



## Knight S. Anderson

### Partner

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Knight Anderson, a first-chair trial lawyer, defends clients in cases involving products liability, toxic tort, mass tort, and other complex litigation in state and federal courts throughout the United States.

At the trial level, Knight has considerable first-chair trial experience, often taking the lead in multiparty litigation when it comes to strategy and execution. In addition to his trial skills, Knight is well known for his scientific and technical acumen and is often called upon to serve as special projects counsel to work with company witnesses as well as cross examine key plaintiff experts and prepare key defense experts.

Knight represents local, national, and multinational clients in matters involving claims for alleged occupational and non-occupational exposures to toxic substances, including asbestos, silica, talc, household and industrial chemicals, creosote and coal tar, mold, CCA-treated lumber, lead-based paint, welding rods, benzene, and diesel fumes. Recent or current representations include claims arising from the use of industrial products, consumer products, construction equipment, pharmaceuticals, and medical devices as well as claims alleging environmental contamination resulting in personal injury and/or property damage.

In addition to representing clients in individual cases, Knight frequently serves as their regional and national counsel and serves as national trial counsel and on trial teams for clients.

Knight has briefed, argued, or participated in appeals before the Indiana Court of Appeals, the Indiana Supreme Court, the Court of Appeals for the Third Circuit, the Court of Appeals for the Seventh Circuit, the Court of Appeals for the Eighth Circuit, and the Court of Appeals for the Federal Circuit.

Knight is a proud alumnus of the University of Notre Dame and Indiana University School of Law. While at Notre Dame, he was a representative in student government and a participant in and captain of interhall sports teams, including football, baseball, and lacrosse. In law school, Knight

was a member of the National Moot Court Team and Moot Court Board, participated as an intern with the Student Legal Services Clinic, and played lacrosse for the Hoosiers.

### **Education**

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- Indiana University School of Law (J.D., 1993); Adelpia Law Journal, Associate Editor; Sherman Minton Moot Court Competition, Champion and Gavel Award ("Best Orator")
- University of Notre Dame (B.A. in Economics & Government, 1990); Omicron Delta Epsilon

### **State Admissions**

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- Ohio, 2014
- Indiana, 1993

### **Federal Admissions**

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- United States Court of Appeals, Third Circuit
- United States Court of Appeals, Seventh Circuit
- United States Court of Appeals, Eighth Circuit
- United States Court of Appeals, Federal Circuit
- United States District Court, Southern District of Indiana
- United States District Court, Northern District of Indiana

### **Service Areas**

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- Mass Tort & Product Liability
- Life Sciences Litigation
- Insurance
- Health & Life Sciences

## Experience

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- Product liability case in Court of Common Pleas of Philadelphia County, Philadelphia, Pennsylvania, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2020 (dismissed during trial).
- Product liability case in Court of Common Pleas of Alleghany County, Pittsburgh, Pennsylvania, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2020 (resolved during trial).
- Expedited product liability case in Superior Court of Pierce County, Tacoma, Washington, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2019 (resolved during trial).
- Consolidated product liability cases in Court of Common Pleas of Philadelphia County, Philadelphia, Pennsylvania, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2019 (resolved during trial).
- Expedited product liability case in Supreme Court of the State of New York, New York, New York, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2018 (resolved during trial).
- Product liability case in Court of Common Pleas of Lackawanna County, Scranton, Pennsylvania, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2017 (defense verdict).
- Expedited product liability case in Supreme Court of the State of New York, New York, New York, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2017 (resolved during trial).
- Expedited product liability case in Superior Court of Los Angeles County, Pasadena, California, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2016 (resolved during trial).
- Product liability case in U.S. District Court for the Middle District of Florida, Jacksonville, Florida, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2016 (resolved during trial).
- Expedited product liability case in Superior Court of Alameda County, Oakland, California, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2015 (resolved during trial).
- Expedited product liability case in Circuit Court of Miami Dade County, Florida, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2013 (defense verdict).
- Product liability case in Crawford County Circuit Court, Robinson, Illinois, alleging work with client's products caused plaintiff's mesothelioma. Jury trial 2013 (resolved during trial).
- Expedited product and premises liability claims in a case in Marion County Superior Court, Indianapolis, Indiana, alleging defendants caused plaintiff's mesothelioma. Jury trial 2002 (resolved during trial).
- Expedited product claims in a case in Allen County Circuit Court, Fort Wayne, Indiana, alleging defendants caused plaintiff's mesothelioma. Jury trial October 1999 (dismissed during trial).
- Defended product liability case in U.S. District Court, Indianapolis, Indiana, alleging defendants

caused plaintiff's lung cancer. Jury trial 1996 (received summary judgment after reconsideration during trial).

