictions narrowly interpret the "predicate statute" exception under the PLCAA as applying solely to "statutes that regulate manufacturing, importing, selling, marketing, and using firearms or that regulate the firearms industry." *Prescott v. Slide Fire Solutions, LP*, 341 F. Supp. 3d 1175, 1191 (D. Nev. 2018) (dismissing claims against bump stock manufacturer by families of Harvest Music Festival mass shooting victims). The significance of a new interpretation of the immunity exception will likely warrant review.

Next, the plaintiffs must demonstrate that the defendants "knowingly" violated CUPTA, proximately causing their losses. The defendants are likely to challenge whether a CUPTA violation exists or that any violation included the requisite mens rea. *See In re Firearm Cases*, 126 Cal. App. 4th 959, 984–85, 24 Cal. Rptr. 3d 659, 677 (Cal. Ct. App. 2005) (finding no evidence that the manufacturer provided weapons to criminals, failed to record sales properly, or any other act characterized as a high-risk business practice). Evidence that the defendants relied on experts to approve advertising and marketing campaigns could defeat an argument that a knowing violation occurred.

Finally, a challenge that the alleged marketing and advertising conduct amounts to "unethical, oppressive, immoral, and unscrupulous" behavior is probable. It has been legal to sell AR-15s to the U.S. general public since 2004. Millions of Americans own AR-15s without incident. Proving that advertising materials reach the level of "unethical, oppressive, immoral, and unscrupulous" will be a difficult task since innocent violations arguably fall within the qualified immunity granted by the PLCAA. Here, unlike other CUPTA cases, "subjective good faith" and "absence of intent" are relevant to determining whether liability exists.

A Better Solution

Soto raises the improbability that litigation is a good solution to a vexing dilemma. Gun manufacturers continue to enjoy immunity under U.S. product liability laws when third parties use their products to engage in criminal conduct. Similarly, at the federal level, manufacturers enjoy immunity, except in narrow situations in which they knowingly violate state or federal laws and proximately cause injury or death. While we grieve these unspeakable and tragic events, litigation is unlikely to provide a solution. The only prudent way to regulate access to assault weapons is a more direct approach: legislation.

Peter S. French is a partner at Taft Stettinius & Hollister in Indianapolis and represents clients in litigation matters in many jurisdictions across the United States. He has represented clients in a wide variety of contexts, including class actions, False Claims Act lawsuits, strict product liability claims, intellectual property infringement matters, securities matters, shareholder disputes, real estate development and construction disputes, false advertising and unfair competition cases, breach of contract cases, commercial mortgage foreclosures, and insurance coverage matters. Mr. French is the Publications chair for the DRI Product Liability Committee.

Tristan C. Fretwell is an associate with Taft Stettinius & Hollister, also in Indianapolis, and focuses his practice on a wide variety of commercial and general litigation matters.

Keep The Defense Wins Coming!

Please send 250–500 word summaries of your "wins," including the case name, your firm name, your firm position, city of practice, and e-mail address, in Word format, along with a recent color photo as an attachment (.jpg or .tiff), highest resolution file possible (*minimum* 300 ppi), to DefenseWins@dri.org. Please note that DRI membership is a prerequisite to be listed in "And the Defense Wins," and it may take several weeks for *The Voice* to publish your win.

Michael G. Martin

DRI member Michael G. Martin of **Graves & King LLP**, Glendale, California, an attorney for defendant Roland Curtains, Inc., achieved a defense verdict in *Richard Fatu and Sairah Fatu Individually and as Husband and Wife v. Roland Curtains, Inc., AVM Industries, LLC, DOES 1 – 50*, in the Superior Court of California, Alameda County, Department 20.

The plaintiffs brought causes of action in product manufacturing and design defect arising from a head injury that Richard Fatu suffered while working as a truck driver. The plaintiffs alleged that one of the pillars on Richard Fatu's trailer was defectively designed and that an AVM Damper cylinder installed in the Roland Curtain pillar was missing Loctite and failed, causing the pillar to open quickly and hit Richard Fatu on his forehead, resulting in permanent brain injury. The plaintiffs sought general damages and punitive damages. The plaintiff's wife, Sairah Fatu, brought a claim for loss of consortium.

