



## **MOLLIE F. BENEDICT**

*Partner, Los Angeles*

213.430.3399 (direct dial)

213.430.3409 (fax)

*mollie.benedict@tuckerellis.com*

### **Service Areas**

Food, Beverage and Cosmetics; Medical & Pharmaceutical Liability, Co-Chair; Business Litigation; Class Action Litigation

### **Bar Admissions**

California, 1996

United States District Court, Central District of California

United States District Court, Eastern District of California

United States District Court, Northern District of California

United States District Court, Southern District of California

United States District Court, Northern District of Texas

United States District Court, Western District of Texas

### **Education**

University of California, Los Angeles School of Law (J.D., 1996)

Northwestern University (B.A., 1993)

*Phi Beta Kappa*

### **Bio**

Mollie Benedict is a Partner in the Los Angeles office of Tucker Ellis and co-chair of the Medical & Pharmaceutical Liability Group. She has a wide range of litigation experience in the areas of medical device, pharmaceutical, product liability, class actions and complex business litigation, false advertising, insurance, and toxic tort and has tried several cases to verdict. Mollie has extensive experience handling pharmaceutical and medical device matters and coordinating strategy for nationwide litigation. She has represented insurance companies in complex fraud and contract disputes, as well as bad faith actions. She has also represented telecommunications companies in fraud and contract disputes. Mollie has written and argued appeals on issues including invasion of privacy, statutory immunities for physicians, and the appropriate standards for medical expert testimony.

Mollie graduated Phi Beta Kappa from Northwestern University in 1993, with majors in economics and psychology. She received her J.D. from UCLA School of Law in 1996. She is an active member of the International Association of Defense Counsel. Mollie lives in Los Angeles with her husband and two children.

### **Representative Decisions**

*Norton v. Independence Technology, LLC*, No. 2:10-cv-03218, 2011 WL 3584491 (E.D. Cal. Aug. 15, 2011). All plaintiff's claims dismissed as preempted in case involving a Class III medical device - a stair-climbing wheelchair.

### **Representative Trials**

*P&R Metals v SBC (AT&T)*, Orange County Superior Court, Los Angeles, California; represented SBC over an alleged breach of a contract for scrap metal recovery in 7 states, fraud and punitive damages; jury trial.

*Pro-Guard v. Underwriters Insurance Company/Swiss Re*, Los Angeles Superior Court, Los Angeles, California;

defended insurance companies in an eight week trial involving claims for breach of contract, fraud and punitive damages arising out of insurance agreements related to vehicle service contracts written in 50 states; jury trial.

*Santana v. Accupress*, Orange County Superior Court, Los Angeles, California; case involving loss of body parts from alleged defective heavy machine press; jury trial.

*Gurman v. Ethicon Endo-Surgery*, Los Angeles Superior Court, Los Angeles California; defended Ethicon Endo Surgery in a three week trial in a case involving wrongful death from alleged defective surgical clips; jury trial.

### **Recent Publications**

["Out of Your Jurisdiction: Why FDA Recalls and Courts Do Not Mix,"](#) *IADC Drug, Device and Biotechnology Newsletter* (August 2011)

### **Professional Involvement**

Defense Research Institute

International Association of Defense Counsel