

## Product Liability

Each year thousands of Americans are injured due to dangerous consumer products. Many of these injuries could be avoided if the distributor or manufacturer of these products took additional steps to ensure the safety of its consumers. Inadequate drug labeling, poor manufacturing, and product recalls can affect virtually any consumer, often with devastating effects.

The product liability lawyers at Bailey Glasser have a successful track record of prosecuting product liability lawsuits on behalf of plaintiffs who have been injured or killed because of defective products. We know the law and we will investigate your accident to determine if a defective product was the cause of your injuries.

Product liability cases can be based on theories of strict liability, negligence, breach of warranty, or misrepresentation. In some cases, plaintiffs may choose to plead all of these theories and then investigate to see which are the most appropriate to pursue at trial.

To recover damages under a theory of strict liability, for example, the plaintiff will need to prove with the assistance of a products liability lawyer that the product's condition was unreasonably dangerous, the dangerous condition existed when the product left the manufacturer's control, and the plaintiff's injuries were caused by that condition. There are three main types of dangerous conditions or defects that can potentially give rise to liability. These include manufacturing defects, design defects, and marketing defects, also known as failures to warn.

If you successfully prove your case, you can potentially recover a wide range of compensatory damages, including medical bills, out-of-pocket expenses, the costs of future treatment, loss of income, mental anguish, and pain and suffering.

### Experience

- Represented and continue to represent several individuals and families of those killed or injured by defective Taurus pistols that can fire when dropped; also represented a class of persons who purchased these defective and dangerous pistols, securing replacements and repairs for more than 1 million eligible guns
- *In Re Atrium Medical Corp. C-Qur Mesh Products Liability Litigation*, MDL No. 2753 (Plaintiffs' Executive Committee); this MDL consolidates federal lawsuits from all across the country against Atrium Medical Corporation and the lawsuits allege that the C-Qur Hernia Mesh manufactured

by Atrium is defective and produces an allergic or inflammatory reaction which has caused serious injuries, including, organ perforations and bowel obstructions

- Served on the Plaintiffs' Lead Counsel Committee in the Toyota Unintended Acceleration MDL for the personal injury and wrongful death cases; worked extensively on this years-long litigation that resulted in hundreds of settlements for plaintiffs injured or killed in UA-related crashes, and over \$1 billion in recovery for those who suffered diminution in value of their Toyota vehicles; Bailey Glasser was the only law firm to have to have partners serve on both the Economic Loss and Personal Injury/Wrongful Death Committees in that case
- Participated extensively and served on the Plaintiffs' Steering Committee and the tech subcommittee in nationwide litigation against Volkswagen arising out of fraud in connection with its allegedly "clean" diesel vehicles; reached the largest automotive defect class action settlement in history (over \$11 billion)
- Obtained a confidential settlement for young man injured from an exploding food container

## News & Insights

Bailey Glasser Opening California Office Led By Arthur Bryant and Todd Walburg  
02.12.2020

Bailey Glasser Named To 2020 Best Law Firms In America  
11.01.2019

Bailey Glasser Prevails in Volkswagen "Clean Diesel" Litigation, Secures \$96.5 Million Settlement  
09.05.2019

Bailey Glasser Lawyers Named to 2020 Best Lawyers  
08.15.2019

Bailey Glasser Ranked Nationally, and in Charleston and DC, For High-Stakes Litigation  
11.02.2018

Brian Glasser Named Lawyer of the Year by Best Lawyers  
08.22.2018

Bloomberg Businessweek Article About Defective Taurus Guns Features Bailey Glasser Lawsuit  
03.27.2018

Class-Action Lawsuit Filed Against Equifax Over Security Breach  
09.26.2017

Ben Lajoie Co-Authors 'Product Hopping' Update in Law360 Article  
09.05.2017

CVS To Pay Consumers For Allegedly Misleading Eye Health Supplement Claims  
08.02.2017

Landmark Settlement Affirmed in Taurus Class Pistol Case  
07.07.2017

Federal Judge Certifies Class In Venture Data Telemarketing Case  
06.08.2017

Bailey Glasser Lawyers Named to 2017 Best Lawyers® List  
08.17.2016

Newsweek Calls Taurus Pistol Class Action Settlement A 'Landmark Legal Concession'  
01.26.2016

Alabama man files lawsuit against gun maker Taurus; claims safety defect killed son  
11.18.2015

## **How Can We Help?**

General Case and Matter Inquiries