The plaintiffs contended that the AVM Damper failed because it was missing Loctite adhesive that had been included in Roland Curtain's specifications. The plaintiffs also contended that the Roland Curtain system should have been designed with a different Damper end connector, and/or with a limiting cable. The plaintiffs alleged that the incident resulted in a permanent traumatic brain injury to Richard Fatu, resulting in cognitive, behavioral, and emotional instability.

The defendants contended that Richard Fatu negligently operated the curtain system pillar and that he disregarded the large caution sticker on the pillar warning by standing directly in the area that the caution sticker warns against. The defendants further contended that the plaintiff could not prove the cause of the failure, given that the subject AVM Damper cylinder had gone missing after the incident and that no expert could identify the actual cause of the failure. The defendants also contended that Richard Fatu's ongoing symptoms, including personality changes, were not related to any head injury and that his cognitive, behavioral, and emotional instability pre-existed the incident. In their closing argument, the plaintiffs asked the jury to award $20 million ($15 million to Richard Fatu and $5 million to Sairah Fatu). The plaintiffs' initial global demand was $4,000,000. Roland Curtains, Inc., issued a Statutory 998 offer to Richard Fatu in the amount of $230,000 and to Sairah Fatu in the amount of $20,000 ($250,000 total). AVM Industries, LLC, issued a Statutory 998 offer to Richard Fatu in the amount of $125,001, and to Sairah Fatu for $25,001 ($150,002 total). Richard Fatu's worker's compensation claim arising from the same incident was resolved in the amount of $168,526.

The plaintiffs sought damages for past and future physical pain, mental suffering, loss of enjoyment of life, inconvenience, grief, anxiety, humiliation, emotional distress, post-traumatic stress disorder, depression, suicidal ideation, personality changes, vivid nightmares, sleep disturbance, anger control problems, fatigue, sexual dysfunction, vertigo, ringing in ears, nausea, and difficulty concentrating.

The jury found that whatever design or manufacturing defect existed, it was not a substantial cause of Richard Fatu's injury.

Michael P. Mezzacappa

On February 9, 2019, DRI member Michael P. Mezzacappa, a partner in the General Liability Group at **Kaufman Borgeest and Ryan LLP**, in Valhalla, New York, obtained a defense verdict in favor of clients in a case captioned, *Sofiya Nozhnik as Guardian ad Litem for Lassina Diarra v. NJS Carpentry, Inc., Lynn Ferentinos as Guardian ad Litem for Peter J. Ferentinos and Richard Radna, M.D.*, Index No. 114010/2005, in the New York State Supreme Court, New York County. This action involved a low-speed automobile collision between the plaintiff's 1995 Lincoln Town Car and the defendants' 1995 GMC Yukon at approximately 11:00 p.m. on December 29, 2004. Specifically, defendant Peter J. Ferentinos, in a car owned by NJS Carpentry, rear-ended the plaintiff, who claimed that he was working as a livery car driver. The plaintiff commenced this action in 2005, seeking damages for injuries to his neck, back, and knee

(necessitating multiple surgical procedures). He was subsequently treated by co-defendant Dr. Richard Radna, which led to three allegedly failed back surgeries. As the litigation progressed, the plaintiff added claims for significant and numerous neurological injuries to his brain, including atrophy of the cerebellum and cerebrum from longitudinal sheering, due to claimed whiplash.

At the time of the trial, liability for the collision was conceded as a result of a DWI conviction on the part of Mr. Ferentinos, the defendant driver. Notwithstanding, the defense set forth on behalf of NJS and Ferentinos focused primarily on causation for the injuries claimed.

Specifically, the defense argued that the claimed injuries could not have resulted from the force involved in the de minimus impact that occurred during the subject motor vehicle accident. Throughout the three-month-long, hard-fought trial (including lengthy jury selection), the jury heard testimony from a significant number of well-known physicians and experts retained by both sides in efforts to prove their respective positions. Ultimately, the defense prevailed, after the jury deliberated for five days. Testimony from Bruce Gambardella, P.E., an accident reconstructionist, and Jacob Fisher of Exponent Engineering, P.C., a biomechanical engineer, as well as use demonstrative evidence, was key to obtaining the verdict. Additionally, debunking many of the plaintiff's theories on his brain damage claims by seeking to show that they were not scientifically supported also turned out to be incredibly persuasive to the jury, which found that the motor-vehicle accident did not cause the condition precedent, "serious injury," as required by the New York State Motor Vehicle Law. The jury separately concluded that Dr. Radna did not depart from an accepted standard of medical care.

