

National/Regional Coordinating, Trial and/or Discovery Counsel

Related Practices

Antitrust & Trade Regulation
Pharmaceuticals & Medical
Products
Product Liability
Securities

Related Industries

Automotive Industry Group
Financial Industry Group
Insurance Industry Group

Overview

Dykema has a leading practice as national and regional coordinating, trial and discovery counsel for a wide variety of industries. Our vast experience in such roles enables us to help our clients choose a national counsel model or to custom tailor an approach that best fits a set of related cases. We know how to handle and oversee numerous varied but parallel cases to further the clients' goals, enhance efficiency and avoid the pitfalls caused by asserting inconsistent litigation or discovery positions. We have the geographic presence, technological platform and smart, experienced trial counsel to provide clients with real results and exceptional value in the role of national or regional counsel. According to clients quoted in *Chambers USA 2018*, Dykema's litigators are "strategic thinkers who work to find a unique solution" and "think outside the box."

Broad Geographic Reach

With 13 offices in California, Illinois, Michigan, Minnesota, Texas and Washington D.C., a fully mobile workforce and lawyers licensed to practice in multiple jurisdictions, Dykema is well positioned to handle legal work throughout the United States. Dykema trial lawyers have tried cases and arbitrated disputes in more than 35 states and the District of Columbia, including places as far away as Hawaii, Massachusetts, Washington State, Georgia and Wyoming. While Dykema lawyers are available to try cases in any and all of the 50 states, we also maintain well established relationships with local counsel in nearly every state and across the globe because we know there are times when using local counsel is the most effective way to obtain the best results for our clients.

Uniform Client-Based "Big Picture" Strategy

We know that our clients' business objectives must drive strategy decisions and that even the best strategy, if inconsistently or blindly followed, is a poor one. For these reasons we work closely with our clients to understand fully their businesses, goals, litigation history and risk profile, to develop strategies that best further their specific interests. We also engage in early and ongoing case and budget assessments to evolve strategy and keep the budget on track.

Efficient, Standardized and Consistent Discovery and Trial Preparation

In the role of national or regional counsel, we learn how and where our clients maintain discoverable documents, ultimately culling out, then organizing and storing electronically, a master document repository for all related lawsuits; eliminating the need for repeated document searches that can disrupt business and drive up legal fee costs. We also standardize and coordinate all discovery requests and responses, protective orders, motions and witness outlines to the fullest extent possible.

We work closely with corporate and expert witnesses—preparing them for and defending them during depositions and trial. Helping witnesses recognize and understand the connection between their individual experience, knowledge and/or expertise and the key issues is critical to

mounting the most compelling defense. Through these efforts, we help our clients take consistent positions in related litigation, minimize legal costs and streamline the entire litigation process.

Technology Platform

Dykema maintains a state-of-the-art, high-speed wide area network to support our attorneys and staff, regardless of their physical location—making our workforce fully mobile. As one of only a few firms employing an Enterprise Search Product for the firm's intranet and document management systems, Dykema is also on the leading edge in Extranet development and usage.

Our DykemaConnect extranet service is configured to support the client's specific group of related matters. This highly-secure extranet website is available to Dykema and its clients worldwide, 24 hours a day, 7 days a week. Among its many features, this service offers Dykema clients a secure online document repository (vital for discovery management involving numerous cases), group calendaring, research, contact lists and other important information. Each client's DykemaConnect website is unique and private. It is accessible only by the client and Dykema legal professionals with the proper user identification and password.

Leading Trial Counsel

Dykema has experienced trial lawyers "possessing an excellent track record" (*Chambers USA 2018*) who provide high quality and high value litigation, trial and appellate, and counseling services. Dykema lawyers have deep first chair trial experience that few firms can match. Whether you are in the automotive, aerospace or another manufacturing industry, pharmaceutical or medical device fields or a financial services provider—Dykema has trial ready industry-specific teams with experience trying bet-the-company cases—already knowledgeable about your industry and the issues currently challenging it.

Our Experience

Examples of our experience as national or regional counsel include:

Auto Products

- Dykema serves as national counsel to a major Asian automotive manufacturer in air bag litigation—handling strategic subject matter development, expert preparation and coordination, preparation and defense of company witnesses, discovery and trials. We have handled over 100 cases in this capacity.
- Dykema serves as regional defense counsel to a major U.S. auto manufacturer in airbag and fire litigation in the Midwest and western regions. Our responsibilities include direct case handling, including trials, and retaining and supervising local counsel.
- We acted as national products defense counsel for a major U.S. auto manufacturer and currently serve as regional counsel for cases throughout the east coast, Midwest and western states.
- We are lead auto products defense counsel to a major U.S. auto manufacturer in multiple jurisdictions; participated in federal and state multidistrict litigation proceedings; and coordinated group settlements with law firms and insurers, some of which covered cases and claims occurring over several years and throughout the U.S. Since 2004, we have acted as national counsel for all discovery, working with engineers and others to draft responses to all written requests, and with employees and company representatives to prepare and defend their depositions.
- Dykema acts as national counsel and lead trial counsel for a major Tier One auto supplier in product liability lawsuits pending across the country, defending claims related to allegations of defective restraint system components (air bag and seat belt systems).
- We are national discovery counsel for a major U.S. auto manufacturer in 70,000 asbestos, benzene and silica premises cases pending across the country. We were the first firm to undertake the role of national discovery counsel with the joint defense of several major automobile manufacturers. We developed a program to effectively handle all aspects of discovery, standardized responses, created document repositories, and prepared and defended all corporate witnesses and experts.

National/Regional Coordinating, Trial and/or Discovery Counsel (Cont.)

Financial Services

- We are national and regional counsel for numerous financial institutions in consumer class actions alleging wrongdoing for origination and/or servicing of mortgage loans.
- We served as national coordinating counsel to multiple lenders for Fair Credit Reporting Act class action litigation arising out of the use of pre-screened offers of credit—ultimately, obtaining an appellate decision that successfully concluded the litigation.
- We served as lead counsel for a major automobile manufacturer's credit subsidiary, defending it against race and ethnic status discrimination claims arising out of automobile financing.

Pharmaceutical and Medical Products

- We frequently serve as national science and expert counsel in multi-district pharmaceutical and medical device litigation.
- We served as national counsel for a major pharmaceutical company in litigation alleging birth defects resulting from anticonvulsants and have also defended class actions involving prescription and generic drugs, infant formula and vitamins.
- We served as regional counsel for the manufacturer of silicone breast implants in product liability litigation.

Other Industries

- We are regional counsel for a large national retailer regarding all tort litigation, including claims of products liability, premises liability, automobile negligence, garage and public liability, and other tort allegations.
- We serve as national counsel to a major U.S. conglomerate in commercial and tort litigation involving its glass and fiberglass products.
- We serve as national counsel and international coordinating counsel for a manufacturer of aviation engines, defending the company in helicopter and airplane accident litigation.