



Christopher R. Cashen

Partner
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Chris is co-chair of the Product Liability practice group. He serves as national counsel for an international medical products manufacturer, regional counsel for an international industrial equipment manufacturer, and as coordinating expert and discovery counsel in a series of motor vehicle cases.

He has handled a variety of automotive, aviation, industrial equipment, medical equipment, pharmaceutical, and recreational product matters in Kentucky and more than 20 other states. Chris has tried more than two dozen cases to verdict.

Prior to joining the firm, he practiced in the Lexington office of Wyatt, Tarrant & Combs, LLP, where he served as chair of the Product Liability practice group.

Services

- Product Liability
- Tort
- Toxic Tort
- Litigation
- Life Sciences Industry

Education

- University of Kentucky College of Law (J.D., 1991)
- University of Kentucky (B.B.A., 1988)

Bar Admissions

- Kentucky

Court Admissions

- U.S. Court of Appeals for the Sixth Circuit

- U.S. District Court for the Western District of Kentucky
- U.S. District Court for the Eastern District of Kentucky

Affiliations/Memberships

- Fayette County Bar Association
- Kentucky Bar Association
- American Bar Association
 - Tort and Insurance practice sections
 - Products, General Liability and Consumer Law Committee vice chair (1997 - 2004)
- Defense Research Institute
- International Association of Defense Counsel Trial Academy
- Keeneland Concours d'Elegance (benefitting the UK Children's Hospital), Board of Directors
- Christ the King School Board, past president
- Ronald McDonald House Charities, past assistant treasurer
- Boy Scouts of America, chapter liaison

Distinctions

- *Best Lawyers*®
 - "Lawyer of the Year" in Lexington for Product Liability Litigation (2016; 2021)
 - Product Liability Litigation - Defendants (2022 -2024)
- Kentucky *Super Lawyers*®

Experience

Successfully Defended Manufacturer in Entrapment Case

We represented our client, Genie – a global aerial work platform manufacturer, in a lawsuit after a worker suffered fatal injuries in an entrapment accident. The plaintiffs claimed that aerial work platforms should be equipped with mandatory secondary guarding accessories, which plaintiffs claim would have prevented this death. The plaintiffs sought \$69 million, including punitive damages. Post-accident evidence, including evidence of non-similar accidents, were allowed to go to the jury. Despite these challenges, we received a unanimous defense verdict from the jury after nearly two weeks of testimony. The jury rendered the defense verdict in under 90 minutes, agreeing these machines, which have been used for decades and millions of man hours, are not defective and unreasonably dangerous. This case was also significant for the industry, as it is the first entrapment case to be tried to verdict.

Product Liability Defense of Industrial Equipment Manufacturer Against Claims of Defective Design Involving Bucket Truck

We represented a man-lift manufacturer in a product liability case where plaintiff's husband died in accident while operating an industrial bucket truck. The plaintiff alleged that the bucket truck should have been equipped with a strain gauge load cell system. The plaintiff filed claims for negligence, strict liability and breach of warrant against our client. After successfully obtaining dismissal of plaintiff's manufacturing defect claim, we filed *Daubert* motions to exclude plaintiff's experts arguing her experts were unreliable. Concurrently, we filed a motion for summary judgment. The state court judge granted both the *Daubert* motion and summary judgment motion in favor of our client.

Premises Liability Defense Relating to Claimed Damaged to a Vehicle

We represented a retailer against plaintiff's claim that our client bent the frame of her vehicle during a routine tire rotation and oil change. The plaintiff asserted a negligence claim and, after a one-day bench trial, the Judge found in favor of our client.

Defense of Negligent Security Claim

We represented a retailer in a case where the plaintiff-mother was shopping with her son in our client's store and heard two other customers using offensive language in earshot of her son. The plaintiff- mother told the customers to stop using the offensive language and a fight ensued. The plaintiff filed suit claiming the retailer should have prevented or intervened in the altercation. The trial court granted summary judgment; however, the plaintiffs appealed the trial court's decision to the Kentucky Court of Appeals. The Court of Appeals affirmed the trial court's grant of summary judgment in favor of our client.

Publications

July 6, 2021

States' COVID-19 Immunity Statutes and Product Liability Claims Related to COVID-19

dri | Strictly Speaking

April 2021

Understanding and Defending New Technologies

For the Defense - dri

February 1, 2020

Understanding and Defending New Technologies

DRI - The Voice of the Defense Bar