



## Michael D. Eagen

Of Counsel  
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Mike has litigation experience in the areas of personal injury, property damage, product liability, professional malpractice, insurance coverage, toxic torts, commercial law and mass torts. He has been primary trial counsel for trials in Ohio, Michigan, Kentucky and Pennsylvania, with more than 60 cases tried to verdict or judgment. He has served as a state and federal court appointed arbitrator and mediator. Mike served in the United States Army from 1968 to 1971. Upon discharge, he had achieved the rank of first lieutenant.

### **Product Liability Litigation**

Mike has been involved in product liability defense work for the full extent of his career representing manufacturers of exercise equipment, medical devices, toxic substances and various other products. Most recently he has been involved in major product liability litigation involving claimed defects in motor vehicle products.

### **Insurance Industry Litigation**

Over the years Mike has represented numerous insurance companies involving claims of bad faith, inappropriate claims handling and coverage issues.

### **Asbestos Personal Injury Defense**

For more than 30 years, Mike has represented numerous defendants in the asbestos personal injury litigation including the trial of cases in Michigan, Ohio and Pennsylvania. In the 1980's, he was the lead defense attorney in southwestern Ohio for the Asbestos Claims Facility representing approximately 30 manufacturers and 20 insurers in the litigation. His original clients were The Celotex Corporation and Keene Corporation, manufacturers of asbestos-containing insulation. In recent years, he has represented more peripheral defendants dealing with issues such as product exposure, medical causation, federal pre-emption and applicability of tort reform legislation.

### **Mass Tort Litigation**

Mike has been involved in the representation of defendants in mass tort litigation including suits involving asbestos, silica, breast implants and tobacco. Among other issues, this litigation involves MDL issues, class-action issues, industry-wide discovery issues and complex case management issues. Currently, Mike is serving

as Lead Defense Counsel in a MDL involving athletic shoes.

## **Appeals**

He has been involved in numerous appeals of matters he has tried and occasions where he has been retained as appellate counsel. This work has primarily taken place in the Sixth Circuit Court of Appeals and the First District Court of Appeals of Ohio.

## **Commercial Litigation**

Mike has been involved in a number of cases involving contract interpretation disputes primarily involving the construction industry. These lawsuits have involved cost overrun issues, bid document interpretation issues and specification compliance issues.

## **Motor Vehicle Collision Litigation**

Historically, Mike has represented numerous defendants in lawsuits involving motor vehicle accidents primarily as referrals from liability insurance carriers. Recently, he has become involved on the plaintiff's side in a number of high-value motor vehicle accident cases.

## **Professional Liability**

He has represented doctors, podiatrists, hospitals and attorneys who have been sued for professional negligence. Most recently he is defending an investment advisor in a case involving ERISA and due-diligence issues.

## **Services**

- Product Liability
- Litigation
- Appellate
- Toxic Tort
- Class Action
- Mass Tort
- Tort
- Insurance Industry

## **Education**

- University of Michigan Law School (J.D., 1974)
- College of the Holy Cross (B.A., 1968)

## **Bar Admissions**

- Ohio
- Kentucky

## **Court Admissions**

- U.S. Supreme Court
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Southern District of Ohio
- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Michigan
- U.S. District Court for the Western District of Kentucky

## **Affiliations/Memberships**

- American College of Trial Lawyers; fellow; former State Committee member
- American Board of Trial Advocates, Rank of Advocate, current Cincinnati Chapter president
- Federal Bar Association, Cincinnati Chapter, past president
- Potter Stewart Inn of Courts, Master of the Bench, Executive Committee
- Sixth Circuit Judicial Conference, life member
- Cincinnati Bar Association, CLE speaker and past chairman of Admissions Committee
- Charter Committee, board member
- Cincinnati Association for the Blind, committee member

## **Distinctions**

- *Best Lawyers*®
  - "Lawyer of the Year" in Cincinnati for Litigation - Antitrust (2015)
  - Bet-the-Company, Commercial and Antitrust Litigation, Personal Injury and Product Liability Litigation - Defendants (2021)
- Ohio *Super Lawyers*®
- Leading Lawyer by *Cincy Business* magazine
- Peer Review Rated AV in *Martindale-Hubbell*