



Justin E. Rice

Partner

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Justin Rice defends companies in high-stakes litigation, as well as complex civil matters relating to government investigations and sophisticated scientific, technical, and legal issues.

Justin focuses on products liability, business litigation, and matters where regulatory scrutiny, enforcement risk, and reputational considerations intersect. He is called upon to defend companies facing litigation brought or influenced by government agencies—battling back against aggressive legal theories while protecting our clients' public standing. He has also defended clients whose products are alleged to cause psychological damages, including neurodevelopmental disorders and addiction.

Justin has successfully defended medical, pharmaceutical, and industrial companies in products liability and personal injury lawsuits and physicians and healthcare providers against allegations of malpractice. He has significant experience in nationwide litigation, including leadership roles on national counsel engagements, running briefing teams, expert teams, and managing litigation strategies that wade into complex scientific disciplines. These efforts have often led to the early resolution and dismissal of several cases.

Justin also represents banks and financial services companies in cases involving securities, investment suitability, contracts, and the administration of trusts.

Prior to his legal career, Justin worked in copyright for Warner/Chappell Music in Los Angeles, supervising the company's mechanical licensing department.

Outside the practice of law, Justin most enjoys spending time with his wife and three children. He is a drummer, photographer, and active volunteer in his local church.

Education

- Case Western Reserve University School of Law (J.D., 2006); The Internet Law Journal, Editor
- University of Southern California (B.S., cum laude, 1998)

State Admissions

- Ohio, 2006

Federal Admissions

- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio

Service Areas

- Life Sciences Litigation
- Business Litigation
- Financial Services Litigation
- Medical Malpractice Litigation
- Health & Life Sciences
- Financial Services

Experience

REPRESENTATIVE CASES

- Represents talcum powder blenders/bottlers in nationwide product liability litigation
- Represents a pharmaceutical company in nationwide litigation brought by state and local governments seeking costs for abatement of the opioid crisis
- Represents industrial plumbing manufacturers in flood, fire, and property damage litigation
- Represents physicians and healthcare professionals in lawsuits alleging medical negligence
- Represented a transvaginal mesh manufacturer in nationwide product liability litigation
- Represented hip implant manufacturers in nationwide product liability litigation
- Represented a prescription biologic company in lawsuits involving interstitial lung disease
- Represented a prescription birth control patch manufacturer in nationwide personal injury litigation
- Represented a prescription biologic company in nationwide litigation alleging medication caused neurodevelopmental disorders
- Represented a national bank in trust litigation

REPRESENTATIVE DECISIONS

- Obtained dismissals of talcum powder blenders and bottlers in trial and appellate courts throughout the country for lack of personal jurisdiction
- Obtained the exclusion of Plaintiff's pathologist and infectious disease experts under *Daubert*, and successfully defended defense experts against Plaintiff's *Daubert* challenge (E.D. Mo. 2016)
- Obtained exclusion of several opinions offered by Plaintiffs' experts under *Daubert* in MDL involving various synthetic mesh medical devices (S.D. W. Va. 2016)
- Obtained the exclusion of Plaintiff's medical and regulatory experts' testimony under *Daubert*, resulting in summary judgment for a pharmaceutical manufacturer in a case involving alleged injuries from a prescription biologic (N.D. Ohio 2014)
- Obtained summary judgment for a medical device company in four MDL bellwether cases on statute of repose/limitations grounds in cases involving injuries allegedly caused by transvaginal mesh (M.D. Ga. 2013)
- Successfully opposed motions to vacate transfer of hundreds of cases to MDL involving a hip implant device (J.P.M.L. 2012–2014)
- Won a motion to dismiss a pharmaceutical manufacturer in a lawsuit alleging personal injuries from diabetes medication (N.D. Ohio 2012)
- Won a motion for attorneys' fees in a securities and breach of contract action (D. Ariz. 2011)
- Obtained a complete defense verdict as first-chair trial counsel in a bench trial involving the terms of a residential lease (Lakewood Mun. Ct. 2011)
- Won a motion to dismiss a financial services company in a lawsuit alleging violations of federal and state securities laws (D. Ariz. 2010)

Publications & Events

SPEAKING ENGAGEMENTS

- “How to Become Indispensable: An Interactive In-House Panel,” Moderator, DRI Drug and Medical Device Seminar, Chicago, Illinois (May 2016)
- “Don’t Let Juror Misconduct Lead to Mistrial or Lawyer Misconduct,” DRI Product Liability Conference, New Orleans, Louisiana (February 2016)
- “Outside the Lines: Strategies for Handling Jury Issues Outside the Traditional Courtroom,” DRI Annual Meeting, San Francisco, California (October 2014)

PUBLICATIONS

- “[Subtle Writing: Winning Even If You Lose](#),” DRI’s *Raising the Bar* (June 2016)
- “Ten Steps to Ensure the Efficient Discovery of Pertinent Medical Records,” *The Legal Secretary* (May 2015); DRI’s *Raising the Bar* (February 2015)
- “[Finding the Bad Juror: Don’t Let Juror Misconduct Lead to Mistrial or Lawyer Misconduct](#),” *For the Defense* – DRI (April 2015)
- “[Daubert – An Outline of Key Principles and Questions for Expert Witness Depositions](#),” *The Whisper* – DRI (November 2013)
- “[Best Practices for Serving as Local Counsel: A Young Lawyer’s Opportunity](#),” *The Whisper* – DRI (June 2012)

Honors

- Ohio Super Lawyers Rising Stars® (2010, 2015, 2016)

In the Community

- Defense Research Institute
 - » Young Lawyers Committee
 - » Drug & Medical Device Committee, Liaison
 - » Civility and Professionalism Subcommittee, Past Chair
 - » Drug & Medical Device Committee
- Cleveland Metropolitan Bar Association
- Legal Aid Society of Cleveland, Time Well Spent Honor Society