Tucker Ellis LLP

Fire Litigation

Overview

Our trial lawyers are experts at defending product manufacturers, distributors, suppliers, and premises owners in fire-related claims. We defend the entire spectrum of fire claims, from multimillion-dollar, catastrophic commercial explosions involving property damage and personal injury to residential subrogation matters.

We have developed successful strategies to address the unique challenges posed by fire and explosion litigation and decrease nationwide settlement values in consumer product subrogation cases. In addition to navigating the traditional legal issues involved in product liability matters, such as negligence, workers' compensation, wrongful death, and property damage, our in-depth knowledge of the origin and cause of fires and explosions—including fire science, burn patterns, building design, fire suppression systems, fire-related human behavior, as well as the preservation of evidence and potential spoliation— is key to our success. We routinely win evidentiary disputes and successfully exclude plaintiff origin and cause experts from trial, and have secured numerous pre-suit dismissals based on our involvement at scene inspections.

Our fire litigation team, including one member who is a Certified Fire and Explosion Investigator, has a comprehensive understanding of NFPA 921: Guide for Fire and Explosion Investigations. Further, to keep us on the cutting edge, our team members participate in professional and legal organizations relating to fire and explosion investigation and litigation. Throughout every stage of a fire-related claim, our team advises on complex issues, including scene inspection and lab examination strategy, expert and investigation strategies, early case evaluation and resolution, and comprehensive trial strategies.

As national coordinating counsel for consumer product companies and commercial and industrial manufacturers in fire cases all over the country, we have significant experience in preparing and implementing coordinated defenses in multiple cases across multiple jurisdictions. Our expertise enables our clients to predict and control costs while presenting a vigorous and consistent defense, regardless of jurisdiction.

REPRESENTATIVE INDUSTRIES

- HVAC equipment
- Consumer appliances
- Industrial equipment
- Fire suppression and sprinkler systems
- Electrical products
- Automobiles

- Commercial equipment

Experience

- Achieving significant reductions in national settlement values and legal costs while serving as national coordinating counsel for a large consumer appliance manufacturer in dryer fire cases
- Serving as national counsel for a manufacturer of industrial heating and ventilation products in product liability/fire loss cases
- Defending cases involving range, dishwasher, and refrigerator fires for a large consumer appliance manufacturer
- Defending fire loss and explosion cases for numerous manufacturers of a wide range of products, including elevators, electrical controls, air conditioners, infrared heaters, compressors, electric blankets, industrial hoses, and hydraulic motors
- Representing a manufacturer of a component part industrial pump that was incorporated into a man-lift that allegedly caught fire in an industrial facility
- Defending fire cases involving small appliances and aquarium products for a global consumer products company
- Representing the manufacturer of a disconnect that was incorporated into a solar panel system that caught fire at a major retailer
- Managing insurance issues arising out of a bank fire, including three cases involving injured in the fire
- Representing manufacturers of industrial air compressors and pumps in multiple cases involving allegations that a compressor or pump was either the origin or cause of an industrial fire
- Representing a manufacturer of fire detection and suppression equipment in multiple cases
- Representing a manufacturer of commercial refrigeration and cooling equipment in multiple cases
- Representing a manufacturer of residential heating equipment and component parts in multiple cases involving allegations of both property damage and personal injuries
- Representing the manufacturer of a relief valve in a case involving a home boiler explosion
- Representing a maintenance company and its sales representative in a case involving an internal commercial boiler explosion
- Representing an elevator manufacturer in a case involving an elevator fire at a long-term care facility
- Representing a large public company in a case in which a weld caught fire during installation of ATM equipment at a bank
- Representing an Italian rail car manufacturer in a case involving an employee coming into contact with high-voltage wires and burning to death while working on a rail car

- Representing a large contractor and hospital system in a case where a worker caught fire when a bucket truck came into contact with a high-voltage line
- Representing the estate of an electrical worker who died after coming into contact with high-voltage lines
- Representing an appliance manufacturer in subrogation matters in which the plaintiffs alleged that structure fires originated in furnaces, refrigerators, furnaces, and air handling units
- Handling dozens of nationwide wrongful death and severe personal injury residential fire cases involving child-play against a manufacturer and importer of barbecue grill lighters
- Defending product manufacturers in personal injury and property damage claims involving allegations of defectively designed or defectively manufactured fire extinguishers