



## Caroline M. Tinsley

### Partner

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Caroline Tinsley defends leading product manufacturers in mass tort and product liability matters, with a particular emphasis on pharmaceutical, medical device, and consumer product liability.

She currently serves as national counsel in the high-profile talcum powder product litigation. Caroline also has served as national counsel and local counsel in a variety of other litigations, including gadolinium GDD, opioids, hormone therapy, insulin delivery devices, PET scans, medical devices for the treatment of stress urinary incontinence and pelvic organ prolapse, breast implants, and IVC filters, among many others.

Caroline's significant experience in the pharmaceutical, medical device, and consumer product arena covers all areas of defense and extends to internal investigations and product recalls. Her experience includes managing multidistrict litigation and class action product litigation, developing the overarching defense strategy, preparing key company fact and expert witnesses, and actively participating in all aspects of the defense through trial and the appeals process. Caroline has argued in state and federal courts and various appellate courts throughout the United States, including the Missouri Supreme Court.

Caroline, along with her daughter Corinne and bunny, Bigbury Bon Bon, embrace every adventure that comes their way.

### Education

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- Saint Louis University School of Law (J.D., cum laude, 1999); Health Law Certificate
- University of Missouri (B.A., 1993)

### State Admissions

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- Missouri, 1999
- Illinois, 2000

### Federal Admissions

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- Supreme Court of the United States
- United States Court of Federal Claims
- United States Court of Appeals, Third Circuit
- United States Court of Appeals, Eighth Circuit
- United States District Court, Central District of Illinois
- United States District Court, Northern District of Illinois
- United States District Court, Southern District of Illinois
- United States District Court, Eastern District of Missouri
- United States District Court, Western District of Missouri
- United States Bankruptcy Court, Eastern District of Missouri

### Service Areas

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- Life Sciences Litigation
- Mass Tort & Product Liability
- Business Litigation
- Class Action Litigation
- eDiscovery
- Health Care
- Privacy & Data Security
- Health & Life Sciences

### Experience

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- Served as lead national counsel and second-chair trial counsel for defendant in multi-defendant talcum powder product liability case alleging decedent developed ovarian cancer causing her death; obtained full defense verdict in favor of all defendants after plaintiff's counsel requested \$84,795,800.00 in compensatory damages during closing
- Prevailed on a Writ of Certiorari challenging a long-standing provision in Georgia concerning the statute of repose's application to strict liability claims
- Successfully prevailed on Motions to Sever and fraudulent joinder arguments as to 733 plaintiffs in an MDL on behalf of a client
- Obtained dismissals of 465 plaintiffs' claims pending in an MDL as a result of prevailing on Lack of Personal Jurisdiction arguments on behalf of a client
- Obtained more than 200 dismissals in state courts across the country based on Lack of Personal Jurisdiction arguments for a client
- Obtained a dismissal for a brand-name pharmaceutical company where the plaintiff claimed that the company should be held liable for negative results experienced from ingesting a generic version of the drug
- Obtained dismissals of the majority of cases for a brand-name pharmaceutical client in a nationwide mass tort

## Publications & Events

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### SPEAKING ENGAGEMENTS

- “Wheel of Fortune: Juror Perceptions in Talc Cases and Effective Voir Dire Strategies,” 2023 DRI Talc Litigation Seminar, Washington, D.C. (August 2023)
- “Wheel of Fortune: Effective Voir Dire Strategies,” IADC 2023 Midyear Meeting, Austin, Texas (February 2023)
- “Who Likes Shady Beaches? Proper Conduct Is Part of a Lawyer’s Ethical Duty So No One Gets Caught in a Riptide,” 2022 DRI Asbestos Medicine Seminar, San Diego, California (November 2022)
- Q&A Sessions, Moderator, DRI 2021 Talc Litigation Virtual Seminar (May 2021)
- “Beam Me Up Scotty! The Future Is Here!”, Moderator, DRI Women in the Law Seminar, Scottsdale, Arizona (January 2020)
- “The Collision of Causation Standards, Discovery, and Expert Testimony,” DRI’s Asbestos Medicine, Boston, Massachusetts (November 2019)
- “Is It Asbestos? Asbestiform vs. Non-asbestiform” and “*Daubert*, Future Challenges and Past Orders in Talc Litigation,” DRI Talc Litigation: Medical and Scientific Issues, Washington, D.C. (September 2019)
- “Cybersecurity Risks Encountered by Today’s Medical Provider: Impacts of Security Decisions and Practical Approaches,” Moderator, Section of Litigation, ABA, Nashville, Tennessee (March 2017)
- “Effectively Addressing Cybersecurity Breaches: The Inherent Risks, Impacts of Security Decisions, and Practical Approaches,” Moderator, Current Issues in Pharmaceutical and Medical Device Litigation, ABA, Princeton, New Jersey (November 2016)
- “*Mutual Pharmaceutical Company, Inc. v. Bartlett*, Preemption in Pharmaceutical Litigation and Beyond,” Moderator, Current Issues in Pharmaceutical and Medical Device Litigation, ABA, Plainsboro, New Jersey (November 2013)
- “International Issues That Arise in Litigation of Pharmaceutical and Medical Device Cases,” Current Issues in Pharmaceutical and Medical Device Litigation, ABA, Philadelphia, Pennsylvania (November 2011)
- “Epidemiology 101: Use in Pharmaceutical Litigation,” DRI Drug and Medical Device Annual Meeting, San Francisco, California (May 2010)

