Hollingsworth LLP
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Bruce J. Berger

Retired Partner



Joining the firm in 1986, Bruce Berger retired in 2015 to pursue a second career as a professional writer. He enrolled in the Master of Fine Arts program in Creative Writing at American University in Washington, DC, and received his MFA with Outstanding Academic Achievement in 2018. His first novel, *The Flight of the Veil*, was published in 2020 by Black Rose Writing, and his second novel, *The Music Stalker*, was published in 2021 by the same publishing house. Since 2017, Bruce has also been an Adjunct Professor at American University, teaching both College Writing and Creative Writing.

Throughout his legal career, Bruce was a successful and ardent trial lawyer. His broad areas of complex litigation practice included common carrier liability, environmental, pharmaceutical, and toxic torts and products liability, and he tried more than twenty cases to verdict. Some of the more notable results include:

- Serving as lead trial counsel for Novartis Pharmaceuticals Corporation in one of the first bellwether trials in the Aredia/Zometa multidistrict litigation pending in the Middle District of Tennessee. Aredia and Zometa are bisphosphonate drugs used to combat skeletal-related events (e.g., bone fractures) that occur as cancer metastasizes to and degrades a cancer victim's bones. Plaintiff alleged that her late husband developed osteonecrosis of the jaw ("ONJ") as a result of receiving Zometa as part of his cancer treatment. Following a seven-day trial, the jury returned a verdict in favor of Novartis.
- Securing a second consecutive defense verdict in the Aredia/Zometa litigation in a failure-to-warn case in which plaintiff alleged that her deceased husband developed ONJ as a result of his use of Zometa. After a one and a half week trial, the jury returned a verdict in favor of Novartis, validating Novartis's position that the company provided adequate warnings about the known and reasonably knowable risks associated with the use of Zometa.
- Successfully defending a pharmaceutical company against products liability claims brought by four plaintiffs and their spouses in a month-long trial in Galveston, Texas in 1997.

- Representing Norfolk Southern in the case of *Avondale Mills v. Norfolk Southern*. Plaintiff Avondale alleged property damage to its textile plants arising from a January 2005 train derailment and chlorine gas release. Bruce led the defense of financial damages issues in the case, which was then the largest single mass tort case in South Carolina history. After one month at trial, the parties agreed to a confidential settlement.

Among other manufacturers and industrial clients that Bruce represented while at the firm, he defended gasoline manufacturers and successfully obtained summary judgment in leukemia cases relating to alleged exposure to benzene. He also has successfully advocated the causation defense relating to alleged benzene exposures in complex workplace settings involving contract laborers and bystanders.

Prior to joining Hollingsworth LLP, Bruce worked for the U.S. Department of Justice in both the Civil Rights Division and the Lands and Natural Resources Division. He also taught Trial Practice as an Adjunct Professor at Georgetown Law and frequently chaired seminars, lectured, and wrote on trial practice, toxic tort litigation, and environmental issues. Bruce clerked for the Honorable John Minor Wisdom, U.S. Court of Appeals for the Fifth Circuit, from 1975-76. While attending law school, he served as Executive Editor of the *Harvard Law Review*.

In addition to the work he handled on behalf of our clients, Bruce served for five years as the firm's Pro Bono Coordinator. He frequently served as *guardian ad litem* representing children in custody disputes and served on the Children and the Courts Committee of the Council for Court Excellence.

Education

Harvard Law School (J.D., 1975, *cum laude*)
University of Connecticut (B.A., 1972, *with honors* in Chemistry)

Accolades

- Super Lawyers, Washington, DC edition
- Top Rated Lawyer, American Lawyer Media & Martindale-Hubbell