



## Elizabeth Raines

Partner

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Elizabeth Raines focuses her practice on the defense, mitigation, and resolution of complex and high-exposure disputes for corporations. Whether in Texas or across the country, she collaborates with clients, colleagues, and experts to determine the most effective path to a favorable outcome. Her favorite aspect of complex litigation is the opportunity to learn from and work with teams of talented individuals and experts to solve difficult problems.

Elizabeth advises clients, develops strategy, and resolves disputes based on more than 20 years of experience in national, regional, and local litigation, including jury trials in federal and state jurisdictions. She has served in leadership roles for mass tort litigation and on national and regional trial teams.

### Background

Her experience spans disputes involving commercial, employment, insurance, intellectual property, and tort claims. For 20-plus years, she has worked with clients in the automotive, aviation, commercial and residential property management, energy, fitness, hospitality, medical device, pharmaceutical, recreational product, tobacco, and toy industries. She particularly enjoys tackling medical, scientific, and technical issues with experts in the field to determine how to effectively present these concepts in the context of a case.

### Representative Experience

#### PRODUCT LIABILITY AND TOXIC TORT

Defense verdict for seller of orthopedic devices in a multi-plaintiff jury trial.

Jury found plaintiff 96% at fault in a catastrophic injury case against manufacturer, distributor and seller involving alleged failure to warn and design defects.

Member of national trial team that obtained defense verdicts for manufacturer and supplier in jury trials of mesothelioma cases.

Representation of motor vehicle and component part manufacturers in catastrophic injury, death and property damage cases involving alleged design or warning defects (2001-2012).

Representation of medical device companies in multijurisdictional litigation and individual cases involving alleged design or manufacturing defects or failure to warn. Products include orthopedic implants and hardware, cardiac stents, infusion pumps, and defibrillators.

Representation of pharmaceutical companies in multijurisdictional litigation and individual cases involving psychiatric and hormone therapy medications and of national retail pharmacy in case of alleged acetaminophen poisoning from prescription pain medication.

Representation of asbestos-containing product manufacturers in Texas asbestos MDL and in jurisdictions including California, Florida, Georgia, Illinois, Indiana, Massachusetts, Missouri, New Jersey, and Pennsylvania.

Representation of stone supplier in silica litigation.

#### COMMERCIAL

Less than 10% of claimed damages awarded and multiple claims denied by the jury in a commercial aviation case involving breach of contract and product liability claims.

Representation of pharmaceutical company in litigation involving contractual and business tort claims arising from asset purchase agreement.

Representation of pharmaceutical company in intellectual property litigation.

Opposing damages expert excluded under Daubert in a breach of contract case involving alleged defective products.

#### TRAUMATIC BRAIN INJURY

Jury assessed 15% fault to plaintiff and awarded less than 15% of requested actual and punitive damages in an electrical injury case.

#### COVERAGE

After a bench trial, court found coverage due to client's organization under a directors and officers policy for substantial jury verdict in employment case.

#### ERISA

Federal court granted ERISA plan insurer's summary judgment motion, finding denial of a death benefit in a case of prescription pain medication overdose was not an abuse of discretion under the terms of the policy.

Federal court granted ERISA plan insurer's summary judgment motion on plaintiff's claim that when the insurer calculated an offset and an overpayment of disability benefits based on plaintiff's receipt of SSDI, income taxes paid on SSDI benefits should have been subtracted.

## **Related Services**

Business and Commercial

Products Liability & Mass Torts

## **Publications & Speaking Engagements**

The Litigation Landscape for Autonomous Vehicle Crash Liability, Part 1: Current Conditions

Bloomberg Law

2019

The Litigation Landscape for Autonomous Vehicle Crash Liability, Part 2: New Tech, New Claims

Bloomberg Law

2019

The Litigation Landscape for Autonomous Vehicle Crash Liability, Part 3: A Look Ahead

Bloomberg Law

2019

Presentations on career development, jury selection, and social media issues

American Bar Association

Presentations on "Rambo" litigation tactics, damages issues, and trial tactics

National Business Institute

Presentations related to corporate representatives and employee witnesses, including privilege, selection and preparation, work product and Yates issues

Association of Corporate Counsel

## **Education, Admissions & Activities**

### **EDUCATION**

Southern Methodist University

J.D., 2000

Southern Methodist University

B.A., 1990

English

History

## BAR ADMISSIONS

Kansas

2002

Missouri

2001

Texas

2000

## COURT ADMISSIONS

United States District Court of Missouri

Eastern and Western

United States District Court of Kansas

Northern, Eastern, Southern, Western

United States Court of Appeals

Tenth Circuit

United States District Court of Texas

Northern

## PROFESSIONAL AND COMMUNITY ACTIVITIES

International Law Review Association

Managing Editor

Dallas Bar Association

Defense Research Institute

Election Protection Volunteer

IADC Trial Academy Graduate

Kansas City Metropolitan Bar Association

Leadership Academy Graduate

Midwest Innocence Project Pro Bono Service

Missouri Organization of Defense Lawyers

Board Member, Amicus Committee Chair

Ross T. Roberts Inn of Court

Trial Academy Graduate

Texas High School Mock Trial Competition

Volunteer Judge