Mr. Mezzacappa is a member of the DRI Product Liability Committee Fire Science and Litigation Specialized Litigation Group as well as the DRI Construction Law Committee.

Rob Blank

DRI member **Rumberger Kirk & Caldwell** partner Rob Blank, of the firm's Tampa office, obtained a defense verdict in Marion County Circuit Court in *Karen Archer v. Danny Evans and Three Rivers Xpress, Inc.* In a rear-end collision truck accident, where negligence and entitlement to punitive damages was not disputed, the plaintiff asked the jury to award $3.2 million in damages. The plaintiff underwent two shoulder surgeries and neck injections and had a recommendation for a future shoulder replacement surgery. The jury returned a verdict in defendant's favor on March 19, 2019.

Hope for Low-THC Oil in Georgia

By Bill Durham, Chad Peterson, and Patrick Price



In 2015, Georgia passed a law allowing qualified patients to possess low-THC oil for medicinal purposes. The only problem? The law did not provide any way for those patients to obtain the product legally. That was a big oversight, considering that it remained illegal for anyone in Georgia to produce, purchase, or sell low-THC oil. And because crossing state lines with a Schedule I drug is a federal crime, obtaining low-THC oil from other states was not a viable option for those patients who could now legally possess the oil in Georgia. Even if one accepted the risk, Florida is the only state with a shared border that has broadly legalized medical marijuana, and Florida law permits distribution of medical marijuana exclusively to Florida residents.

On April 2, 2019, the Georgia legislature passed Georgia's Hope Act, HB 324, to remedy this shortcoming. The act legalizes the purchase of low-THC oil and establishes an ecosystem to produce and distribute it within the state. The senate signed off on the Act in a 34–20 vote, while the house vote was 147–16. The bill will now go to Gov. Brian Kemp (R), who is expected to sign it into law.

With the passage of this bill, Georgia will join a growing number of states that are liberalizing their marijuana laws. Nationally, 46 states have some form of medical cannabis

law on their books. Of those, 31 allow some form of cultivation within their states, with Georgia poised to increase that number to 32.

Under the Act, Georgia will have the authority to grant low-THC oil production licenses to two designated universities—the University of Georgia and Fort Valley State University—and up to six Georgia corporations; to provide pharmacies with dispensing licenses; and to provide independent dispensing licenses. Additionally, the act authorizes designated universities to conduct research on marijuana for therapeutic use.

Despite these new provisions and proposed regulatory system, the practical consequences of the act remain unclear because of federal prohibitions. For example, whether pharmacies will be willing to dispense low-THC oil remains a question mark because doing so, even under a state license, may jeopardize their federal permission to sell other drugs. The proposed university-run marijuana programs are similarly uncertain. Under the provisions of the Drug-Free Schools and Communities Act of 1989 and the Drug-Free Workplace Act of 1988, universities that receive federal funding are expressly prohibited from allowing the use and possession of marijuana. In other states, similar laws allowing universities to grow and study the use of cannabis oil were rendered unworkable due to federal restrictions. Without authorization from federal law enforcement, many universities have been unwilling to participate in activities involving cannabis oil.

Moreover, the act requires production licensees to maintain a bank account located within Georgia—a requirement that may make it impossible for any entity to obtain a production license. The American Bankers Association advises its members that "any contact with money that can be traced back to state marijuana operations could be considered money laundering and expose a bank to significant legal, operational and regulatory risk." One option is for licensees to follow in the footsteps of similarly situated businesses in states like Colorado and turn to purely intrastate banks and credit unions that are not federally insured. But, those institutions carry their own risks, and this option would not help licensees already engaged in interstate commerce related to other products.