### PUBLICATIONS

- “Who Likes Shady Beaches? Proper Conduct Is Part of a Lawyer’s Ethical Duty So No One Gets Caught in a Riptide,” DRI’s *In-House Defense Quarterly* (Fall 2022)
- “The Vulnerabilities of Medical and Wearable Devices,” DRI’s *In-House Defense Quarterly* (Summer 2020)
- “Is It Asbestos? It’s All in the Form: Asbestiform vs. Non-Asbestiform,” DRI’s *In-House Defense Quarterly* (Fall 2019)
- “Today’s FDA: Plaintiff, Defense and Juror Perspectives,” ABA Section of Litigation Regional

CLE Workshop: Current Issues in Pharmaceutical, Medical Device and Biotech Litigation  
(October 2015)

- “Manufacturing Representatives in the Operating Room,” Practice Points, ABA Section of Litigation, Products Liability (September 2014)
- “A New Argument Against Preemption Under *Mensing*: The Different Manufacturers Exemption,” *IADC Committee Newsletter, Drug, Device and Biotechnology* (May 2013)
- “Curbing E-Discovery Cost by Promoting Predictability,” *DRI’s For the Defense* (January 2013)
- “Epidemiology and Pharmaceutical Products Litigation: A Beginner’s Guide,” Defense Research Institute, Drug and Medical Device Committee (2010)

## **MEDIA**

- “CVN’s Top 10 Most Impressive Defense Verdicts of 2021,” Courtroom View Network (December 2021)
- “Ga. Justices Won’t Review Ruling That Talc Claims Were Late,” *Law360* (November 2021)
- “J&J Supplier Gets Talc Claims Tossed in Ga. Cancer Suit,” *Law360* (June 2021)
- “J&J Faults Doctor’s Affidavits in Ga. Suits Over Cancer Deaths,” *Law360* (May 2021)  
“Ga. Talc Co. Says Strict Liability Claims Over Cancer Too Late,” *Law360* (April 2021)
- “11 Cases Cut From J&J Talc MDL and Sent Back to Mo. Court,” *Law360* (July 2020)

## **Honors**

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- Martindale-Hubbell® AV Preeminent® Peer Rating
- Missouri & Kansas Super Lawyers Rising Stars® (2008-2011)
- *Missouri Lawyers Weekly*, Up and Coming Lawyer (2008)

### **In the Community**

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- American Bar Association
  - » CLE Program, Co-Chair
  - » Pharmaceutical Subcommittee, Former Vice Chair
- The Missouri Bar
  - » Biotech and Life Science Committee, Chair (2015-2020)
- Illinois State Bar Association
- The Bar Association of Metropolitan St. Louis
- Missouri Organization of Defense Lawyers
- International Association of Defense Counsel
  - » Trial Academy (2006)
  - » Member (2018-Present)
- Defense Research Institute
  - » 2021 Talc Litigation Virtual Seminar Planning Committee, Program Co-Vice Chair
  - » Drug and Medical Device Committee
  - » Product Liability Committee
- Claims and Litigation Management Alliance
- Leadership Council on Legal Diversity
  - » Annual Alumni Meeting CLE program coordinator (2014)
  - » Fellows Program (2013)
- Lawyers Association of St. Louis (2006-2014)
  - » Executive Committee and Leadership through President-Elect
- Sedona Conference® Working Group on Electronic Document Retention and Production
  - » Cooperation Training Program (2013)