- Defended product liability cases in U.S. District Court, Hammond, Indiana; Superior Court, Lake County, Indiana; and Superior Court, Marion County, Indiana, against European manufacturer of airplane involving the Foreign Sovereign Immunity Act. 1993-1994.
- Briefed and argued the applications of the Statute of Repose barring long-tail toxic torts and its constitutionality in various trial and appellate courts in Indiana. Bench Rulings and Appeals 1994-2005.
- Defended product and premises liability claims in Superior Court of Marion County, Indiana, alleging occupational exposure to asbestos, coal tar pitch, silica, and mixed dust. Bench Rulings 2000-2011.
- Prepared motions and offered oral argument at hearings in Marion County Superior Court, Lake County Superior Court, and Vanderburgh County Superior Court, Indiana; U.S. District Court, Hammond, Indiana; U.S. District Court, Philadelphia, Pennsylvania; U.S. District Court, Rochester, New York; and U.S. District Court, Jacksonville, Florida, challenging the reliability and admissibility of plaintiffs' experts' opinions and testimony. Bench Rulings 2000-2013.

## Publications & Events

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### SPEAKING ENGAGEMENTS

- “Can’t We All Get Along? Cooperation Among Defendants and Counsel in Discovery and at Trial,” DALs 2019, New Orleans, Louisiana (June 2019)
- “The Jury’s In: Insight from Those Who Matter Most,” 2018 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (October 2018)
- Trial Lawyer Panel, Defense Asbestos Litigation Seminar 2018, Nashville, Tennessee (June 2018)
- “The Science and Theories of Liability Behind ‘Each and Every,’ ‘Single Fiber,’ and ‘Cumulative’ Exposure,” ACI 23rd National Forum on Asbestos Claims & Litigation, Chicago, Illinois (May 2018)
- “Nontraditional Exposures – An Overview,” HarrisMartin’s Asbestos Litigation Conference: Talc and Other Unique Exposures, Charleston, South Carolina (May 2016)
- “A Look Ahead at Emerging Litigation Issues,” American Bar Association, Environmental, Mass Torts & Products Liability Litigation Committees’ Joint CLE Seminar, Park City, Utah (January 2016)
- “Asbestos Medicine With a Focus on Lung Cancer: Interrelationship Between Smoking, Asbestos Exposure, and Lung Cancer; Lung Fibrosis as a Risk Factor for Lung Cancer; Clinical, Pathologic, and Radiologic Considerations in Diagnosing Asbestosis and Other Non-Malignant Lung Conditions, and More,” ACI 19th National Forum on Asbestos Claims & Litigation, Chicago, Illinois (June 2015)
- “A Discussion of the Background of Lung Cancer and Causation, New Lung Cancer Claims and Developments Regarding the Role of Asbestos as a Cause of Lung Cancer,” ACI 18th National Forum on Asbestos Claims & Litigation, Philadelphia, Pennsylvania (January 2015)
- “Negotiations: Ethical Duties to Clients and Counsel,” Ohio Professional Conduct Program, Tucker Ellis LLP, Cleveland, Ohio (December 2014)
- “Evaluating the Need for *Daubert* Hearings Challenging Expert Opinions and Methodologies in Light of *Barabin*,” ACI 17th National Forum on Asbestos Claims & Litigation, Chicago, Illinois (June 2014)

### PUBLICATIONS

- [“That Which We Call ‘Any Exposure’ by Any Other Name Would Smell as Rotten: The Transmogrification of the ‘Any Exposure’ Opinion,”](#) DRI’s *For The Defense* (November 2018)
- [“\*Schwartz v. Honeywell\* – A Dead-End on the Detour from Dose,”](#) American Bar Association, Section of Litigation, Mass Torts Litigation Committee (August 2018)
- [“Seventh Circuit Rejects the ‘Cumulative Exposure’ Opinion as an Inadmissible Repackaging of the Unsound ‘Each and Every Exposure’ Opinion,”](#) American Bar Association, Section of Litigation, Mass Torts Litigation Committee (Winter 2018)
- [“‘Are We There Yet?’ Will Personal Jurisdiction End Litigation Tourism?,”](#) DRI’s *The Voice* (June 2017)
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“‘Every Exposure’ Opinions Fail, as Courts Rule that Dose Matters,” Mass Torts Litigation, American Bar Association (November 2016)

- *Fifty-State Survey: Toxic Exposure Claims*, American Bar Association, Co-editor and co-author (2016)
- “2.0 Is a Magic Number, ” DRI’s *For the Defense* (November 2012)

#### **MEDIA QUOTES**

- “Multi-Source Asbestos Exposure Cases: When Words Really Matter,” Bloomberg BNA *Toxics Law Reporter* (November 2016)

#### **Honors**

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- Martindale-Hubbell® AV Preeminent® Peer Rating (1998-present)
- LMG Life Sciences
  - » Life Sciences Star (Product Liability)

#### **In the Community**

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- American Bar Association
  - » Litigation Section, Chemical Products Subcommittee, Co-Chair
- International Association of Defense Counsel
- Defense Research Institute
  - » Product Liability Subcommittee, Co-Chair
- Defense Trial Counsel of Indiana
  - » DTCI Products Liability Committee, Past Chair
- University of Notre Dame Alumni Association