Despite these uncertainties, the liberalization of Georgia's medical marijuana laws will likely accelerate the growth of the patient registry, which was already expanding quickly under the prior law. As of July 2018, Georgia's low-THC oil registry included 646 physicians and 5,425 patients. The registry had increased to over 8,400 patients by March 2019.

Bill Durham is a partner in King & Spalding LLP's mass tort and toxic tort practice in Atlanta, where he specializes in complex, high-stakes product litigation. Chad Peterson is an associate with King & Spalding's mass tort and toxic tort practice. He has represented a wide range of clients in the pharmaceutical, tobacco, beverage, automotive, abrasive blasting, and package delivery industries. Patrick Price is an associate in King & Spalding's mass tort and toxic tort practice, specializing in product liability litigation.

Registration is still open for the 2019 DRI Cannabis Law Seminar. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by April 22, 2019.

DRI News

A Conversation With...

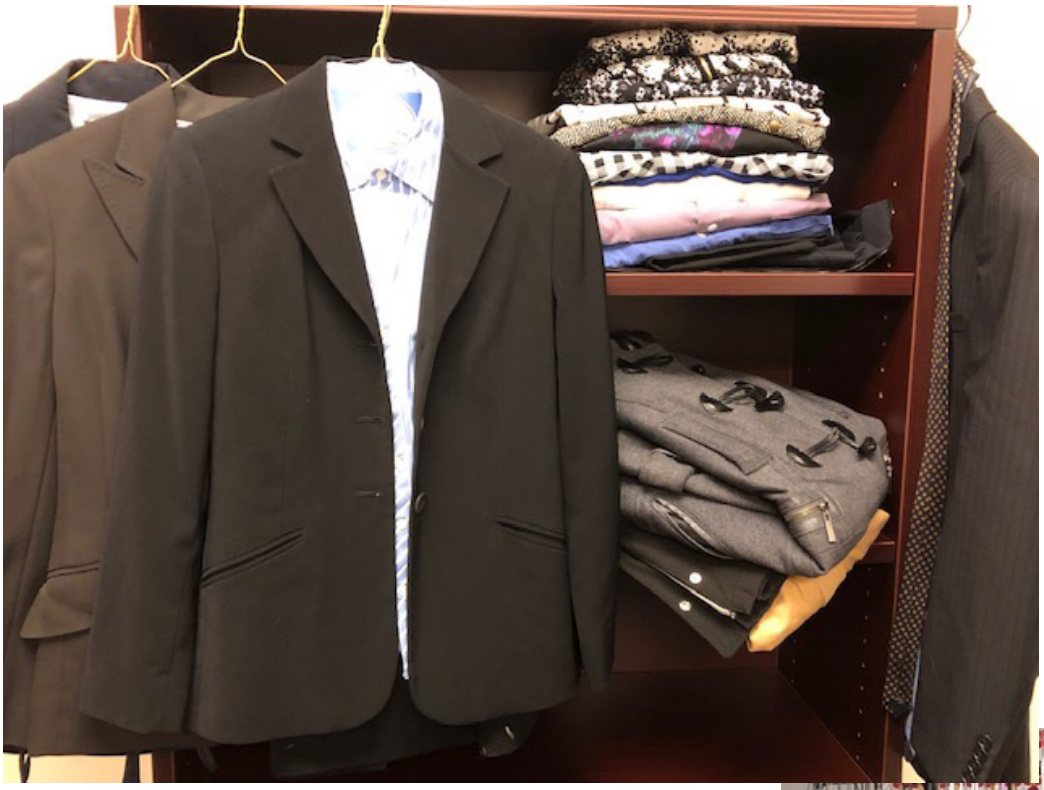
Make sure to check out a new episode of DRI's podcast, "A Conversation With..." This week, Frank Ramos speaks with Sara Turner, Committee Chair of the DRI Retail and Hospitality Committee, to discuss her committee's great work and upcoming Retail and Hospitality Seminar on May 8–10, 2019, at the Loews Royal Pacific and Sapphire Falls Resorts at Universal Orlando. Click here to listen to this podcast!

