



Partner

## **Brian R. Swiger**

Charleston, WV  
209 Capitol Street  
Charleston, WV 25301  
T: 304.340.7879 F: 304.342.1110  
bswiger@baileyglasser.com

Brian R. Swiger focuses his practice on complex tort and commercial litigation, as trusted counsel to companies in the electric utility, oil and gas, motor carrier, compressed gas, and several other industries. For nearly 30 years, clients involved in pipeline explosion cases and other catastrophic incident and loss situations reach out to Brian immediately because of his experience in crisis management and stellar trial skills. He spends a considerable amount of his time advising clients on reputation management issues related to defending companies at all stages during and following a catastrophic event.

Brian devotes a significant portion of his practice to taking over cases that cannot be settled. These cases have included multi-person death cases, oil and gas trespass (surface and subsurface), mineral title disputes, catastrophic personal injury cases involving quadriplegia, burns, and amputations, fire and explosions, and multimillion-dollar construction disputes.

He has tried many punitive damage cases to verdict including cases involving billion-dollar damage claims. In many of these matters the underlying liability was not necessarily contested and, in some instances, had been admitted.

In recent years, Brian served as lead trial counsel for defendants involved in catastrophic loss litigation throughout West Virginia, Pennsylvania, Ohio and Kentucky. He also has successfully defended clients in cases involving class actions, toxic torts, complex litigation, and mineral title disputes involving hundreds of thousands of acres. He routinely handles multi-party litigation as well, implicating issues of punitive damages, premises liability, deliberate intent, indemnification, insurance coverage, products liability, workplace safety, industrial and commercial accidents, motor carrier liability, and public liability.

Brian's experience also extends to defending clients in federal and state regulatory investigations, including those brought by the Occupational Health and Safety Administration (OSHA), Mining Safety and Health Administration (MSHA), National Transportation Safety Board (NTSB), Chemical Safety Board (CSB), and the Department of Transportation (DOT) (both Federal Motor Carrier Safety

Administration (FMCSA) investigations and Pipeline and Hazardous Materials Safety Administration (PHMSA) investigations).

## **Awards & Accolades**

*Best Lawyers in America*, Personal Injury Litigation – Defendants (2011 - 2020)

*Super Lawyers*, West Virginia, Energy & Natural Resources Law (2014 - 2021)

*Super Lawyers*, West Virginia, Construction, Real Estate & Environmental Section, Business Edition for Energy & Natural Resources (2013 - 2015)

*Super Lawyers*, West Virginia, Litigation (2011 - 2012)

First place, West Virginia Invitational Trial Competition

## **Practice Areas**

Catastrophic Personal Injury

Commercial Litigation

Energy - Mining

Energy - Oil & Gas

Environmental

Product Liability

## **Education**

J.D., West Virginia University College of Law, 1991

B.A., West Virginia Wesleyan, 1988, *magna cum laude*

## **Admissions**

West Virginia

US Court of Appeals for the Fourth Circuit

US District Court, Southern District of West Virginia

Supreme Court of Appeals of West Virginia

## **Representative Matters**

- Served as lead trial counsel in numerous cases involving issues unique to the oil and gas industry, such as advising clients on regulatory compliance, various title issues, drilling activities, fire and

explosion losses, contract and lease disputes, and environmental litigation

- Served as lead trial counsel for defendants involved in catastrophic loss litigation throughout West Virginia, Pennsylvania, Ohio and Kentucky
- Successfully defended clients in cases involving class actions, toxic torts, complex litigation, and mineral title disputes involving hundreds of thousands of acres

## **News & Insights**

18 Bailey Glasser Lawyers Named To *The Best Lawyers in America* 2022 Guide  
08.23.2021

Bailey Glasser Lawyers Recognized for Inclusion in 2021 Super Lawyers List  
05.12.2021

Bailey Glasser Lawyers Named to 2021 Best Lawyers  
08.20.2020

Bailey Glasser Attorneys Named To 2020 Super Lawyers List  
05.08.2020

Bailey Glasser Lawyers Named to 2020 Best Lawyers  
08.15.2019

Energy Litigator Brian Swiger Joins Bailey Glasser  
05.31.2019

## **Community and Professional Activities**

West Virginia Bar Association

Fellow, Construction Lawyers Society of America