



## Jeffrey M. Whitesell

### Counsel

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Jeffrey Whitesell focuses his practice on the defense of product manufacturers in the pharmaceutical, medical device, prosthetic, industrial equipment, recreational vehicle, and automotive industries.

He has experience as national coordinating counsel and in multidistrict litigation in jurisdictions across the country. Jeff also counsels and represents hospitals, physicians, nurses, and other medical providers in medical negligence cases arising from various medical practice areas. He serves as Ohio and national counsel for product manufacturers in a variety of industries.

Jeff was born and raised in Cleveland, Ohio, where he lives with his wife and three children. In addition to spending time with his family, he enjoys coaching, softball, boating, ice hockey, golf, and being a tortured Cleveland sports fan, rooting for the Browns, the Indians, and the Cavaliers.

### Education

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- Cleveland-Marshall College of Law (J.D., 1997); Moot Court Board of Governors, Vice Chair; Journal of Law & Health, Managing Editor
- Bowling Green State University (B.S., 1990)

### State Admissions

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- Ohio, 1997

### Federal Admissions

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- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio

### **Service Areas**

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- Life Sciences Litigation
- Mass Tort & Product Liability
- Medical Malpractice Litigation
- Health & Life Sciences
- Food, Cosmetics & Dietary Supplements

### **Experience**

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- Obtained favorable resolutions in several product liability matters alleging defective design and inadequate warnings for an over-the-counter medication manufacturer
- Successfully defended medical device manufacturer in product liability action and contributed to the creation of a new law on the application of the new statutory damage caps set forth in Ohio's Tort Reform Act (Senate Bill 80)
- Defended product manufacturers in multidistrict litigation suits involving transdermal contraceptive patch and recalled hip replacement implants
- Successfully defended physician in medical malpractice action involving the placement of a tracheostomy tube
- Obtained summary judgments and voluntary dismissals and negotiated very favorable settlements for automobile parts manufacturer in numerous product liability actions alleging occupational exposure to asbestos
- Obtained summary judgment for contact lens manufacturer in product liability action where court found no duty owed for non-prescription, unauthorized use of the prescription medical device

### **Publications & Events**

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#### **PUBLICATIONS**

- "GM Labeling for Different States?," *Food Quality & Safety* (December 2013/January 2014)
- "The FDA Must Define 'Natural' Soon," *Food Processing* (June 2013)
- "U.S. Supreme Court Issues Landmark Decision Regarding Pharmaceutical Warnings," *Northern Ohio Physician*, Vol. 94, No. 4 (July/August 2009)
- "Physician Interaction with Pharmaceutical Companies: New Rules and Nationwide Trends," *Northern Ohio Physician*, Vol. 94, No. 2 (March/April 2009)

#### **In the Community**

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- Lake Erie Nature & Science Center, Board of Directors
- Westlake Girls Softball Association, President
- Lakewood Elks Lodge #1350, Member