Goldberg Segalla LLP Organizes Dress for Success Drive

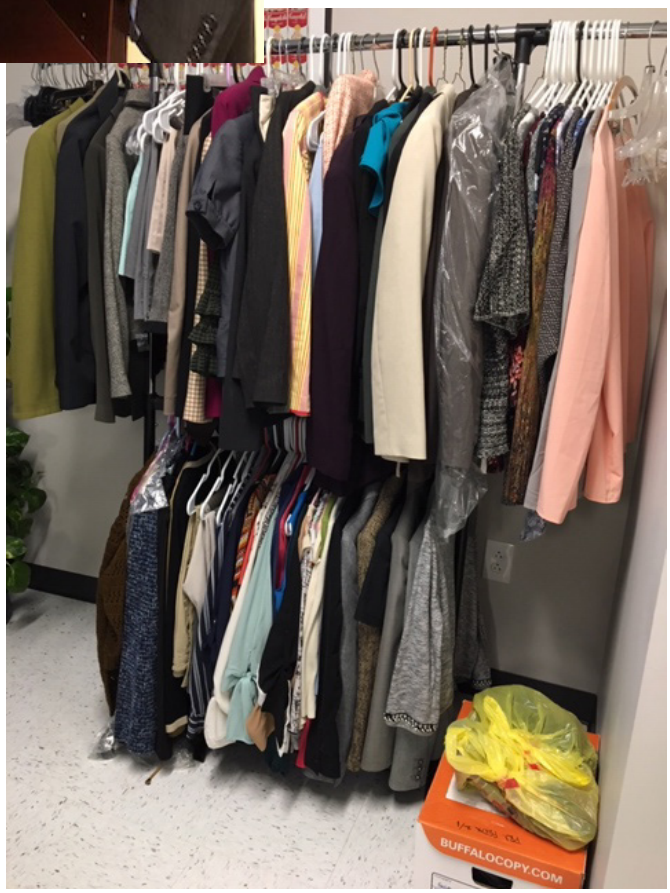
Goldberg Segalla LLP kicked off the year with its first community initiative: a clothing drive benefiting Dress for Success. Dress for Success is an international not-for-profit organization dedicated to helping women achieve economic independence and thrive in the professional world. They provide networks of support, business attire, and professional development tools for women in more than 150 cities in 30 countries. Since starting operations in 1997, the organization has helped more than one million women worldwide.

Throughout the months of January and February, attorneys and administrative staff at GS collected gently worn business attire to donate to the organization. The drive was organized by the firm's Women's Initiative, an internal effort designed to empower female attorneys and administrators at GS with professional development, mentoring, and networking opportunities, and to create lasting positive change for women in the firm and beyond. Dress for Success speaks to the initiative's mission of addressing the challenge of gender inequities in the legal industry and professional world by prioritizing and promoting the principles of equality and inclusion.

Staff in the GS Buffalo office gather in front of 29 boxes of clothes ready to be donated to Dress for Success.



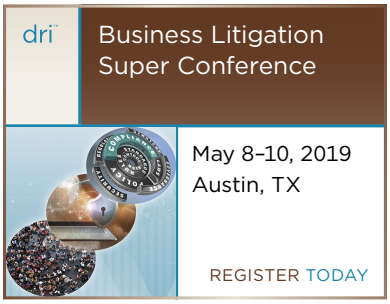
Closets full of professional attire were collected by staff at the GS Princeton office.



The GS Chicago office brought in tons of blazers and outerwear to donate.

Upcoming Seminars

Business Litigation Super Conference, May 8–10, 2019

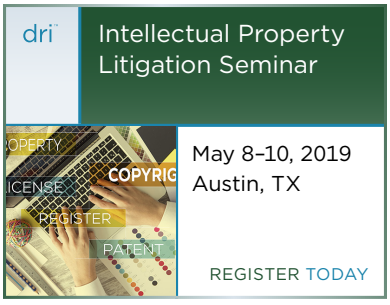


Top in-house counsel, judges, and attorneys from across the country will meet in Austin, Texas—the Live Music Capital—for this one-of-a-kind seminar. Along with stimulating lectures, this seminar offers marvelous opportunities to network with preeminent attorneys and in-house counsel and experience what makes Austin one of the top cities in which to live. Moreover, the seminar has focused breakouts in the areas of class actions, cybersecurity/data breach, and government enforcement. In addition, the DRI Intellectual Property Litigation Committee is hosting its seminar at the same time in adjacent rooms, and attendees are free to attend presentations in either seminar. Register now for this "can't miss" event for any business litigator. Click here to view the brochure and to register for the program.

