



THOMPSON
COE

Jeffrey D. Otto

Partner, Casualty Vice Chair

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Jeff Otto devotes his practice to civil trial work with an emphasis on personal injury litigation, products liability, medical device litigation, medical malpractice, legal malpractice, chemical and toxic tort litigation, insurance litigation, and reinsurance.

Jeff has represented chemical manufacturers, physicians, and nursing homes in serious personal injury and death cases. Additionally, he has handled complex business litigation related to market conduct of insurance carriers and reinsurers.

Jeff is certified by the State Board of Legal Specialization in both Civil Trial Law (1987) and Personal Injury Trial Law (1994). Only 3% of all Texas attorneys hold this double certification.

Representative Experience

- Obtained unanimous defense verdict for premises owner/construction company in a trucking accident at a gravel pit.
- Handled multiple fatality and burn cases involving trucking accidents on a statewide basis.
- Handled construction accidents involving the collapse of an entire hotel structure involving severe brain injured plaintiff in South Texas.
- Handled construction defect litigation with over 75 contractors, subcontractors and design professionals in Central Texas.
- Handled defense of attorneys involved in wrongful foreclosure action in federal court in Central Texas.
- Handled business litigation involving allegations of internal fraud by insiders in North and Central Texas.
- Handled complex medical device litigation involving both off-label use allegations as well as design and manufacturing defect claims.
- Handled complex reinsurance treaty claims in arbitration arising from receivership of Texas domiciled admitted carrier.
- Handled claims and suits involving toxic products alleged to have resulted in non-Hodgkin's lymphomas.

Services & Industries

- Professional Liability
- Products Liability
- Mass Torts
- Health Care
- Transportation
- Construction

- Handled premises liability claims against national retailer involving manufacturing defect claims where manufacturer was Chinese and beyond reach of U.S. jurisdiction.

Education

- Baylor University School of Law (J.D., 1980)
- University of Texas at Austin (B.B.A., 1977)
 - Marketing and Finance

Bar Admissions

- Texas, 1980

Court Admissions

- United States District Court, Northern District of Texas
- United States District Court, Southern District of Texas
- United States District Court, Eastern District of Texas
- United States District Court, Western District of Texas

Professional and Community Activities

- Texas Association of Defense Counsel (TADC) – Speakers Committee
- Medmarc Defense Group
- Trucking Industry Defense Association (TIDA)

Speeches and Presentations

- "After the Accident – Now What?" Fleet Safety Symposium at UT / Pickle Research Center (2010)
- Texas Association of Defense Counsel - Risk Transfer Agreements; The Express Negligence Rule; Ethyl Doctrine in Texas (2007)
- TADC/U.T. Construction Law Seminars – Cross-Examination of Experts (2004, 2007)

Professional Recognition

- *The Best Lawyers in America* "Lawyer of the Year"
 - Product Liability Litigation - Defendants; 2014, 2016, 2018, 2019
- *The Best Lawyers in America*
 - Personal Injury Litigation-Defendants and Product Liability Litigation - Defendants, 2008-2022
- *Texas Super Lawyers* list
 - Personal Injury - General: Defense, Professional Liability: Defense, Civil Litigation: Defense; 2003-2021
- "AV" Peer Review Rated by *Martindale Hubbell*

Health Care

Overview

Jeff Otto has represented many manufacturers and has tried cases from El Paso to Edinburg to Austin for medical device manufacturers.

Representative Experience

- Obtained defense verdict in South Texas involving 82 year-old plaintiff claiming defective design and manufacturing of DME placed by Home Health Agency.
- Obtained defense verdict in Central Texas involving wheelchair bound plaintiff claiming defective design of wheelchair lift used in modified van.
- Handled complex medical device claims against manufacturer of drug-eluting stent; confidential settlement reached in 2007.

Professional Liability

Overview

Jeff Otto has extensive experience in the defense and trial of professional liability litigation brought against attorneys and physicians.

Representative Experience

- Tried medical malpractice case involving failure to diagnose breast cancer litigation resulting in defense verdict in Central Texas.
- Tried medical malpractice case involving wrongful foreclosure claims against large regional law firm and its substitute trustee during foreclosure action; defense verdict.
- Defended deceased attorney's estate in action brought by heirs in probate case claiming mismanagement and breach of fiduciary duties; confidential settlement reached.
- Defended architects and engineers in litigation over multiple rural school district projects brought by local school boards; statewide settlements reached in all cases.