



## Rachel N. Byrnes

### Associate

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Rachel has been with Tucker Ellis since 2016 and has developed a diverse litigation practice defending businesses in the areas of product liability and commercial disputes.

Rachel defends medical device and drug manufacturers in state and federal courts across the country, and is knowledgeable in medical device preemption issues. She also represents midsize to large companies in cases involving claims for breach of contract, business torts, and consumer fraud. She handles various aspects of pre-trial litigation, including drafting pleadings, preparing motions to dismiss, conducting fact investigation and expert discovery, and dispositive summary judgment motions.

Rachel is also devoted to pro bono work. Recently, she took an expert deposition in a post-conviction appeal involving a capital murder case. In addition, she assists with landlord-tenant disputes in Cuyahoga County.

While in law school, Rachel was a judicial extern for the Honorable Donald C. Nugent at the United States District Court for the Northern District of Ohio. She was also a member of the team that placed first in the August A. Rendigs National Product Liability Moot Court Competition in 2017, defeating 13 teams from across the country.

As an undergraduate, Rachel played varsity softball for John Carroll University. A northeast Ohio native, she now lives in downtown Cleveland. In her spare time, she enjoys running, kickboxing, playing volleyball and softball, watching the Cleveland Indians and Cavaliers (although she is a Pittsburgh Steelers fan), and trying out Cleveland's newest restaurants.

## Education

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- Cleveland-Marshall College of Law (J.D., summa cum laude, 2018); Cleveland State Law Review, Executive Editor, Managing Editor; Moot Court Team; Academic Excellence Fellow
- John Carroll University (B.S., magna cum laude, 2015); Pi Sigma Alpha Political Science Honor Society; Psi Chi Psychology Honor Society; Student-Athlete Advisory Committee

## State Admissions

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- Ohio, 2018

## Service Areas

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- Business Litigation
- Life Sciences Litigation
- Medical Malpractice Litigation
- Health & Life Sciences
- White Collar Criminal Defense & Corporate Investigations

## Experience

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- Member of the team that obtained dismissal for medical device company on federal preemption under *Riegel* in case involving alleged injuries from silicone gel breast implants (C.D. Cal.)
- Member of the team that obtained dismissal for medical device company on federal preemption under *Riegel* and Ohio Product Liability Act abrogation in case involving alleged breast implant-associated anaplastic large cell lymphoma (BIA-ALCL) from silicone gel breast implants (N.J. Sup. Ct. Law Div.)
- Member of the team that won motion to disqualify in post-conviction relief matter

## Publications & Events

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### PUBLICATIONS

- “Clawback Provisions” and “409A Litigation,” *Executive & Director Compensation Reference Guide*, Bloomberg Law (2020)
- *eDiscovery: 2019 Year in Review*
- *E-Discovery: 2018 Year in Review*

### In the Community

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- Cleveland Metropolitan Bar Association
  - » 3Rs Program
  - » Young Lawyers Section