Employment and Labor Law, May 8–10, 2019

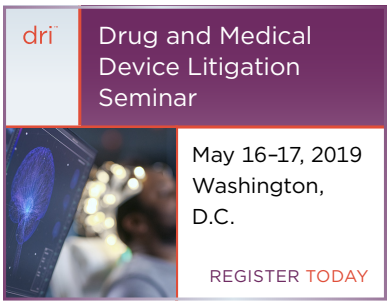
DRI's 42nd annual Employment and Labor Law Seminar is the preeminent educational and networking event for management-side labor and employment attorneys, in-house counsel, human resources professionals, and EPLI representatives. Always intensely practical and accompanied by superior written materials, this seminar is a must-attend for experienced practitioners, as well as for those who are just getting started in labor and employment law. Don't miss this opportunity to learn from some of the best practitioners and professionals in the labor and employment arena. Click here to view the brochure and to register for the program.

Intellectual Property Litigation, May 8–10, 2019



This year, we take a look at a variety of issues relevant to IP litigators—ranging from building a strong case for attorneys' fees to IP issues from an in-house perspective. We will explore emerging issues in patent, copyright, and trademark law, focusing on industries such as video gaming, and provide practical, cutting-edge strategies for issues that IP litigators face every day, such as consumer surveys. We will join in a plenary session with the DRI Commercial Litigation Committee, where we will learn insights from Alberto Gonzalez, former U.S. Attorney General and White House Counsel to President George W. Bush; explore the pros and cons of arbitration; and hear the perspective of a retired judge on the changing landscape of truth in the United States. Our young lawyers also have the opportunity to join the Young Lawyers Breakout on Wednesday afternoon. Click here to view the brochure and to register for the program.

Drug and Medical Device Litigation, May 16–17, 2019



Please join us in our nation's beautiful capital for the 2019 Drug and Medical Device Seminar. This seminar will provide more opportunities than ever to network with in-house counsel, leading pharmaceutical and medical device lawyers, and friends old and new. You will also hear an FDA insider's views regarding issues facing the industry and top appellate attorneys' thoughts regarding recent and relevant decisions affecting how we defend our clients. These and other top-notch programs make this seminar the "go-to" event year after year for practitioners in the pharmaceutical and medical device defense arena. Click here to view the brochure and to register for the program.

Fidelity and Surety Roundtable, May 17, 2019

The Fidelity and Surety Roundtable focuses exclusively on important legal issues involving fidelity and surety claims and litigation. We are excited about the ethics presentation this year, which will address limitations on enforcing a surety's rights. Plus, it is great to earn an ethics CLE credit. The size of the seminar encourages lively group participation from the many surety company representatives and attorneys who attend. Also, meet and socialize with other attendees at the networking dinner Thursday night and the Friday afternoon social event in Chicago. Click here to view the brochure and to register for the program.

Appellate Advocacy, July 19, 2019

This program will benefit all attorneys interested in appellate practice. All appellate practitioners, including seasoned appellate advocates, attorneys looking to branch into or build an appellate practice, and young lawyers, will learn relevant and practical skills to apply to their daily work. Moderators will pose thought-provoking questions and hypotheticals to panels of distinguished judges, practitioners, and academics who will share their knowledge of appellate practice, business development, legal writing, records on appeal, appeals of injunctions, and judicial recusal. As a bonus, the committee is teaming up with the National Foundation for Judicial Excellence (NFJE) to provide two sessions of joint programming and a joint networking reception at the conclusion of the seminar. Click here to view the brochure and to register for the program.

