

## PRODUCT LIABILITY

Cosgrave's experienced product liability defense trial lawyers understand product manufacturers and the legal landscape in which they operate. Our work with manufacturers, distributors and sellers covers a wide range of services from pre and post-launch design review, to investigation of non-litigated claims, to product recall advice, and to litigation and trial in our state and federal trial and appellate courts. Cosgrave has been defending product liability claims for nearly 80 years.

Product liability claims typically fall into one or more of three categories – defective design, defective manufacture/assembly and inadequate warning/instruction claims. A manufacturer, distributor or seller is not liable unless the claimant shows the product was not only defective, but also “unreasonably dangerous.” Applicable governmental regulations and voluntary industry standards often play an important role in shaping a product liability claim.

The successful defense of a product liability claim involves three key ingredients: (1) knowledge of the ever-changing laws, regulations and voluntary industry standards impacting product liability claims, (2) a detailed, technical understanding of your product and industry, and (3) the ability to effectively present the technical aspects of your product design to a local jury. Cosgrave's product liability lawyers have significant experience in all of these areas.

Cosgrave's Oregon and Washington product liability team defends manufacturers, distributors and sellers in a wide range of industries, including the following:

### **Medical Devices/Pharmaceutical:**

- Power Wheelchairs
- Motorized Hospital Beds
- Surgical Tables
- Adulterated Medications
- Pain Pumps
- Rollators (wheeled walker)
- Oxygen Concentrators

### **Farm/Industrial/Construction Equipment:**

- Tractors
- Backhoes
- Forklifts
- Food Processors (grinders)
- Automated Conveyor Line Equipment
- Self-Unloading Trailers
- Scaffolding
- Angle Grinders

## INDUSTRIES

- Construction
- Healthcare
- Hospitality
- Insurance
- Manufacturing
- Railroad
- Trucking and Motor Carrier

## ATTORNEYS

- Wendy M. Margolis
- David P. Morrison
- Julie A. Smith
- Walter H. Sweek
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- Brandon L. Thornburg

## SENIOR PARTNER

- Walter H. Sweek

- Industrial Lathes

**Transportation:**

- Defective Tires
- ATVs
- Marine Diesel Engines
- Experimental Aircraft
- Semi-Truck Trailers
- Van Conversions

**Building Supplies:**

- Residential Electrical Switches
- Electrical Pumps
- Windows
- Defective Lumber
- Underground Piping
- Asbestos-Containing Products
- Flooring

**Consumer Products:**

- Firearms
- Ladders
- Paper Shredders
- Coffee Makers
- Paraffin Foot Baths
- Acid Peel Facial Treatments
- Folding Golf Carts
- Heating Pads
- Snorkeling Equipment
- Fishing Waders
- Office Chairs
- Rust Prevention

**Construction Defect Related Products** – visit our [Construction Services and Litigation Practice Area](#) page

## REPRESENTATIVE CLIENTS

- Canam Steel Corporation
- FedEx Express
- Medmarc Insurance Company
- Invacare Corporation
- United Rentals (North America), Inc.
- Recreational Equipment, Inc., (REI)
- Snap-On, Inc.
- Shaw Industries Incorporated
- Tremco Incorporated
- American International Group (AIG)

- Chubb Insurance Company
- Liberty Mutual Insurance Company
- National Indemnity Insurance Company

## **AFFILIATIONS**

ALFA International Products Liability Practice Group  
ALFA International Medical Device and Drug Practice Group  
American Academy of Appellate Lawyers  
American Bar Association Litigation Section  
American Board of Trial Advocates  
American College of Trial Lawyers  
Defense Research Institute  
Federal Bar Association  
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Litigation Counsel of America  
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