Upcoming Webinars

The Reverse Reptile: Turning the Table on Plaintiff's Counsel, April 24, 2019, 12:00 pm–1:30 pm

Since 2009, Don Keenan and David Ball, the reptile founders, claim to have generated $7.7 billion in settlements and verdicts. While that figure is staggering, it is very important to know that several well-prepared defendants have crushed the reptile attack in several areas of litigation. These defendants and their attorneys have adopted their own "anti-reptile" tactics that have been highly effective in discovery and trial. On the 10-year anniversary of the plaintiff's reptile revolution, with no end in sight and their membership bursting at the seams, it is vital for the defense bar to understand the past and plan for the next 10 years of reptile maneuvers. Key individuals and entities have empirically studied the evolving reptile methodology and have tracked and defeated newer reptile tactics. Disseminating this information, as well as the newest "anti-reptile" tactics across the defense bar is essential to future success. The newest of these tactics is called the "reverse reptile," in which defense counsel can turn the tables on the plaintiff, experts, or other parties in a case. Click here to register.

Separating Association from Causation Using Epidemiology, May 21, 2019, 1:00 pm–2:00 pm

Epidemiology is the study of the causes and patterns of diseases in populations. This science is essential to establishing general causation, that is, whether exposure to an agent is capable of causing a health effect. This webinar will provide an overview of epidemiology and explain how an exposure and a health outcome may be associated due to a causal effect or due to other, non-causal reasons. Examples will be given to illustrate how epidemiologists evaluate the weight of scientific evidence to determine whether general causation has been established. Click here to register.

Are You Ready to Build More Business?

Are you ready for more business? If so, make it easy for another attorney, law firm, insurance company, or new business connection to find you online—your experience, your particular expertise, in the right city at the right time. Build your profile by logging into your DRI account and update or expand your professional profile. It's free advertising! Your profile will appear in DRI's Membership Directory, and it will help new business find you.

Did you know that DRI's Membership Directory is online, it's free, and it's what more than 10,000 attorneys and companies use every month to find someone like you? The DRI Membership Directory is searchable on a number of important variables.

Build your profile and keep it up to date (*most important*).

- Your firm and address
- Your practice areas
- Your professional biography
- DRI Committees
- DRI articles that you've authored
- DRI speaking engagements

Your defense wins published in the "And The Defense Wins" in *The Voice*, DRI's online newsletter read by thousands of members.

If you build it, they will come.

Iowa

State Membership Chair and State Representative

Benjamin M. Weston, Member, Lederer Weston Craig PLC

Areas of Practice: Insurance defense, liability defense, retail defense, asbestos litigation defense, and bad-faith defense.

DRI member since 2007.

Ben's experience with DRI: "I have been a DRI member since beginning my practice in 2008 and have been to most annual meetings since then. I was previously very involved in the DRI Young Lawyers Committee and served on its steering committee for several years."

Fun Fact: "My wife and I have two daughters, ages 4 and 2, and we love to travel with them to new destinations and to experience new things."

New Member Spotlight

Peter Melvin Damrow, Hall & Evans LLC

Peter Melvin Damrow is a litigation attorney with Hall & Evans LLC in the firm's Billings, Montana, office. His practice encompasses a wide variety of insurance defense work, including professional liability, medical malpractice defense, personal injury, municipal liability, and employment-related matters. Mr. Damrow represents companies, municipalities, and other professionals through all phases of litigation in state and federal courts in addition to administrative proceedings. Before joining Hall & Evans, he worked at another civil defense firm, where he briefed numerous matters before the Montana Supreme Court and acquired jury trial experience in his first years of practice. He is licensed to practice in Montana state and federal courts and is currently in the process of securing his license to practice in Washington State.

Mr. Damrow earned his law degree from the University of Washington School of Law, where he was a managing editor of the Washington Law Review, a member of the American Association for Justice National Mock Trial Team, and interned for the U.S. Attorney's Office for the Western District of Washington in Seattle. Upon graduation, Mr. Damrow was inducted into the Order of Barristers, a national honor society committed to encouraging and developing successful trial advocates.

In his spare time, Mr. Damrow enjoys dancing Argentinian Tango with his wife and adventuring through beautiful Montana with their Alaskan Malamute, Suka.

Quote of the Week

"Metaphor is poetry's and fiction's great imperative, the engine of radical imagination."

—Cynthia Ozick (b. Apr. 4, 1928).